

MINUTES
ORDINARY COUNCIL MEETING
Friday, 18th July 2014

Minutes of the Ordinary Meeting of the Yilgarn Shire Council held in the Council Chambers, 23 Antares Street, Southern Cross, on Friday 18th July 2014.

PRESENT

Cr O Truran, Shire President

Crs W Della Bosca, J Della Bosca, G Guerini, K L Chrisp, B G Close

Council Officers: V Piccoli, Chief Executive Officer
M N Dohnt, Deputy Chief Executive Officer
W J Dallywater, Manager Environmental Health & Building
R J Bosenberg, Manager for Works

INFORMATION SESSION

There were no attendees for the Information Session.

The meeting was declared open for business at **1.30pm**

PUBLIC QUESTION TIME

Nil

APOLOGIES AND LEAVE OF ABSENCE

Cr D J Pasini, J F Guerini

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF PREVIOUS COUNCIL MINUTES

111/2014

Moved Cr Guerini Seconded Cr Close. That the Minutes of the previous Meeting of Council held on 20th June 2014, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

112/2014

Moved Cr Chrisp Seconded Cr Close. That the minutes from the WEROC Council Meeting held on Wednesday 25th June 2014, be confirmed as a true and correct record of the meeting.

CARRIED (6/0)

113/2014

Moved Cr J Della Bosca Seconded Cr Close. That the minutes from the Great Eastern Country Zone Meeting held on Thursday 26th June 2014, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

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114/2014

Moved Cr J Della Bosca Seconded Cr Guerini. That the minutes from the Tourism Advisory Committee Meeting held on Monday 14th July 2014, be confirmed as a true and correct record of that meeting.

CARRIED (6/0)

1.55pm: Council adjourned the meeting to attend the Country Women's Association 80th Celebrations.

3.10pm: Council re convened

ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS:

The Shire President advised the following:

- That she thanked the CEO for attending the WEROC Council meeting in her place.
- That she attended a training workshop in Perth on "Meeting procedures and Debating" and found participating worthwhile, she suggested that the workshop be held in Southern Cross for all Councillors and Executive Officers to attend and asked that upon the Finance Manager's return that she investigate the training opportunity.
- That she had attended the Great Eastern Country Zone meeting on the 26th June in Kellerberrin with the CEO. Ms Alison Hale from WALGA was to present information in relation to the Emergency Service Review Concept paper at the meeting, and she cancelled her attendance at the last minute, which was very disappointing, as it meant that there was little or no consultation with the Eastern Wheatbelt in relation to the combining of the Acts.
- That she had attended the draft budget workshop on the 27th June 2014.

Cr W Della Bosca advised Council that:

- He has spent some time at the Southern Cross Caravan Park since the Shire has taken over management, and expressed that it is important that the Councillors know what condition the park infrastructure is in, to be able to make decisions on proposed upgrades at the park, and suggested that the Councillors be shown around the park at a convenient time.
- He had received correspondence from DFES who have identified that some firefighting tankers may be operating in excess of the gross vehicle mass (GVM) and they have asked the Shire to have them all weighed at a licenced weighbridge. He suggested that he will talk to the Shire Mechanic to have this requirement conducted whilst annual servicing is done on the vehicles.
- He attended the Mineral Resources (Polaris Metals) train launch on the 27th June 2014.

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Cr Chrisp advised Council that:

- She had attended the draft budget workshop on the 27th June and the Tourism Committee meeting on the 14th July 2014.

Cr Close advised Council that:

- The Tidy Town judges will be in Southern Cross on Wednesday the 24th July.
- That he attended the draft budget workshop on the 27th June and the Tourism Committee meeting on the 14th July 2014.

Cr J Della Bosca advised Council that:

- That she attended the draft budget workshop on the 27th June and the Tourism Committee meeting on the 14th July 2014.

Cr Guerini advised Council that:

- That he attended the draft budget workshop on the 27th June and the Tourism Committee meeting on the 14th July 2014.

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Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	7.1
Subject:	Council Policy Manual Review - 2014
File Reference:	2.3.3.2
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	9 th July 2014

Background

The Council is required to review the Council Policy Manual on an annual basis and this report details the latest revision.

Comment

The Council Policy Manual is in two parts, the first contains policies of the Council that relate to matters other than staff issues and the Council Staff Policy Manual relates specifically to staff employment and conditions.

The reason for the separation is to clearly identify policies that relate to staff conditions of employment so that at the time of staff induction new staff can be given a copy of the Staff Policy Manual to sign as an acknowledgement of receipt and to ensure that they comply with the policies as they impact specifically on their employment. As new Staff policies are approved these will be added to that section of the Council policy manual.

Whilst the responsibility for staff employment conditions is under the role and function of the Chief Executive Officer it is essential that Council are aware of these policies to ensure that Council's obligations to fair and equitable employment practices are being met.

The Management team have reviewed the Council Policy Manuals and have made any necessary changes that may relate to; changes in legislation, Changes in procedures and other related changes (refer to attached reviewed Council Policy Manual and Council Staff Policy manual).

When reading the attached amended Policies please use the following guide

Green – New sections or new changes in the policy Manual

Red — To be removed

Statutory Environment

Various provisions of the Local Government Act and Regulations.

Policy Implications

This report is a revised policy.

Financial Implications

Nil

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Recommendation

That the amendments to the Council Policy Manual and Staff Policy Manual as proposed be endorsed and the Council Policies be adopted.

Voting Requirements

Absolute Majority

115/2014

Moved Cr Guerini Seconded Cr W Della Bosca. That the amendments to the Council Policy Manual and Staff Policy Manual as proposed are endorsed and the Council Policies be adopted.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission for:	Ordinary Meeting of Council – 18 th July 2014
Reference:	7.2
Subject:	Appointment of Deputy Chief Executive Officer
File Reference:	1.1.10.82, 1.1.12.1
Author:	Vivienne Piccoli - Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	9 th July 2014

Background

Following a three week advertising period for the position of DCEO, we received 16 applications and organised three interviews, unfortunately two of the applicants cancelled their interviews due to accepting other positions. Myself and Ms Dallywater conducted an in-person interview with Mr John Bingham on Friday 27th June 2014, and also provided a tour of the town, viewing of the DCEO residence and vehicle, which are included in the remuneration package.

Comment

Following reference checks and giving due consideration to the applicant's qualifications and experience, Mr John Bingham was appointed to the position. Mr Bingham is currently employed as Manager of Corporate Services at the Shire of Lake Grace and has been responsible for all the main functions that the DCEO performs at the Shire of Yilgarn. Prior to working in Local Government he has been working for not-for-profit organisations in Queensland. Mr Bingham is a Certified Practising Accountant (CPA), and has a Bachelor of Commerce from the University of Queensland.

In securing Mr Bingham, the CEO negotiated a remuneration package based Mr Bingham's qualifications and experience in the Local Government Industry. A remuneration package of \$143,190 was offered, which includes a salary component of \$100,000.

Statutory Environment

Section 7.3 Staff Policy Manual

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Policy Implications

Nil

Financial Implications

As per annual salaries in 2014/2015 Budget.

Recommendation

That Council endorses the appointment of Mr John Bingham to the position of Deputy Chief Executive Officer based on a three year contract of Employment commencing on the 3rd August 2014 at the initial remuneration package of \$143,190. Furthermore, Council endorses the use of the common seal in ratifying the contract.

Voting Requirements

Absolute Majority

116/2014

Moved Cr Chrisp Seconded Cr W Della Bosca. That Council endorses the appointment of Mr John Bingham to the position of Deputy Chief Executive Officer based on a three year contract of Employment commencing on the 3rd August 2014 at the initial remuneration package of \$143,190. Furthermore, Council endorses the use of the common seal in ratifying the contract.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	7.3
Subject:	CEO's Annual Leave
File Reference:	1.1.10.2
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	9 th July 2014

Background

Council endorsement is sought for the CEO taking annual leave over the following period:

27th October 2014 to 5th December 2014 – 6 week

Comment

As I will be on annual leave for six weeks, Council has requested for the CEO to organise for Mr Eddie Piper to be Acting CEO in her absence. Mr Piper is familiar with our Council operations as he performed acting duties for three months after Mr Peter Clarke left the organisation and prior to Mr Jeff Sowiak being employed.

Mr Piper has accepted and will be available for handover on the 24th October 2014.

The CEO will be returning back to work on the 8th December 2014.

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Statutory Environment

The CEO is entitled to leave in accordance with the terms of her employment with Council.

Policy Implications

Nil

Financial Implications

The Acting CEO's Remuneration is based on a category level 3 minimum, plus 25% for casual loading.

Recommendation

That Council endorse the CEO's application for annual leave from the 27th October 2014 to the 5th December 2014, and for Mr Eddie Piper to be employed to be Acting CEO in her absence.

Voting Requirements

Simple Majority

117/2014

Moved Cr J Della Bosca Seconded Cr Chrisp. That Council endorses the CEO's application for annual leave from the 27th October 2014 to the 5th December 2014, and for Mr Eddie Piper to be employed to be Acting CEO in her absence.

CARRIED (6/0)

Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	7.4 – Late Item
Subject:	Emergency Service Act Review – Shire Submission
File Reference:	5.1.6.3
Author:	Vivienne Piccoli – Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	16 th July 2014

Background

On 16 April 2014, the Department of Fire and Emergency Services (DFES) released the Concept Paper: Review of the Emergency Services Acts (the Concept Paper) for consultation until 31 July 2014. DFES is undertaking a review of the Fire Brigades Act 1942, the Bush Fires Act 1954 and the Fire and Emergency Services Act 1998, with the intention to repeal the current legislation and develop a new emergency services Act.

DFES comments that the Acts need to be reviewed as the current legislation is confusing and incongruous and does not reflect how emergency services organisations operate in today's modern communities.

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The primary objectives of the Review are to:

- Increase community resilience through promoting a focus on shared responsibility for prevention, while also coordinating emergency preparedness and response delivery across government agencies, local government, volunteers and private landowners;
- Promote highly motivated, resourced and well trained emergency responders, both volunteer and career, that strive to keep themselves and others safe;
- Provide the framework, powers and protections necessary to allow all emergency services personnel and agencies to carry out their functions in the best interests of the community;
- Clearly identify the roles, functions, responsibilities and control mechanisms required to enable government agencies, local government and emergency services personnel to achieve effective interoperability; and
- Simplifying the current emergency services legislation and the provision of emergency services by eliminating duplication and overlap of effort.

The Concept Paper is divided into nine chapters focusing on key elements of the proposed emergency services legislation.

The nine chapters in the Concept Paper focus on:

1. Emergency Services Levy (ESL)
2. Administration and Miscellaneous Provisions
3. Risk Mitigation
4. Volunteer Brigades, Groups and Units
5. Response, Command and Control
6. Emergency Services in the Built Environment
7. Offences and Enforcement
8. Protection from Liability
9. Fire and Rescue Service Operational Staff

WALGA has consulted with representatives from Local Government Councils and prepared their own submission on the Concept Paper. DFES are inviting individual Councils to prepare a submission in response to the Concept Paper.

Comment

The Shire President, Deputy Shire President and CEO met and reviewed the Concept Paper and prepared the attached submission.

In summary, the key issues for Local Governments in the Concept Paper are:

Funding

The new legislation proposes to increase Local Government responsibility for risk mitigation and risk assessment, however the Concept Paper is silent on how additional resources are to be found or funded. The Concept Paper proposes that the ESL continues to be administered by DFES, and that the current funding model is retained.

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Unfortunately, the current scope of the ESL funding model is limited to response, and does not fund Local Governments to meet their other obligations under the Act.

Training

DFES proposes to develop new minimum standards for risk mitigation as well as reporting on mitigation activities undertaken. Many Local Governments questioned the skills and knowledge required to undertake these tasks. Affordable, appropriate and available training is seen as paramount to ensuring Local Governments can address their proposed responsibilities under the new legislation.

Protection from liability

The Concept Paper proposes that State agencies, Local Government and private landowners should not be afforded protection from civil liability in cases of risk mitigation activities. It is a concern that the Concept Paper proposes to increase Local Government responsibility for risk mitigation but does not offer appropriate protection for Local Governments to feel comfortable in undertaking these activities.

There is concern with the potential risk of liability in connection with risk assessment responsibilities. The Concept Paper proposes that Local Governments extend their risk assessments to encompass all hazards. The Shire questions whether this left us exposed when assessments are not done or not done sufficiently or when mitigation steps, or infringement procedures, are not carried out.

Local knowledge

In an effort to streamline a number of systems and processes within the current legislation (Restricted and Prohibited Burning Times, permits to burn, Total Fire Bans), DFES appear to be centralising much of the decision making process. The Shire is concerned that this not only limits flexibility in how the provisions of the Act is applied, it also prevents local solutions to unique local problems.

Statutory Environment

Bushfire Act 1954, Fire and Emergency Services Act 1998, Fire Brigades Act 1942.

Policy Implications

Nil

Financial Implications

Nil, future implications unknown

Recommendation

That Council endorse the Emergency Service Act Concept Paper submission from the Shire of Yilgarn and request that the submission be forwarded to Department of Fire and Emergency Services by the 31st July 2014.

Voting Requirements

Simple Majority

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118/2014

Moved Cr Guerini Seconded Cr W Della Bosca. That Council endorses the Emergency Service Act Concept Paper submission from the Shire of Yilgarn and requests that the submission be forwarded to Department of Fire and Emergency Services by the 31st July 2014

CARRIED (6/0)

Submission to:	Ordinary Council Meeting – Friday 18 th July 2014
Agenda Reference:	7.5
Subject:	Country Local Government Fund 2012/2013 FAA & Use of common seal
File Reference:	1.6.17.3, 1.1.12.1
Author:	Vivienne Piccoli
Disclosure of Interest:	Not applicable
Date of Report:	17/07/14

Background

Council is required to approve the signing of the Financial Agreement for the 2012/2013 CLGF individual allocation from the Department of Regional Development and authorise the use of the Common Seal to execute the agreement.

Comment:

The capital project that Council has earmarked the 2012/2013 funding to the upgrade to the Southern Cross Caravan Park.

The infrastructure at the Southern Cross Caravan Park is over 40 years old and is in need of an upgrade. The project involves the completion of stage one of a four stage upgrade of the Caravan Park over the next 5 – 10 years.

A modern and serviceable Caravan Park will entice tourists to stay within the Yilgarn district longer and boost the local economy.

The Proposed stages of development are:

- Stage 1 – Power upgrade, sewerage upgrade and Amenity / Toilet Block refurbishment.
- Stage 2 – Upgrade to Sandalwood Lodge units.
- Stage 3 – Construction of 5 new Chalets
- Stage 4 – Construction of entry and internal roads, and site pads.

The 2012/2013 CLGF funding will address Stage 1 of the overall project only.

The works to be completed in Stage 1 include:

1. Refurbishment of Amenity/Toilet Block - Stabilisation of building, removal of existing ablutions, installation of new ablutions, render brick walls; internal and external, replacement of existing wall tiles and installation of new ceiling.
2. Power Upgrade – Replace the power feed from the main distribution box with a larger capacity cable through to the internal distribution board. In addition,

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there will be an upgrade of the power cable from the internal distribution board to the various caravan park powered sites, including installing various isolation pits for future maintenance work.

3. Sewerage Upgrade – Replacing pipework from each park sullage gully to the main reticulation lines.

The completion of Stage 1 works, namely upgraded power supply and sewerage and refurbishment of the Amenity / Toilet Block, will provide the required infrastructure foundation for the Southern Cross Caravan Park.

These essential services and amenities will ensure the improvements implemented in the following stages are both supported and complemented to ensure the delivery of modern and quality tourism facilities for visitors.

Project Outcome

The outcomes/outputs and the performance measures of the Project are as follows:

Outcome	Performance Measures
Improved ablutions facilities at Southern Cross Caravan Park	Feedback from visitors of Caravan Park
Improved power outlets for the powered caravan sites	Reduced incidents of power overload and tripping RCDs and trip switches in the main distribution board.
Improved sewerage infrastructure.	Reduced complaints from patrons who are trying to discharge waste water through sullage traps at caravan sites.

Project Budget

Project Items	CLGF Funds under this Agreement (\$)	Leveraged Funding (\$)	Name of Leveraged Sources	Total Funds (\$)
Power Upgrade	120,000	0	Nil	120,000
Sewerage Upgrade	72,361	0	Nil	72,361
Amenity/Toilet Block	200,000	0	Nil	200,000
TOTALS	\$392,361	\$0		\$392,361

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Project Timeframe

Main Activities / Milestone	Milestone Date
Power Upgrade	
Project Commencement	30 September 2014
Award of tender and Works commencement.	21 November 2014
Completion of works	30 June 2015
Sewer Upgrade	
Project Commencement	30 September 2014
Award of tender and Works commencement	21 November 2014
Completion of works	30 June 2015
Upgrade of Amenity/Toilet Block	
Project Commencement	30 September 2014
Award of tender	21 November 2014
Works commencement	30 June 2015
Completion of works	30 June 2016
Project Completion Date	30 June 2016

Statutory Environment

Local Government Act

Policy Implications

Nil

Financial Implications

Funding once received to be allocated to the Caravan Park Upgrade stage 1.

Recommendation

That Council executes the Financial Assistance Agreement for the CLGF 2012/2013 individual grant for the value of \$392,361. Furthermore, Council endorse the use of the common seal in ratifying the contract.

Voting Requirements

Simple Majority

119/2014

Moved Cr Chrisp Seconded Cr J Della Bosca .That Council executes the Financial Assistance Agreement for the CLGF 2012/2013 individual grant for the value of \$392,361. Furthermore, Council endorses the use of the common seal in ratifying the contract.

CARRIED (6/0)

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Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	8.1
Subject:	2014-2015 Budget Adoption
File Reference:	8.2.5.3
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th July 2014

Background

Further to the Draft Budget workshop held on Friday 27th June 2014, the Draft Budget for 2014/2015 has been reviewed and adjusted as instructed, and is now ready to present to Council for adoption.

In accordance with Section 6.2 (2) of the Local Government Act 1995, Council has had regard for the contents of its ‘Corporate Business Plan’ and the ‘Forward Capital Works Plan’.

Comment

As resolved at the Draft Budget workshop the DCEO has transferred the 2013/2014 Surplus funds generated from the Sewerage Schemes into the Sewerage Reserve in accordance with S6.37 subsection (1) & (2) in the Local Government Act 1995.

As of Thursday 8th July 2014, the surplus carried forward from 2013/2014 was \$971,608.

The adjustments discussed by the elected members at the Draft budget meeting have been included in the final budget, these changes include

- Inclusion of a provision for stage 1 of the mining exhibit.

However as more end of year adjustments have been made there was a requirement to reduce expenditure to achieve a balanced budget. The major implications of this are;

- Exclusion of the power upgrade to the inside of the sporting complex which was added in at the draft budget workshop of \$23,500;
- Removal of the provision for the Town Planning Scheme of \$60,000

The inclusion of the above changes has now brought about a balance budget of \$13,497,534 with a surplus brought forward at time of adoption of \$971,608.

Statutory Environment

Section 6.2 of the Local Government Act 1995 relating to the Annual Budget.

Policy Implications

None

Financial Implications

Will form the basis for Income and Expenditure for the period 1 July 2014 to 30 June 2015

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Strategic Implications

None

RECOMMENDATIONS TO COUNCIL

Relating to the adoption of the 2014/2015 Budget:

Recommendation

That Council adopts the 2014-2015 Shire of Yilgarn Schedule of Fees and Charges, presented and reviewed at the Draft Budget Workshop on 27th June 2014.

Voting Requirements

Absolute Majority Required

120/2014

Moved Cr Guerini Seconded Cr Chrisp. That Council adopts the 2014-2015 Shire of Yilgarn Schedule of Fees and Charges, presented and reviewed at the Draft Budget Workshop on 27th June 2014

CARRIED BY ABSOLUTE MAJORITY (6/0)

Recommendation

That Council adopt the following Differential General Rates for the year ending 30 June 2015:

<u>Land Category</u>	<u>Proposed Cents in \$</u>	<u>Proposed Minimum</u>
GRV – Residential	10.38	\$365
GRV – Commercial	7.10	\$365
GRV – Improved Mining Tenement	40.01	\$365
GRV – Single Person Quarters	40.01	\$365
UV – Rural	1.74	\$365
UV – Unimproved Mining Tenement	21.14	\$365

Voting Requirements

Absolute Majority Required

121/2014

Moved Cr Chrisp Seconded Cr J Della Bosca. That Council adopts the following Differential General Rates for the year ending 30 June 2015:

<u>Land Category</u>	<u>Proposed Cents in \$</u>	<u>Proposed Minimum</u>
<i>GRV – Residential</i>	<i>10.38</i>	<i>\$365</i>
<i>GRV – Commercial</i>	<i>7.10</i>	<i>\$365</i>
<i>GRV – Improved Mining Tenement</i>	<i>40.01</i>	<i>\$365</i>
<i>GRV – Single Person Quarters</i>	<i>40.01</i>	<i>\$365</i>
<i>UV – Rural</i>	<i>1.74</i>	<i>\$365</i>
<i>UV – Unimproved Mining Tenement</i>	<i>21.14</i>	<i>\$365</i>

CARRIED BY ABSOLUTE MAJORITY (6/0)

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Recommendation

Sewerage Rates & Charges

That Council impose the following Sewerage Rates and Charges under s41 of the Health Act 1911, on a per annum basis to cover the cost of the service in Southern Cross and Marvel Loch:

Southern Cross Sewerage Scheme Charge (Residential/Industrial):

6.9 cents in the dollar on GRV (Residential and Industrial) properties within the Southern Cross Townsite

Minimum Charge per vacant land	\$200.00
Minimum Charge per residential property	\$260.00
Non-Rated Class 1st Fixture	\$166.00
Non-Rated Class Additional Fixtures	\$83.00
Non-Rates Class 2 and 3 Fixture	\$884.00

Southern Cross Sewerage Scheme Charge (Commercial):

4.6 cents in the dollar on GRV (Commercial) properties within the Southern Cross Townsite

Minimum Charge per commercial property	\$550.00
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Marvel Loch Sewerage Scheme Charges:

4.6 cents in the dollar on GRV properties within the Marvel Loch Townsite

Minimum Charge per property	\$95.00
Non-Rated Class 1st Fixture	\$130.00
Non-Rated Class Additional Fixtures	\$58.00

Voting Requirements

Absolute Majority Required

122/2014

Moved Cr Chrisp Seconded Cr J Della Bosca. That Council imposes the following Sewerage Rates and Charges under s41 of the Health Act 1911, on a per annum basis to cover the cost of the service in Southern Cross and Marvel Loch:

Southern Cross Sewerage Scheme Charge (Residential/Industrial):

6.9 cents in the dollar on GRV (Residential and Industrial) properties within the Southern Cross Townsite

<i>Minimum Charge per vacant land</i>	<i>\$200.00</i>
<i>Minimum Charge per residential property</i>	<i>\$260.00</i>
<i>Non-Rated Class 1st Fixture</i>	<i>\$166.00</i>
<i>Non-Rated Class Additional Fixtures</i>	<i>\$83.00</i>
<i>Non-Rates Class 2 and 3 Fixture</i>	<i>\$884.00</i>

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Southern Cross Sewerage Scheme Charge (Commercial):
4.6 cents in the dollar on GRV (Commercial) properties within the Southern Cross Townsite:

Minimum Charge per commercial property ***\$550.00***

Marvel Loch Sewerage Scheme Charges:
4.6 cents in the dollar on GRV properties within the Marvel Loch Townsite:

Minimum Charge per property ***\$95.00***
Non-Rated Class 1st Fixture ***\$130.00***
Non-Rated Class Additional Fixtures ***\$58.00***

CARRIED BY ABSOLUTE MAJORITY (6/0)

Recommendation

Sanitation Household Refuse - Rates and Charges

That Council impose the following Sanitation Rates and Charges on a per annum basis:

Domestic Collection per bin, per service	\$315.00
Additional Service	\$343.00
Commercial Collection per bin, per service	\$343.00
Additional Service	\$379.00
Non-Rateable Collection per bin, per service	\$529.00
Additional Service	\$589.00

Voting Requirements

Absolute Majority Required

123/2014

Moved Cr W Della Bosca Seconded Cr J Della Bosca. That Council imposes the following Sanitation Rates and Charges on a per annum basis:

<i>Domestic Collection per bin, per service</i>	<i>\$315.00</i>
<i>Additional Service</i>	<i>\$343.00</i>
<i>Commercial Collection per bin, per service</i>	<i>\$343.00</i>
<i>Additional Service</i>	<i>\$379.00</i>
<i>Non-Rateable Collection per bin, per service</i>	<i>\$529.00</i>
<i>Additional Service</i>	<i>\$589.00</i>

CARRIED BY ABSOLUTE MAJORITY (6/0)

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Recommendation

Discount, Interest and Penalties

- Council grant a 5% discount on rates paid on or before the 35th day of service of the rate notice in accordance with the Local Government Act 1995.
- Council charge an 11% penalty charge per annum, calculated by simple interest on rates paid after the 35th day of service of the rate notice in accordance with the Local Government Act 1995.
- Council charge a \$10.00 Administration Fee per remittance notice, per instalment, for rates levied in the 2014/2015 financial year in accordance with the Local Government Act 1995.
- Council charge a 5.5% interest charge per annum, calculated by simple interest on instalment payments for rates levied in the 2014/2015 financial year in accordance with the Local Government Act 1995.
- Council charge a 5.4% interest charge per annum, calculated by simple interest on deferred rates held after 1 July 2014 in accordance with the requirements stipulated by the Office of State Revenue.

Voting Requirements

Absolute Major Required

124/2014

Moved Cr Guerini Seconded Cr W Della Bosca. That -

- *Council grant a 5% discount on rates paid on or before the 35th day of service of the rate notice in accordance with the Local Government Act 1995.*
- *Council charge an 11% penalty charge per annum, calculated by simple interest on rates paid after the 35th day of service of the rate notice in accordance with the Local Government Act 1995.*
- *Council charge a \$10.00 Administration Fee per remittance notice, per instalment, for rates levied in the 2014/2015 financial year in accordance with the Local Government Act 1995.*
- *Council charge a 5.5% interest charge per annum, calculated by simple interest on instalment payments for rates levied in the 2014/2015 financial year in accordance with the Local Government Act 1995.*
- *Council charge a 5.4% interest charge per annum, calculated by simple interest on deferred rates held after 1 July 2014 in accordance with the requirements stipulated by the Office of State Revenue*

CARRIED BY ABSOLUTE MAJORITY (6/0)

Recommendation

That Council assign the recognised surplus indicated in the Draft Budget to the following budgetary items:

- A provision for Stage 1 of the Mining Display \$20,000

Voting Requirements

Absolute Majority Required

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125/2014

Moved Cr J Della Bosca Seconded Cr Guerini. That Council assigns the recognised surplus indicated in the Draft Budget to the following budgetary items:

- *A provision for Stage 1 of the Mining Display \$20,000*

CARRIED BY ABSOLUTE MAJORITY (6/0)

Recommendation

That Council adopts the 2014-2015 Shire of Yilgarn Budget Document as presented, which incorporates a surplus brought forward of \$971,608 and resulting in a balance budget of \$13,497,534.

Voting Requirements

Absolute Majority Required

126/2014

Moved Cr Close Seconded Cr Guerini. That Council adopts the 2014-2015 Shire of Yilgarn Budget Document as presented, which incorporates a surplus brought forward of \$971,608 and resulting in a balance budget of \$13,497,534.

CARRIED BY ABSOLUTE MAJORITY (6/0)

Recommendation

Statutory Compliance

That Council confirms it is well satisfied the services and facilities it provides: -

- a) Integrate and co-ordinate, so far as practicable, with any provided by the Commonwealth, the State or any other public body;
- b) Do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private and;
- c) Are managed efficiently and effectively.

In accordance with Section 3.18 (3) of the Local Government Act 1995.

Voting Requirements

Absolute Majority Required

127/2014

Moved Cr J Della Bosca Seconded Cr Close. That Council confirms it is well satisfied the services and facilities it provides: -

- a) *Integrate and co-ordinate, so far as practicable, with any provided by the Commonwealth, the State or any other public body;*
- b) *Do not duplicate, to an extent that the Local Government considers In appropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private and;*
- c) *Are managed efficiently and effectively.*

In accordance with Section 3.18 (3) of the Local Government Act 1995.

CARRIED BY ABSOLUTE MAJORITY (6/0)

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INSTALMENTS PAYMENT ARRANGEMENTS

Recommendation

Pursuant to section 6.45 of the Local Government Act 1995 and regulations 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments: -

- | | |
|---|---------------------------------|
| • Full payment and 1 st instalment due date | 10 th September 2014 |
| • 2 nd half instalment due date | 9 th January 2015 |
| • 2 nd quarterly instalment due date | 4 th November 2014 |
| • 3 rd quarterly instalment due date | 9 th January 2015 |
| • 4 th and final quarterly instalment due date | 13 th March 2015 |

Voting Requirements

Absolute Majority Required

128/2014

Moved Cr J Della Bosca Seconded Cr Guerini. That Pursuant to section 6.45 of the Local Government Act 1995 and regulations 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments: -

- | | |
|---|---------------------------------------|
| • <i>Full payment and 1st instalment due date</i> | <i>10th September 2014</i> |
| • <i>2nd half instalment due date</i> | <i>9th January 2015</i> |
| • <i>2nd quarterly instalment due date</i> | <i>4th November 2014</i> |
| • <i>3rd quarterly instalment due date</i> | <i>9th January 2015</i> |
| • <i>4th and final quarterly instalment due date</i> | <i>13th March 2015</i> |

CARRIED BY ABSOLUTE MAJORITY (6/0)

ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2014/2015

Recommendation

1) Pursuant to section 5.99 of the Local Government Act 1995 and regulations 34 of the Local Government (Administration) Regulations 1996, council adopts the following annual sitting fees for individual meeting attendance:

Shire President	(\$420)	\$ 4,040
Councillors	(\$210)	\$15,120

2) Pursuant to section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, council adopts the following annual allowances for elected members:

Travel Allowance	(0.74ckm)	\$5,500
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3) Pursuant to section 5.98(5) of the Local Government Act 1995 and regulations 33 of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

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	Shire President	\$7,000
4)	Pursuant to section 5.98A of the Local Government Act 1995 and regulations 33A of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:	
	Deputy Shire President	\$1,750

Voting Requirements

Absolute Majority Required

129/2014

Moved Cr Chrisp Seconded Cr J Della Bosca. That -

- 1) *Pursuant to section 5.99 of the Local Government Act 1995 and regulations 34 of the Local Government (Administration) Regulations 1996, council adopts the following annual sitting fees for individual meeting attendance:*

<i>Shire President</i>	<i>(\$420)</i>	<i>\$ 4,040</i>
<i>Councillors</i>	<i>(\$210)</i>	<i>\$15,120</i>

- 2) *Pursuant to section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, council adopts the following annual allowances for elected members:*

Travel Allowance (0.74ckm) \$5,500

- 3) *Pursuant to section 5.98(5) of the Local Government Act 1995 and regulations 33 of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:*

Shire President \$7,000

- 4) *Pursuant to section 5.98A of the Local Government Act 1995 and regulations 33A of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:*

Deputy Shire President \$1,750

CARRIED BY ABSOLUTE MAJORITY (6/0)

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MATERIAL VARIANCE REPORTING FOR 2014/2015

Recommendation

In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2014/2015 for reporting material variances shall be +/- 10% or \$30,000, whichever is the greater.

Voting Requirements

Simple Majority Required

130/2014

Moved Cr Guerini Seconded Cr Close. That In accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2014/2015 for reporting material variances shall be +/- 10% or \$30,000, whichever is the greater.

CARRIED (6/0)

Recommendation

That Council accept the Objection and Reasons for Imposing Differential Rates as required in accordance with Section 6.36 of the Local Government Act 1995.

Voting Requirements

Simple Majority Required

131/2014

Moved Cr Guerini Seconded Cr Close. That Council accepts the Objection and Reasons for Imposing Differential Rates as required in accordance with Section 6.36 of the Local Government Act 1995.

CARRIED (6/0)

Cr Chrisp left the meeting at 3.55pm

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Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	8.2
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th July 2014

Background

Enclosed for Council's information are various financial reports that illustrate the progressive position of Council financially on a month-by-month basis.

The following reports will be tabled at the meeting and have been prepared as at the 30th June 2014:

- Rates Receipt Statement (prepared to 30th June 2014)
- Statement of Investments,
- Monthly Statement of Financial Activity
- Unaudited Own Source Revenue Ratio

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

During the 2012/2013 audit it was noted by the Shire's Auditors that the own source revenue was below acceptable. Council asked for the ratio to be monitored and is therefore included as part of this report.

Council should note that whilst this June report has been presented to Council the final figures are likely to change once the end of year audit has taken place.

Statutory Environment

Local Government (Financial Management) Regulations 1996 Regulation 34(i)(a) and Regulation 17.

Policy Implications

None

Financial Implications

None

Strategic Implications

None

Voting Requirements

Simple majority required

Recommendation

That the Various Financial Reports for the period ending 30th June 2014 as presented be received.

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132/2014

Moved Cr W Della Bosca Seconded Cr J Della Bosca. That the Various Financial Reports for the period ending 30th June 2014 as presented be received

CARRIED (5/0)

Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	8.3
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	10 th July 2014

Background

Municipal Fund – Cheque Numbers 39264 to 39319 totalling \$314,390.48, Municipal Fund EFT numbers 2538 to 2691 totalling \$587,357.92, Municipal Fund – Cheque Numbers 1162 to 1166 totalling \$147,303.61, Trust Fund – 402074 to 402077 totalling \$5,035.07 and Trust Fund – Cheque Numbers 5903 to 5907 (DPI Licensing), totalling \$77,947.15 are presented for endorsement as per the submitted list.

Statutory Environment

Sections 5.42 and 5.44 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, Regulation No 12 and 13.

Policy Implications / Delegation Register

Council has provided delegation to the Chief Executive Officer, Deputy Chief Executive Officer, Manager of Environmental Health and Building Services and/or Manager for Works to make payments from the Shire of Yilgarn Municipal, Trust or other Fund.

Financial Implications

Reduction to Bank Accounts balances.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Recommendation

Municipal Fund – Cheque Numbers 39264 to 39319 totalling \$314,390.48, Municipal Fund EFT numbers 2538 to 2691 totalling \$587,357.92, Municipal Fund – Cheque Numbers 1162 to 1166 totalling \$147,303.61, Trust Fund – 402074 to 402077 totalling \$5,035.07 and Trust Fund – Cheque Numbers 5903 to 5907 (DPI Licensing), totalling \$77,947.15 are presented for endorsement as per the submitted list.

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133/2014

Moved Cr Close Seconded Cr Guerini. That Municipal Fund – Cheque Numbers 39264 to 39319 totalling \$314,390.48, Municipal Fund EFT numbers 2538 to 2691 totalling \$587,357.92, Municipal Fund – Cheque Numbers 1162 to 1166 totalling \$147,303.61, Trust Fund – 402074 to 402077 totalling \$5,035.07 and Trust Fund – Cheque Numbers 5903 to 5907 (DPI Licensing), totalling \$77,947.15 are presented for endorsement as per the submitted list.

CARRIED (5/0)

Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	8.4
Subject:	Community Resource Centre Coordinators Report
File Reference:	1.3.4.1
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th July 2014

Purpose of Report

For Council information on what activities, planning and training the Community Resource Centre has under taken in the previous month.

Background

To advise what activities, planning and training the Community Resource Centre has under taken in the previous month.

Discussion



COORDINATOR'S REPORT

Prepared by: Ronice Blair
01.06.2014 – 30.06.2014
Southern Cross Community Resource Centre

Monthly Statistics

Internet	\$164.00
Print/scan	\$554.00
Send/receive fax	\$45.00
Advertising	\$500.00

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Crosswords sales	\$706.05
Secretarial	\$230.00
Activities	\$105.00
Items for resale	\$0.20
Room Hire	\$152.50
Seniors Activities	\$283.05
General Enquiries	190
Members	3
Computer usage	33
Library	59
Events	0
Centrelink	35
Max Employment	48
Bookclub	8
Workplace Development	0
Seniors Exercises	108
Southern Cross Singers	42

Our major seniors function for June was our annual Pizza Day at Jack's. This event is held at the home of Jack Pasini, pizzas are cooked in the wood fired pizza oven and entertainment is provided by former local, James Nunn.

This year there were a number of former residents amongst those who took the opportunity to gather together for reminiscing, fine food and fantastic music. A break in the music was seized upon for the crowd to sing James happy birthday, (he turns 70 this month), who then took the opportunity to give us all a run down on his musical career, since he first appeared on the stage of the old town hall with his violin at the age of 15, his knees knocking so hard he could hardly hear the music.

His story was so interesting I am hoping next year when he visits he will give permission for us to record it for future generations.

The event was advertised for several months prior, with a request for pre booking for catering purposes. Advertising also quite explicitly stated it was a no alcohol event. We had one person complaining about the no alcohol rule, he was very unhappy with the price of \$10 if it didn't include wine.

I would like to point out when I have engaged James Nunn to perform at other events the cost is usually in the vicinity of \$700 for 3.5 hours. Divide that by the 60 people who attended, and the complainer was already getting \$11.60 worth of entertainment for his ten dollars.

I am planning to repeat the event again next year, and again it will be an alcohol free event.

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A seniors club was promoted as an avenue for seniors to get together and discuss issues as they pertain to them, and also to discuss the possibility of them becoming more involved in the community. 8 people attended a meeting held in the library 9 June. No committee was formed, the group were unsure what they wanted to achieve, and I offered to contact other Seniors Groups, such as National Seniors, to see if their organisations would be appropriate for their needs.

National Seniors Australia is more of a lobby group for federal and state issues, and while it is certainly a worthy organisation, perhaps not quite what the Yilgarn is looking for. I intend contacting Seniors Clubs in Merredin and elsewhere to ascertain how they are organised and what services they provide to the seniors. I will report my findings back to the seniors once research is completed.

19 June I joined with the Yr 4/5 Class from SXDHS, firstly at the Pioneer Cemetery where I discussed with students how the original cemetery came to be located there, the meaning of the word “gazetted” and the lifestyles of people who lived here at the time.

The students and I then met up again at the “new” cemetery, where I discussed the dangers of mining, work fatalities, and working conditions in the early part of last century. I also gave them a very quick overview of grave architecture from Victorian times. From a personal point of view it was very interesting to note how different students reacted to the location ... particularly the ghouls (who revelled in the gory stories), and the sensitive types who needed to be treated more gently.

All in all it was a fantastic opportunity to present the CRC in a different setting to usual to this group of students.

Our major task this month has been to ensure our Business Plan, complete with action plan outlining how the CRC intends meeting funding targets set by DRD, completed and submitted by end of June. It is going to be a very challenging time over the next few months, as we will be presenting some services and promoting others for the first time.

We also have a Management Framework to work through, and while there are sections that wont directly relate to us as we don't have a management committee, the document may also present some challenges that I am sure we will all work hard to overcome and hopefully, at the end of six months, be able to present a comprehensive and communicative document.

Ronice Blair
Coordinator
2 July 2014

Information Received

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Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	8.5
Subject:	Community Resource Centre Business Plan
File Reference:	1.3.4.1
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th July 2014

Purpose of Report

For Council to endorse the 2014-15 Community Resource Centre Business Plan.

Background

To be eligible to receive funding from Department of Regional Development the Community Resource Centre must complete a business plan for the financial year funding in which funding is being requested.

Discussion

Community Resource Centre Coordinator, Ronice Blair has completed the 2014/2015 business plan as attached. The executive summary of the plan reads as follows;

The Southern Cross CRC was established in 1994 in response to a need within the Shire of Yilgarn to provide a place where resident and visitors to the area could have access to computers, computer training and internet services.

Since then the centre has seen a number of changes, including, in 2005, the Shire of Yilgarn assuming responsibility for the CRC, including governance, HR and financial management.

The CRC offers services in information technology, access to computers and internet, access to government services, production and distribution of the local fortnightly news publication, Crosswords, secretarial services, video conferencing, advocacy for community members, meeting room hire and community events and activities.

The CRC also provides a range of services to the community on behalf of the Shire of Yilgarn, including management and maintenance of the Public Library, managing the Kidsport program, including data entry into and management of the online data base, and provision of a Department Human Services Access Point. The CRC also initiates and or manages a program of events and activities for the community on behalf of the Shire including a calendar of events and activities held in the Seniors Centre.

In the coming 12 months the CRC will see some major changes with the Shire of Yilgarn funding a staff member to attend the Yilgarn History Museum for two days each week to assist Museum volunteers to bring their data base, Mosaic, up to date.

This collaboration with the Museum has come about as part of the Shire's plans to establish a Visitor Centre in Southern Cross with the CRC relocating to the new building with a view to managing the Visitor Centre.

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Long term plans to bring the CRC's financial management system to a point where they more clearly reflect work activities and work carried out on behalf of the Shire are coming to fruition and should be in place by the end of 2014.

The CRC will continue to building on community relationships, explore new opportunities as they arise and to provide and promote services to the community and visitors to our area alike.

The 2014/15 Business Plan was prepared by the CRC Coordinator and endorsed by the Shire of Yilgarn on 30 June 2014.

Statutory Environment

Nil

Financial Implications

Income and expenses are allowed for in the 2014-2015 Budget

Voting Requirements

Simple majority required.

Recommendation

For Council to endorse the 2014/2015 Community Resource Centre Business Plan.

134/2014

Moved Cr J Della Bosca Seconded Cr Close. That Council endorses the 2014/2015 Community Resource Centre Business Plan.

CARRIED (5/0)

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Submission to:	Ordinary Meeting of Council – Friday 18 th July 2014
Agenda Reference:	8.6
Subject:	Write Off of Accounts and Doubtful Debts for 2013/2014
File Reference:	8.2.1.4
Author:	Mia Dohnt – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	8 th July 2014

Comment

Council has in place follow up procedures for the recovery of outstanding rates and sundry debtors:

Follow up Sundry Debtors

- 1) RO prints aged sundry debtors report (from Synergy) 30 days after sending invoice.
- 2) A statement is sent to the debtor after debt is 30 days overdue.
- 3) A reminder letter is sent to the debtor after debt is 60 days overdue.
- 4) If debt is overdue for more than 90 days, debtor may be referred (decided by DCEO) to collection agent.
- 5) Sundry Debtors reconciliation is prepared by DCEO on monthly basis.
- 6) Provision for doubtful debt is made by the DCEO.

The DCEO with assistance of the Rates/Debtors Officer has conducted an annual review of outstanding rates and sundry debtors in preparation for the 2013/14 Financial Statements and identified the following Debtors as potential write offs and doubtful debts. It is important to note that this creditor has gone in voluntary administration and the recovery of any debt is highly unlikely. The cost and time spent for officers to put in a sundry creditors claim with the Administrators would exceed that of the current liability to the Shire. It is therefore requested that this debt be written off.

DOUBTFUL SUNDRY DEBTORS					
DEBTOR CODE	NAME	Amount O/S	AGED DAYS	Description of Service	Status
ALLMIN	AMMS Group	\$350.00	<60	Advertising in the Yilgarn Community Directory	Company in voluntary administration
TOTAL		\$350.00			

Council's authorisation is sought to have the above proposed write offs processed to the value of \$350.00

Statutory Environment

Local Government Act 1995, Section 6.12 'Power to defer, grant discounts, waive or write off debts'.

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Policy Implications

Not Applicable

Financial Implications

The processing of Write off of doubtful debts of \$350.00.

Strategic Implications

None

Voting Requirements

Absolute majority required

Recommendation

That Council authorises write off the doubtful debtor as shown in the table in the body of this report to the value of \$350.00

135/2014

Moved Cr Guerini Seconded Cr W Della Bosca. That Council authorises the write off of the doubtful debtor as shown in the table in the body of this report to the value of \$350.00

CARRIED (5/0)

The Shire President thanked the Deputy CEO Ms Mia Dohnt for her time with the Shire of Yilgarn and all the work done in preparing this year's budget, and wished her well in her new role as the CEO at Shire of Sandstone.

0 As there was no further business to discuss, the Shire President declared the meeting closed at **4.30pm.**

I, Onida T Truran confirm the above Minutes of the Meeting held on Friday 18th July 2014, are confirmed on Friday 15th August 2014 as a true and correct record of the July Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT