

# SHIRE OF NUNGARIN



## ORDINARY MEETING MINUTES

19<sup>th</sup> June 2019

## Shire of Nungarin

### TABLE OF CONTENTS

Ordinary Council Meeting Minutes 19 June 2019

<b>ITEM</b>	<b>SUBJECT HEADING</b>	<b>PAGE</b>
	<b>NOTICE OF MEETING</b>	
1.	DECLARATION OF OFFICIAL OPENING.....	3
2.	RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE .....	3
2.1	ATTENDANCE.....	3
2.2	APOLOGIES.....	3
2.3	LEAVES OF ABSENCE.....	3
2.4	NEW REQUESTS FOR LEAVES OF ABSENCE.....	3
3.	DELEGATIONS & PETITIONS .....	3
3.1	DELEGATIONS .....	4
3.2	PETITIONS .....	4
4.	PUBLIC QUESTION TIME.....	4
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	4
4.2	QUESTIONS FROM MEMBERS OF THE PUBLIC.....	4
5.	DECLARATIONS OF INTEREST.....	4
5.1	FINANCIAL & PROXIMITY INTERESTS .....	4
5.2	DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT .....	5
6.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) .....	5
7.	CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES.....	5
7.1	ORDINARY COUNCIL MEETING 15 MAY 2019 .....	5
8.	CHIEF EXECUTIVE OFFICER REPORTS.....	7
8.1	URBAN PLANNING.....	7
8.2	INFRASTRUCTURE .....	8
8.3	COMMUNITY DEVELOPMENT .....	14
8.4	MANAGEMENT / GOVERNANCE / POLICY .....	15
8.5	CORPORATE .....	18
9.	DELEGATES REPORTS .....	40
10.	NEW BUSINESS OF AN URGENT NATURE .....	40
11.	MOTIONS ON NOTICE.....	44
12.	CONFIDENTIAL ITEMS OF BUSINESS.....	44
13.	CLOSURE.....	44



**SHIRE OF NUNGARIN**

**Council Meeting Agenda**

**19 June 2019**

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**1. DECLARATION OF OFFICIAL OPENING**

At 3:00pm, the Shire President declared the meeting open and the Affirmation of Civic Duty and Responsibility was read aloud by Cr Palmer. The Shire President also made acknowledgement of the Traditional Custodians of the land.

**2. RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE**

**2.1 ATTENDANCE**

Shire President	Cr RE O'Connell
Deputy Shire President	Cr G Coumbe
Elected Member	Cr B Palmer
Elected Member	Cr K Dayman
Elected Member	Cr P de Lacy
Elected Member	Cr J Davis

Chief Executive Officer	Mr A Majid
Manager Works and Services	Mr A Richardson

**2.2 APOLOGIES**

Nil

**2.3 LEAVES OF ABSENCE**

*Record Councillor Leaves of Absence where previously endorsed for this meeting.*

**2.4 NEW REQUESTS FOR LEAVES OF ABSENCE**

**3. DELEGATIONS & PETITIONS**

### **3.1 DELEGATIONS**

Nil

### **3.2 PETITIONS**

Nil

## **4. PUBLIC QUESTION TIME**

### **Rules for Council Meeting Public Question Time**

- (a) *Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.*
- (b) *During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.*
- (c) *Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.*
- (d) *All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary meeting, and at a Special meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the President.*
- (e) *The person presiding will control Public Question Time and ensure that each person wishing to ask a question should state his or her name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask a question will be given 2 minutes within which to address their question to the Council. The person presiding may shorten or lengthen this time in their discretion.*

### **4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

### **4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC**

## **5. DECLARATIONS OF INTEREST**

*Councillors / Staff are reminded of the requirements of section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the Shire's Code of Conduct.*

*Councillors / staff are required to submit declarations of interest in writing on the prescribed form.*

### **5.1 FINANCIAL & PROXIMITY INTERESTS**

*A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside,*

*participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.*

*Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.*

## **5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT**

*Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.*

## **6. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

*Written announcements by the Presiding Member or important forthcoming functions to be tabled at this point. The Presiding Member may, at their discretion, wish to make verbal announcements.*

### **OFFICER RECOMMENDATION/S – ITEM NO 6**

That the President's report be received.

### **COUNCIL DECISION – 6204**

**Moved: Cr de Lacy, Seconded: Cr Palmer**

**That the President's report be received.**

**CARRIED: 6/0**

## **7. CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES**

### **7.1 ORDINARY COUNCIL MEETING 15 MAY 2019**

### **OFFICER RECOMMENDATION/S – ITEM NO 7.1**

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 15 May 2019 in Council Chambers be confirmed.

**COUNCIL DECISION – 6205**

**Moved: Cr Dayman, Seconded: Cr Coumbe**

**That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 15 May 2019 in Council Chambers be confirmed.**

**CARRIED: 6/0**

**8. CHIEF EXECUTIVE OFFICER REPORTS**

**8.1 URBAN PLANNING**

Nil

## 8.2 INFRASTRUCTURE

### 8.2.1 Recreation Grounds

#### INFRASTRUCTURE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	Parks and Gardens
Location / Property Index	:	Various
Application Index	:	N/A
Land Use	:	Parks and Gardens
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Jarid McLachlan - Gardener

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*



## **PURPOSE OF REPORT**

For Council to receive Recreation Grounds status report.

## **SUMMARY AND KEY ISSUES**

See officer's comments.

## **LOCATION**

All Recreation grounds

## **BACKGROUND**

Council has traditionally asked for status reports concerning Recreation Grounds and Gardens generally and this report is provided accordingly.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

## **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **OFFICER COMMENT**

Oval:

Retic has been turned off on the expectation of some good rain to start winter. Cape weed is now starting to appear and will be treated as weather permits.

**Cricket Pitch:**

Has good cover and minimal wear and tear.

**Tennis Courts:**

In line with the oval, retic has been turned off. Slow winter growth is being attended to as required and weeds treated as required.

**Hockey Ground:**

With the prospect of some rain, this should help with firming up the surface. Ants are being treated as required.

**Bowling green:**

Ants and weeds treated as required.

**General:**

Pavilion lawns continue to present well with ongoing fertilising and the prospect of some good rain. At time of reporting, dam level remains at 0.0m.

**OFFICER RECOMMENDATION/S – ITEM NO 8.2.1**

That the Recreation Grounds status report be received.

**COUNCIL DECISION – 6206**

**Moved: Cr Davis, Seconded: Cr de Lacy**

**That the Recreation Grounds status report be received.**

**CARRIED: 6/0**

## 8.2.2 Works and Services Report

### INFRASTRUCTURE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Manager Works and Services

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
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#### PURPOSE OF REPORT

For Council to receive the Manager Works and Services report.

## **SUMMARY AND KEY ISSUES**

- Road counters are currently out on Nungarin North Road and Danberrin Road.
- Gravel is ready to be pushed in both Hodges pit and Le Vaux Road pit for roadworks on Nungarin North Road.
- Maintenance on machines is continuing as required and small items of plant being repaired. Trailers have been attended to with lights being looked at and brakes to bring them all up to a working standard.
- The Ford Transit light truck has required work to be done at the Ford dealer with a motor being damaged due to turbo fins shattering and being sucked into the pistons causing damage to the motor.
- Graders have started grading on Herbert Road, Creagh Road, McGlenn Road Hodges Road, Nangeenan North Road, Baird Road, Beurteaux Road, and Baandee North Road.
- Signage is being improved on throughout the shire with new signs being installed as time permits.
- Underground water location within the recreation complex area and depot was undertaken with good results for water at a depth of 30 to 50 metres.

## **LOCATION**

N/A

## **BACKGROUND**

N/A

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

Refer to summary and key issues above.

### **OFFICER RECOMMENDATION/S – ITEM NO 8.2.2**

That the Manager Works and Services report be received

### **COUNCIL DECISION – 6207**

**Moved: Cr Coumbe, Seconded: Cr Palmer**

**That the Manager Works and Services report be received**

**CARRIED: 6/0**

**8.3 COMMUNITY DEVELOPMENT**

Nil

## 8.4 MANAGEMENT / GOVERNANCE / POLICY

### 8.4.1 Voting Delegates – WALGA Annual General Meeting 2019

#### MANAGEMENT/GOVERNANCE/POLICY

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
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## **PURPOSE OF REPORT**

Council is required to nominate voting delegates for the 2019 WALGA Annual General Meeting.

## **SUMMARY AND KEY ISSUES**

- Council is required to nominate voting delegates and proxies for the 2019 WALGA Annual General Meeting

## **LOCATION**

N/A

## **BACKGROUND**

All local governments are required to nominate two voting delegates and two proxy voting delegates to ensure representation at the upcoming Annual General Meeting.

Traditionally it would be accepted that the Shire President and Deputy Shire President are the nominated voting delegates.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.



## **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **OFFICER COMMENT**

The CEO is required to advise WALGA of the nominated voting delegates.

It is recommended that both the Shire President and Deputy Shire President be nominated as the voting delegates and two proxy delegates be nominated by Council.

## **OFFICER RECOMMENDATION/S – ITEM NO 8.4.1**

**That Council:**

- 1. Nominates the Shire President and Deputy Shire President as voting delegates for the 2019 WALGA Annual General Meeting;**
- 2. Nominates Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as PROXY voting delegates in the event that one or both delegates are unable to attend.**

## **COUNCIL DECISION – 6208**

**Moved: Cr Davis, Seconded: Cr Coumbe**

**That Council:**

- 1. Nominates the Shire President and Deputy Shire President as voting delegates for the 2019 WALGA Annual General Meeting;**
- 2. Nominates Cr de Lacy and Cr Dayman as PROXY voting delegates in the event that one or both delegates are unable to attend.**

**CARRIED: 6/0**

## 8.5 CORPORATE

### 8.5.1 Write-Off of Unclaimed Pensioner Rebates

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Absolute Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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#### PURPOSE OF REPORT

To consider the write-off of unclaimed pensioner rebates for rates and ESL charges dating back to 2011.

### **SUMMARY AND KEY ISSUES**

- Pensioner rebates for Rates and ESL charges have not been fully claimed from the Office of State Revenue since 2010.
- As at 30 June 2018, there was \$9,800.78 in outstanding Rates Rebates and \$878.62 in outstanding ESL Rebates.
- No further Shire records, or OSR records, exist to identify who the claims were made on behalf of.
- It is recommended that Council write off the amounts as unrecoverable.

### **LOCATION**

N/A

### **BACKGROUND**

A review of the Shire's rating system and financial records revealed that pensioner rebates that have been granted to eligible pensioners have not been fully claimed from the Office of State Revenue since 2011.

As at 30 June 2018, there was \$9,800.78 in outstanding Rates Rebates and \$878.62 in outstanding ESL Rebates.

Staff have spent considerable time tracing outstanding pensioner rebate claims with the assistance of the Office of State Revenue (OSR) back as far as records exist. This has reduced the outstanding amounts for Rates Rebates as at 30 April 2019 to \$2,331.90, and for ESL to \$96.50.

No further Shire records, or OSR records, exist to identify whom the claims were made on behalf of.

### **CONSULTATION**

Office of State Revenue has been consulted.

There has been no other specific consultation undertaken in respect to this matter.

### **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

#### **6.47. Concessions**

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive\* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

**\* Absolute majority required.**

### **FINANCIAL IMPLICATIONS**

The write-off of \$2,428.40 will have a small impact on the financial position of the Shire, as the outstanding pensioner rebate amounts have been included in the carried forward surplus of the Shire as debts that would potentially be recoverable.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

In the absence of records to identify who the rebate amounts were granted to the Shire is unable to claim the amounts from the Office of State Revenue.

It is suggested that the amounts be written off/waived in accordance with Section 6.47 of the *Local Government Act 1995*.

It is noted that the resolution of Council must be carried by an Absolute Majority.

### **OFFICER RECOMMENDATION/S – ITEM NO 8.5.1**

That Council:

- 1 In accordance with section 6.47 of the *Local Government Act 1995* Waive/write off the Pensioner Rebate amounts for rates of \$2331.90; and
- 2 In accordance with section 6.47 of the *Local Government Act 1995* Waive/write off the Pensioner Rebate amounts for ESL Charges of \$96.50.

**COUNCIL DECISION – 6209**

**Moved: Cr de Lacy, Seconded: Cr Dayman**

**That Council:**

- 1 In accordance with section 6.47 of the *Local Government Act 1995* Waive/write off the Pensioner Rebate amounts for rates of \$2331.90; and**
- 2 In accordance with section 6.47 of the *Local Government Act 1995* Waive/write off the Pensioner Rebate amounts for ESL Charges of \$96.50.**

**CARRIED: 6/0  
By Absolute Majority**

## 8.5.2 2019/20 Central East Aged Care Alliance Contribution

### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Confidential Attachments distributed under separate cover

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	April 2018
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
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## **PURPOSE OF REPORT**

Council's consideration is required in relation to the proposed subscription expenses to Central East Aged Care Alliance (CEACA) for the 2019/20 year.

## **SUMMARY AND KEY ISSUES**

- Council is a member of CEACA which is currently construction two house within Nungarin
- For the 2018/19 year, Council paid a membership fee of \$20,000 plus reimbursements \$3,022.66 for houses lost in other Shires as a result of funding being withdrawn from the state.
- The CEACA committee considered the draft budget at its meeting on 5 June 2019.

## **LOCATION**

N/A

## **BACKGROUND**

Council has been a member of CEACA since its inception. Over that time, Council has committed "general membership" fees to be paid annually to CEACA.

In the 2017/18 year, council's subscription was \$14,000. In the 2018/19 year, it was \$20,000 plus reimbursements.

The CEACA Executive has considered the draft budget and recommended to the CEACA Committee a \$20,000 contribution from each member council. This represent a nil increase.

It is noted in the report presented to the CEACA Committee that the CEACA Executive decided to reduce operational budget accounts in order to achieve a balanced budget and therefore keeping member contributions equal to the 2018/19 year.

The CEACA Committee is provided little else in the way of supporting information as to how member contributions are decided. It should also be noted that the draft budget does not include Income which is still yet to be realised.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013-2023

1. Provide and maintain adequate community services and facilities that responds well to the needs of all ages and sectors of the community.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

### **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

As there is no management contract in place due to no houses being complete, it is unclear as to what, if any, income may be realised in the 2019/20 year.

However, it is management's opinion that there can't be an expectation that contributions as high as \$20,000 continue into the future.

While it is noted that the costs are unknown as to engaging a management body for the houses once they come online, there should still be a commitment by CEACA and it's Executive to identify that future contributions should be reduced over coming years.

It is therefore recommended that Council consider supporting the contribution as proposed in the draft CEACA budget for 2019/20 on the proviso that future years be reduced by offsetting it with income.

### **OFFICER RECOMMENDATION/S – ITEM NO 8.5.2**

That Council:

1. Advises Central East Aged Care Alliance that it supports the member contribution of \$20,000 (ex GST) for the 2019/20 year;
2. Further advises Central East Aged Care Alliance that it will not support a general member contribution for the 2020/21 year and onwards unless such contributions are reduced by offsetting such with income from housing and other activities.



**COUNCIL DECISION – 6210**

**Moved: Cr Davis, Seconded: Cr Coumbe**

**That Council:**

- 1. Advises Central East Aged Care Alliance that it supports the member contribution of \$20,000 (ex GST) for the 2019/20 year;**
- 2. Further advises Central East Aged Care Alliance that it will not support a general member contribution for the 2020/21 year and onwards unless such contributions are reduced by offsetting such with income from housing and other activities.**

**CARRIED: 6/0**

### 8.5.3 Elected Member Sitting Fees/Allowances 2019/20

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Absolute Majority
Subject Index	:	41001
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	July 2018
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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#### PURPOSE OF REPORT

Council is required to consider Elected Member sitting fees and other allowances for the draft 2019/20 Budget.

## **SUMMARY AND KEY ISSUES**

- Each year the Salaries and Allowance Tribunal considers the remuneration of CEO's and Elected Members
- On 9 April 2019, the Tribunal determined that a one (1) percent increase will apply
- Council is required to consider sitting fees to as part of the Budget process

## **LOCATION**

N/A

## **BACKGROUND**

At present, the Shire of Nungarin has the following fees and allowances:

- \$90 per Council meeting for Councillors excluding the Shire President
- \$46 per Committee meeting
- \$110 per Council meeting for the Shire President
- \$4000 per annum Shire President Allowance

The Shire of Nungarin is a Band 4 Local Government, and the *minimum* fees per Council meeting under the 2019 Tribunal determination are as follows:

Councillor other than President - \$91  
President - \$91

***Minimum*** fees per Committee meeting:

Councillor other than President - \$46  
President - \$46

Presidential Allowance:

Minimum \$513 up to a maximum of \$20,063per annum

Deputy President Allowance:

25% of the Presidential Allowance per annum

Reimbursement for kilometres travelled in an Elected Members own vehicle is currently 78 cents per kilometre. This is derived from the Local Government Industry Award (WA) 2010. There has been no change to this amount and therefore it should remain as such.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

### **FINANCIAL IMPLICATIONS**

The determination of the sitting fees will form part of the 2018/19 Annual Budget.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

It is noted that Councillors, not including the President, are currently paid under the minimum level as set by the Tribunal and it is recommended that this be increased to match or exceed where determined.

No ICT allowances are currently provided although this will be offset by the provision of new devices to all Elected Members.

### **OFFICER RECOMMENDATION/S – ITEM NO 8.5.3**

That Council, by Absolute Majority, set the Elected member sitting fees and allowances, to be effective from the date of the adoption of the 2019/20 Annual Budget, as follows:

1. Councillor sitting fees per Council meeting not including the President be \$\_\_\_\_\_ per meeting;
2. Sitting fee for the Shire President be \$\_\_\_\_\_ per meeting;
3. Sitting fees for Councillors including the Shire President for Committee meetings of the Shire of Nungarin be \$\_\_\_\_\_ per committee meeting;
4. A Presidential Allowance of \$\_\_\_\_\_ per annum;
5. The Deputy President be paid 25% of the Presidential Allowance as above per annum; and
6. That where any Elected Member uses their own private vehicle to travel to a business related meeting of the Shire, training or otherwise approved by Council, reimbursement be at a rate of 78 cents per kilometre.

**COUNCIL DECISION – 6211**

**Moved: Cr Palmer, Seconded: Cr de Lacy**

**That Council, by Absolute Majority, set the Elected member sitting fees and allowances, to be effective from the date of the adoption of the 2019/20 Annual Budget, as follows:**

- 1. Councillor sitting fees per Council meeting not including the President be \$100 per meeting;**
- 2. Sitting fee for the Shire President be \$120 per meeting;**
- 3. Sitting fees for Councillors including the Shire President for Committee meetings of the Shire of Nungarin be \$50 per committee meeting;**
- 4. A Presidential Allowance of \$4000 per annum;**
- 5. The Deputy President be paid 25% of the Presidential Allowance as above per annum; and**
- 6. That where any Elected Member uses their own private vehicle to travel to a business related meeting of the Shire, training or otherwise approved by Council, reimbursement be at a rate of 78 cents per kilometre.**

**CARRIED: 6/0**

### 8.5.4 Investments Report as at 31 May 2019

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

For Council to receive the investment Report as at 30 April 2019.

## **SUMMARY AND KEY ISSUES**

- The Investment Report is presented for Council to receive.

## **LOCATION**

N/A

## **BACKGROUND**

Money held in the Municipal Fund of the Shire of Nungarin that is not required for the time being may be invested under the Trustee Act 1962 Part III.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

Council Policy 3.07 applies to the investment of surplus funds.

## **STATUTORY IMPLICATIONS**

### **Local Government Act 1995**

#### **6.14. Power to invest**

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).
- (2) Regulations in relation to investments by local governments may —
  - (a) make provision in respect of the investment of money referred to in subsection (1); and
  - [(b) *deleted*]
  - (c) prescribe circumstances in which a local government is required to invest money held by it; and
  - (d) provide for the application of investment earnings; and
  - (e) generally provide for the management of those investments.

## **Local Government (Financial Management) Regulations 1996**

### **19. Investments, control procedures for**

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —
  - (a) the nature and location of all investments; and
  - (b) the transactions related to each investment.

### **19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

- (1) In this regulation —

**authorised institution** means —

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959 (Commonwealth)* section 5; or
- (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

**foreign currency** means a currency except the currency of Australia.

- (2) When investing money under section 6.14(1), a local government may not do any of the following —
  - (a) deposit with an institution except an authorised institution;
  - (b) deposit for a fixed term of more than 12 months;
  - (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
  - (d) invest in bonds with a term to maturity of more than 3 years;
  - (e) invest in a foreign currency.

### **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

The worksheet below details the investments held by the Shire as at 31 May 2019:



SHIRE OF NUNGARIN INVESTMENTS AS AT 31 MAY 2019								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
CBA	N/A	Operating A/C	12481074	Ongoing	N/A	N/A	Variable	\$868,307.14
<b>TOTAL</b>								<b>\$868,307.14</b>

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 MAY 2019								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>RESERVE FUNDS</b>								
CBA	N/A	Interest Bearing Cheque A/C	12481082	Ongoing	N/A	N/A	Variable	\$498,819.36
<b>TOTAL</b>								<b>\$498,819.36</b>
<b>TRUST</b>								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$47,317.45
<b>TOTAL</b>								<b>\$47,317.45</b>

INVESTMENT REGISTER						
1 MAY 2019 TO 31 MAY 2019						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 30.04.2019	INVESTMENT TRANSFERS	CLOSING BALANCE 31.05.2019
38132004	04/06/2019	1.95%	\$201,095.62	\$721.28	(\$0)	\$201,816.90

**OFFICER RECOMMENDATION/S – ITEM NO 8.5.4**

That the Investment Report as at 31 May 2019 be received.

**COUNCIL DECISION – 6212**

**Moved: Cr Dayman, Seconded: Cr de Lacy**

**That the Investment Report as at 31 May 2019 be received.**

**CARRIED: 6/0**

## 8.5.5 Accounts for Payment May 2019

### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – May 2019

Voting Requirement	:	Simple Majority
Subject Index	:	Finance
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

That Council receives and note the payment of accounts for the month of May 2019.

## **SUMMARY AND KEY ISSUES**

All payments relate to normal operational matters for the Shire within budget.

## **LOCATION**

N/A

## **BACKGROUND**

Attachment 1 details all accounts paid since the last reporting period.

Payment Types for Municipal Account:

EFT	\$246704.57
Cheque	\$ 20607.55
Direct Debits	<u>\$ 11586.26</u>
<b>TOTAL</b>	<b>\$278898.38</b>

Payment Types for Trust Account:

Cheque	\$ 354.98
Direct Debits	<u>\$ 488.00</u>
<b>TOTAL</b>	<b>\$ 842.98</b>

The total amount for all payments from all accounts is therefore **\$279,741.36**

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications at this time.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER COMMENT**

Nil

**OFFICER RECOMMENDATION/S – ITEM NO 8.5.5**

That Council receives and notes the list of accounts paid for May 2019, totalling \$279,741.36, and that the list be recorded in the minutes.

**COUNCIL DECISION – 6213**

**Moved: Cr Dayman, Seconded: Cr Palmer**

**That Council receives and notes the list of accounts paid for May 2019, totalling \$279,741.36, and that the list be recorded in the minutes.**

**CARRIED: 6/0**

## 8.5.6 Financial Report – May 2019

### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 31 May 2019

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

To report on financial activity for the period 1 July 2018 to 31 May 2019.

## **SUMMARY AND KEY ISSUES**

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed.

## **LOCATION**

N/A

## **BACKGROUND**

Nil

## **CONSULTATION**

Financial Consultant – Darren Long

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

There are no financial implications at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

## **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **OFFICER COMMENT**

Nil

## **OFFICER RECOMMENDATION/S – ITEM NO 8.5.6**

**That the financial report for the period 1 July 2018 to 31 May 2019 be received.**

**COUNCIL DECISION – 6214**

**Moved: Cr Palmer, Seconded: Cr Coumbe**

**That the financial report for the period 1 July 2018 to 31 May 2019 be received.**

**CARRIED: 6/0**

## 9. DELEGATES REPORTS

Nil

## 10. NEW BUSINESS OF AN URGENT NATURE

*(New business of an urgent nature approved by the Presiding member)*

10.1 Wheatbelt Secondary Freight Route

### COUNCIL DECISION – 6215

**Moved: Cr Dayman, Seconded: Cr Palmer**

**That Item 10.1 – Wheatbelt Secondary Freight Route be introduced as business of an urgent nature.**

**CARRIED: 6/0**

### 10.1 Wheatbelt Secondary Freight Route

#### INFRASTRUCTURE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	October 2018
Applicant	:	Wheatbelt North Regional Road Group
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*



- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

## **PURPOSE OF REPORT**

Council's consideration is required in relation to altering its commitment in relation to the Wheatbelt Secondary Freight Route.

## **SUMMARY AND KEY ISSUES**

- Mapping for the WSFR loosely started in 2014 through the various RRG's
- The WSFR started in 2016 with a working group consisting of the North and South RRG's, WALGA, MRWA, RDA Wheatbelt, Wheatbelt Development Commission and others
- The WSFR intend on submitting an application at the end of November for BBRF funding to commence the first stage of planning
- The WSFR are seeking all Wheatbelt local governments support

## **LOCATION**

Whole of Wheatbelt

## **BACKGROUND**

The Wheatbelt Secondary Freight Route (WSFR) network in the Main Roads WA Wheatbelt region comprises some 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region.

These roads are intended to enable large, high productivity trucks safe and cost effective access to business. The WSFR project is developing a business case, with the supporting evidence and documentation required, to seek the addition of a program of road improvements across the network be added to the Infrastructure Australia Priority List.

Previously 42 local governments were asked to financially contribute to the WSNF project via a budget allocation of \$6,000 which was proposed to be part of a co-contribution towards BBRF.

With the unsuccessful BBRF bid, it is proposed that the \$6,000 in financial contributions from each of the 42 local governments totalling \$252,000 be allocated to combine with the RED funding of \$100,000 to become project management pool of approximately \$350,000.

This would contribute towards the overall project management requirements associated with the delivery of Stage 1 Priority Works over the course of an estimated 3 year delivery timeframe. Funding would contribute towards the following nominal requirements:

- Project Coordinator
  - Nominal \$60,000 per annum (\$180,000 across 3 years)
- Project Administration and Communications Officer.
  - Nominal \$20,000 per annum (\$60,000 across 3 years)
- Technical Consultancy Resources
  - Nominal \$100,000.

### **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

### **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

### **FINANCIAL IMPLICATIONS**

There are no direct budget allocations available at this point in time. However, should the project progress, then an allocation could be made from an existing GL account.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **OFFICER COMMENT**

Ultimately, Council's previous support was in relation to the BBRF funding which did not eventuate.

Accordingly, the request is that Council revise its funding support to reflect the RED Grant for project management costs. There is no request to increase the amount of the contribution.

## **OFFICER RECOMMENDATION/S – ITEM NO 10.1**

That Council:

1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project;
2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.

## **COUNCIL DECISION – 6216**

**Moved: Cr Coumbe, Seconded: Cr de Lacy**

**That Council:**

- 1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project;**
- 2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.**

**CARRIED: 6/0**

**11. MOTIONS ON NOTICE**

*(Automatically sent back to Administration for consideration at the next Council meeting)*

**12. CONFIDENTIAL ITEMS OF BUSINESS**

12.1 McCorry's Old Hotel – Expressions of Interest

**COUNCIL DECISION – 6217**

**Moved: Cr de Lacy, Seconded: Cr Palmer**

**That Council move into confidence.**

**CARRIED: 6/0**

**COUNCIL DECISION – 6218**

**Moved: Cr Coumbe, Seconded: Cr Palmer**

**That the item lay on the table.**

**CARRIED: 6/0**

**COUNCIL DECISION – 6219**

**Moved: Cr Palmer, Seconded: Cr Dayman**

**That Council move out of confidence.**

**CARRIED: 6/0**

**13. CLOSURE**

There being no further business the meeting closed at 4:31pm.

R O'Connell.  
Presiding Member

17-07-19.  
Date