



**29 APRIL 2014**

**ORDINARY MEETING**

**MINUTES**



## **CONTENTS**

<b>1. OPENING .....</b>	<b>1</b>
<b>2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>1</b>
2.1 Members Present.....	1
2.2 Staff In Attendance .....	1
2.3 Observers And Visitors .....	1
2.4 Apologies and Approved Leave of Absence .....	1
2.5 Condolences .....	1
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>1</b>
<b>4. PUBLIC QUESTION TIME .....</b>	<b>1</b>
<b>5. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>1</b>
<b>6. DECLARATIONS OF INTEREST .....</b>	<b>1</b>
<b>7. CONFIRMATION OF MINUTES .....</b>	<b>2</b>
7.1 Minutes Of The Ordinary Council Meeting Held 25 March 2014 .....	2
7.2 Minutes Of The Fire Control Officers Meeting held 25 March 2014 .....	3
7.3 Minutes Of The Audit & Risk Committee Meeting Held 8 April 2014.....	6
<b>8. TECHNICAL SERVICES .....</b>	<b>10</b>
<b>9. PLANNING SERVICES .....</b>	<b>11</b>
9.1 Notice of Application for Exploration Licence 70/4593 .....	11
9.2 Family Day Care Services – Beverley Function & Recreation Centre.....	18
<b>10. BUILDING SERVICES &amp; ENVIRONMENTAL HEALTH SERVICES .....</b>	<b>24</b>
<b>11. FINANCE .....</b>	<b>25</b>
11.1 Monthly Financial Report .....	25
11.2 Accounts Paid by Authority .....	39
11.3 WATC Master Lending Agreement .....	50
11.4 Rates – Legal Charges Dispute .....	52
<b>12. ADMINISTRATION .....</b>	<b>56</b>
12.1 Terms of Reference for the Audit and Risk Committee.....	56
12.2 Risk Management .....	71
12.3 Trails Master Plan 2014 .....	73
12.4 Use of the Common Seal .....	75
<b>13. NEW BUSINESS ARISING BY ORDER OF THE MEETING .....</b>	<b>77</b>
13.1 Water Connection .....	77
13.2 CEO Performance Review, Remuneration Review and Contract Renewal ....	77
<b>14. CLOSURE .....</b>	<b>78</b>

## **1. OPENING**

The Chairperson declared the meeting open at 2:30pm

## **2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

### **2.1 Members Present**

Cr DJ Ridgway	President	South Ward
Cr CJ Pepper	Deputy President	West Ward
Cr T Buckland		South Ward
Cr DW Davis		West Ward
Cr P Gogol		North Ward
Cr KM Murray		North Ward
Cr LC Shaw		West Ward
Cr DC White		South Ward

### **2.2 Staff In Attendance**

Mr SP Gollan	Chief Executive Officer
Mr SK Marshall	Deputy Chief Executive Officer
Mr BS de Beer	Shire Planner
Mrs A Lewis	Executive Assistant

### **2.3 Observers And Visitors**

### **2.4 Apologies and Approved Leave of Absence**

Cr JD Alexander	North Ward
-----------------	------------

### **2.5 Condolences**

The Shire of Beverley offers its condolences to the families of:

BAILEY	Wilfred George	11 April 2014
--------	----------------	---------------

## **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

## **4. PUBLIC QUESTION TIME**

Nil

## **5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **6. DECLARATIONS OF INTEREST**

Nil

## **7. CONFIRMATION OF MINUTES**

### **7.1 Minutes Of The Ordinary Council Meeting Held 25 March 2014**

#### **OFFICER'S RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held Tuesday 25 March 2014 be confirmed.

#### **COUNCIL RESOLUTION**

**M1/0414**

**Moved Cr Murray**

**Seconded Cr Gogol**

**That the Minutes of the Ordinary Council Meeting held Tuesday 25 March 2014 be confirmed.**

**CARRIED 8/0**

**7.2 Minutes Of The Fire Control Officers Meeting held 25 March 2014**

**MINUTES OF A MEETING OF FIRE CONTROL OFFICERS HELD IN  
THE COUNCIL CHAMBERS ON TUESDAY 25<sup>th</sup> MARCH 2014  
COMMENCING AT 6:00PM**

**PRESENT:**

Bruce Kilpatrick	Chief Bush Fire Control Officer
Rob Fisher	Deputy Chief Bush Fire Control Officer
Paul Schilling	FCO Dale West Brigade
Lincoln Murray	FCO North East Brigade
Dean Aynsley	FCO South East Brigade
Bill Cleland	FCO Dale / Kokeby Brigade
Andrew Shaw	FCO Avondale Brigade
Noel Ferguson	DFES
Stephen Gollan	Chief Executive Officer
Dee Ridgway	President, Shire of Beverley
Justin Corrigan	Community Emergency Services Manager

**APOLOGIES:**

Darren Boyle	FCO Central Brigade
--------------	---------------------

**CONFIRMATION OF MINUTES:**

**MFCO1/0314**

**Moved Andrew Shaw**

**Seconded Rob Fisher**

**That the Minutes of the Fire Control Officers meeting held on the 7<sup>th</sup> October 2013 be confirmed.**

**CARRIED 9/0**

**BUSINESS ARISING:**

**Fire Break Order**

CESM address meeting asking for amendment to the decision made by the FCO's for the Shire of Beverley's fire break install date be changed from 25<sup>th</sup> Oct of each to 1<sup>st</sup> Nov of each year

**MFCO2/0314**

**Moved Andrew Shaw**

**Seconded Deane Aynsley**

**That the cutoff date for fire breaks to be installed within the Shire of Beverley be amended to 1 November each year.**

**CARRIED 7/0**

**Plantation Fire Breaks**

CBFCO Bruce Kilpatrick asked the meeting for a decision to be made regarding the fire break requirement for properties that have plantations.

The meeting decided that for all new plantations a minimum 6 meter fire break is to be installed and for existing plantations, a fire break to be installed where possible.

The CESM to develop a policy to be placed within the Shire of Beverley fire break order.

### **Resource List**

CBFCO Bruce Kilpatrick asked the FCO how they were progressing with updated resources list for their areas.

All FCO's will continue to gather information to be submitted to the Shire to place within its bush fire response plan.

### **BRIGADE REPORTS:**

#### **Avondale:**

- Nothing to report

#### **Beverley Central:**

- Nothing to report

#### **Dale / Kokeby:**

- Attended 1 fire started by ride on mower

#### **Dale West:**

- Attended 1 structural fire
- Issues with people lighting camp fires during restricted and prohibited burning periods
- Brigade requests that bushfire signage be placed along roads entering the shire

#### **Beverley South East:**

- Attended 1 fire caused by a lightning strike, good turn up to assist, lucky to stop because within a plantation
- Brigade would like to have more training prior to fire season as they have not attended many fires and are a bit rusty

#### **Beverley North East:**

- Nothing to report

### **GENERAL BUSINESS:**

#### **Signage**

FCO Paul Schilling asked the meeting if there was any possibility of signage being placed at the entrances to the Shire advising people of the fire restrictions. CESM to investigate signage.

#### **MFCO2/0314**

**Moved Paul Schilling**

**Seconded Andrew Shaw**

**That the Beverley Shire place signage on the main roadways leading into Beverley to advise people of the current fire period and relevant information**

**CARRIED 7/0**

#### **Burning Restrictions**

CBFCO Bruce Kilpatrick addressed the meeting querying the proposed extension of the Restricted Burning Period and what restrictions should be imposed over the Easter holiday period. It was decided that the restricted burning period would be extended for a further 7 days until midnight 7<sup>th</sup> April 2014. The FCO's decided that there will be no burning will be conducted over the Easter holidays from midnight Wednesday 16<sup>th</sup> April until midnight Sunday 20<sup>th</sup> April and that Easter Monday people where able to burn.

### **Burning Permits**

FCO Deane Aynsley asked the meeting about what restrictions should be placed on permits when dealing with people wanting to burn chaff piles and whether a policy should be developed? It was decided that the FCO writing the permit would be responsible for what restrictions were placed on the land owner prior to them burning.

### **Training**

CESM Justin Corrigan advised the members that a training program was being developed over the winter period for brigade members to get basic training in structural and motor vehicle fires as the brigades are being asked now to turn out and assist the Volunteer Fire & Rescue Services.

### **Information Packages**

CBFCO Bruce Kilpatrick asked the meeting about ways of getting relevant fire safety message out to the community, especially people who are new to town. It was decided that an information package be developed which real estate agents could pass on to new residents who purchase property in Beverley.

### **Winter Burning Program**

CESM addressed the meeting outlining the proposed burning program of the river between Vincent Street and the Golf course, he advised the FCO's that he could not do this alone and will require help from all brigades to complete the program. There were a number suggestions made and it was decided that this would be a good opportunity for the newer members of the brigades to get some valuable insight and training in a controlled environment.

### **DFES**

DFES Area Officer Noel Ferguson delivered and handed out the new 2014 DFES directories.

### **Shire of Beverley**

Shire of Beverley Chief Executive Officer, Stephen Gollan addressed the meeting suggesting that a meeting be held prior to the fire break order laws being printed to look over and make any amendments

### **CLOSURE:**

There being no further business the meeting closed at 7:05pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

Presiding Member:

Date:

### **OFFICER'S RECOMMENDATION**

That the Minutes of the Fire Control Officers meeting held 25 March 2014 be received.

### **COUNCIL RESOLUTION**

**M2/0414**

**Moved Cr Murray**

**Seconded Cr Buckland**

**That the Minutes of the Fire Control Officers meeting held 25 March 2014 be received and the recommendations be endorsed.**

**CARRIED 8/0**



## **7.3 Minutes Of The Audit & Risk Committee Meeting Held 8 April 2014**

### **1. OPENING**

The Chairman declared the meeting open at 9:08am.

### **2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

#### **2.1 Members Present**

Cr DC White	Chairman	South Ward
Cr DJ Ridgway	President	South Ward
Cr T Buckland		South Ward
Cr DW Davis		West Ward
Cr P Gogol		North Ward
Cr KM Murray		North Ward
Cr LC Shaw		West Ward

#### **2.2 Staff In Attendance**

Mr SP Gollan	Chief Executive Officer
Mr SK Marshall	Deputy Chief Executive Officer
Mrs A Lewis	Executive Assistant

#### **2.3 Observers And Visitors**

Nil

#### **2.4 Apologies and Approved Leave of Absence**

Cr CJ Pepper	Deputy President	West Ward
Cr JD Alexander		North Ward

### **3. DECLARATIONS OF INTEREST**

Nil

### **4. CONFIRMATION OF MINUTES**

#### **4.1 Minutes of the Audit Committee Meeting held 11 February 2014**

#### **OFFICER'S RECOMMENDATION**

That the Minutes of the Audit Committee Meeting held on Tuesday 11 February 2014 be confirmed.

#### **COMMITTEE'S RESOLUTION**

**MAR1/0413**

**Moved Cr Murray**

**Seconded Cr Shaw**

**That the Minutes of the Audit Committee Meeting held on Tuesday 11 February 2014 be confirmed.**

**CARRIED 7/0**

## **5. OFFICER UPDATES**

### **5.1 Terms of Reference**

Council at the December meeting agreed to lay the Terms of Reference for this committee on the table. Councillor White will table a revised draft copy of the Term of Reference for discussion at the meeting.

#### **COMMITTEE'S RESOLUTION**

**MAR2/0413**

**Moved Cr Gogol**

**Seconded Cr Davis**

**That the Audit and Risk Committee recommend to Council that the draft Audit and Risk Committee Terms of Reference, with the deletion of item 5.2, be adopted.**

**CARRIED 7/0**

### **5.2 Councillors Questionnaire to Management**

Councillor White is going to discuss the process of the Directors Questionnaire to management when completing the Annual Statements. These questions will relate to the production of the Annual Statements and will assist the Audit committee in reviewing the report.

*Outcome: Cr White to prepare a Questionnaire for the Audit and Risk Committee to discuss.*

### **5.3 Risk Management**

Council would be aware that the State Government has made amendments to the Local Government (Audit) Regulations 1996.

The amendments related to extending regulation 16, function of an audit committee and inserting a new regulation 17, review of certain systems and procedures by a CEO. The amendments are detailed as follows:

#### **16. Audit committee, functions of**

An audit committee —

- (a) is to provide guidance and assistance to the local government —
  - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
  - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;
- and
- (b) may provide guidance and assistance to the local government as to —
  - (i) matters to be audited; and
  - (ii) the scope of audits; and
  - (iii) its functions under Part 6 of the Act; and
  - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and

- (c) is to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —
  - (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council.

#### **17. CEO to review certain systems and procedures**

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

A quote has been received from Council's Auditor to undertake the review, LGIS has also provided a cost to undertake the review as a SEAVROC project, Councillor White has also spoken about conducting the review in-house.

We will need to discuss this matter at the meeting.

#### **COMMITTEE'S RESOLUTION**

**MAR3/0413**

**Moved Cr Gogol**

**Seconded Cr Buckland**

**That the Audit and Risk Committee recommend to Council that LGIS be employed to undertake a Risk Management review.**

**CARRIED 7/0**

#### **5.4 CEO Performance Review**

Councillor Ridgway has requested that some time be set aside to discuss matters pertaining to the review.

*Outcome: Nil*

#### **5.5 Investment Policy**

Council has discussed about investing surplus funds outside of Council's current policy which states "*that any surplus funds be invested only with the local ANZ Bank*". This policy was made in December 1997.

I am currently undertaking a review of Policies and Delegations and will update the policy to include "*any Bank or Financial Institution*". Committee comment is welcome.

*Outcome: A revised investment policy be drafted to include that any surplus funds be invested with "any Australian Prudential Regulation Authority (APRA) approved Bank or Financial Institution".*

**6. NEW BUSINESS ARISING BY ORDER OF THE MEETING**

New Business of an urgent matter only arising by order of the meeting.

**7. CLOSURE**

The Chairman declared the meeting closed at 10.31am.

**I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.**

*Presiding Member*

*Date*

**OFFICER'S RECOMMENDATION**

That the Minutes of the Audit and Risk Committee Meeting held Tuesday 8 April 2014 be confirmed.

**COUNCIL RESOLUTION**

**M3/0414**

**Moved Cr white**

**Seconded Cr Gogol**

**That the Minutes of the Audit and Risk Committee Meeting held Tuesday 8 April 2014 be confirmed.**

**CARRIED 8/0**

## **8. TECHNICAL SERVICES**

Nil

## **9. PLANNING SERVICES**

### **9.1 Notice of Application for Exploration Licence 70/4593**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 14 April 2014  
**APPLICANT:** Austwide Mining Title Management Pty Ltd  
**FILE REFERENCE:** ADM 0071  
**AUTHOR:** B S de Beer, Shire Planner  
**ATTACHMENTS:** Application Documentation

---

#### **SUMMARY**

Austwide Mining Title Management Pty Ltd have advised that they have made application for a mineral exploration license.

#### **BACKGROUND**

The following Notice of Application for a Mineral Exploration License has been received for Council's information:

Goldrich Pty Ltd

70/4593

A copy of the map of the areas to be explored is attached.

#### **COMMENT**

Section 120(1) of the Mining Act, 1978 reads as follows:

*'In considering any application for the grant of a mining tenement the Minister, warden or mining registrar, as the case requires, shall take into account the provisions of any planning scheme in force under the Planning and Development Act 2005 affecting the use of the land concerned, but the provisions of any such scheme shall not operate to prohibit or affect the granting of a mining tenement or the carrying out of any mining operations authorised by this Act.'*

As a result of the above it will be recommended that Council resolve to give appropriate advice notes in relation to their desired intended outcomes for exploration activities within the Shire of Beverley.

#### **STATUTORY ENVIRONMENT**

Exploration licences are dealt with under the Mining Act, 1978.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications in relation to this application.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications relative to this application.

#### **POLICY IMPLICATIONS**

There are no policy implications relative to this application.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council resolve to inform Austwide Mining Title Management Pty Ltd that they take note of the mineral exploration licence application 70/4593 and further advise as follows: –

1. All service holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.
3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.
4. No activities taking place to the detriment of any roads, streets or verges.
5. Minimum disturbances being made to the natural vegetation.
6. Adequate suppression control methods and practices being used.
7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.
8. All works comply with the Environmental Protection (Noise) Regulations 1997.
9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

**COUNCIL RESOLUTION**

**M4/0414**

**Moved Cr Shaw**

**Seconded Cr Gogol**

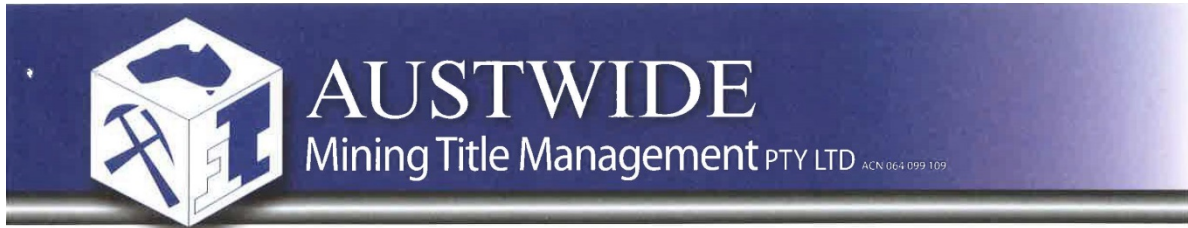
**That Council resolve to inform Austwide Mining Title Management Pty Ltd that they take note of the mineral exploration licence application 70/4593 and further advise as follows: –**

- 1. All service holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.**
- 2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.**
- 3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.**
- 4. No activities taking place to the detriment of any roads, streets or verges.**
- 5. Minimum disturbances being made to the natural vegetation.**
- 6. Adequate suppression control methods and practices being used.**
- 7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.**
- 8. All works comply with the Environmental Protection (Noise) Regulations 1997.**
- 9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.**

**CARRIED 8/0**



Attachment for Item 9.1



**REGISTERED POST**

25 March 2014

Chief Executive Officer  
Shire of Beverley  
Po Box 20  
Beverley WA 6304

Dear Sir/ Madam

**APPLICATION FOR EXPLORATION LICENCE 70/4593**  
**BY GOLDRICH PTY LTD**

Enclosed herewith, as required by the Mining Act 1978 (as amended) is a copy and plan of the abovementioned application. The area applied for is located within the Shire of Beverley.

I will be pleased to provide you and the Council with any additional information that may be required in respect of the application.

Yours faithfully

**Paul Humberston**  
**MINING TITLE CONSULTANT**

[paul@austwidemining.com.au](mailto:paul@austwidemining.com.au)

Attachment for Item 9.1

Online Lodgement - Submission: 17/03/2014 15:07:12; Receipt: 17/03/2014 15:07:12



Form 21 WESTERN AUSTRALIA  
Mining Act 1978  
(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

**APPLICATION FOR MINING TENEMENT**

(a) Type of tenement	(a) Exploration Licence	No. E 70/4593
(b) Time & Date marked out (where applicable)	(b) a.m./p.m. / /	(c) SOUTH WEST
(c) Mineral Field		
For each applicant:	(d) and (e) GOLDRICH PTY LTD (ACN: 168 306 241) C/- AUSTWIDE MINING TITLE MANAGEMENT PTY LTD, PO BOX 1434, WANGARA, WA, 6947	(f) Shares 100
(d) Full Name and ACN/ABN		
(e) Address		
(f) No. of shares		
(g) Total No. of shares	(g) Total 100	
DESCRIPTION OF GROUND APPLIED FOR:	(h) Brookton	
(For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(i) This application affects Private Property. Details of Private Property Affected: Sub surface rights are sought in respect to any Private Land affected by this application.	
(h) Locality		
(i) Datum Peg		
(j) Boundaries		
(k) Area (ha or km <sup>2</sup> )	(k) 37 BL	
(l) Signature of applicant or agent (if agent state full name and address)	(l) Amanda Corby PO BOX 1434, WANGARA, WA, 6947	Date: 17/03/2014

OFFICIAL USE

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 21st day of April 2014 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at	15:07:12	on	17 March	2014	with fees of
Application	\$1,257.55				
Rent	\$4,403.00				
TOTAL	\$5,660.55				
Receipt No:	407618356208				

**Mining Registrar**

NOTES

**Note 1: EXPLORATION LICENCE**

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

**Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**

- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

**Note 3: GROUND AVAILABILITY**

- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:
  - (a) public plan search; (b) register search; (c) ground inspection.

**Note 4: ALL APPLICATIONS OVER PRIVATE LAND**

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.

Attachment for Item 9.1



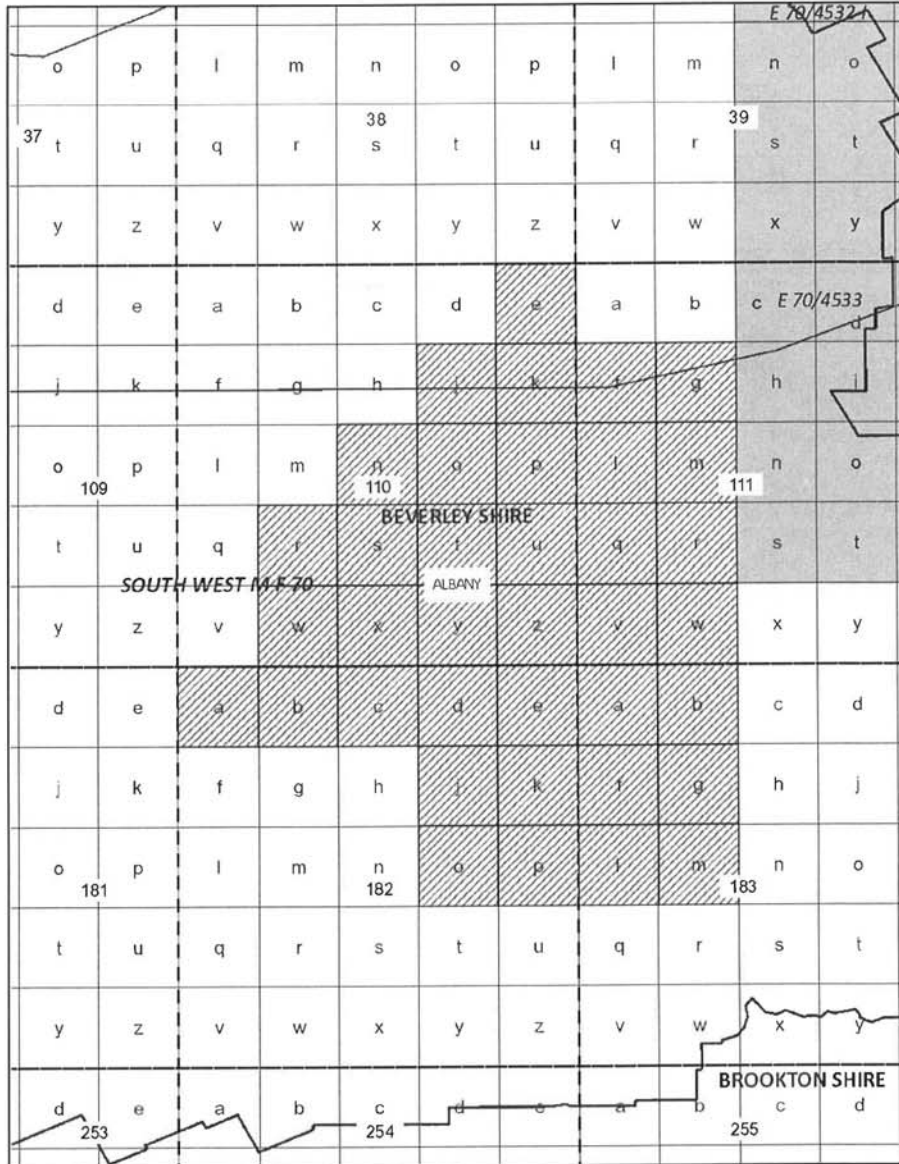
Government of Western Australia  
Department of Mines and Petroleum



Mining Act 1978  
Sec. 58; Reg. 64

FORM 21 - ATTACHMENT 2  
Plan Name(s) - ALBANY

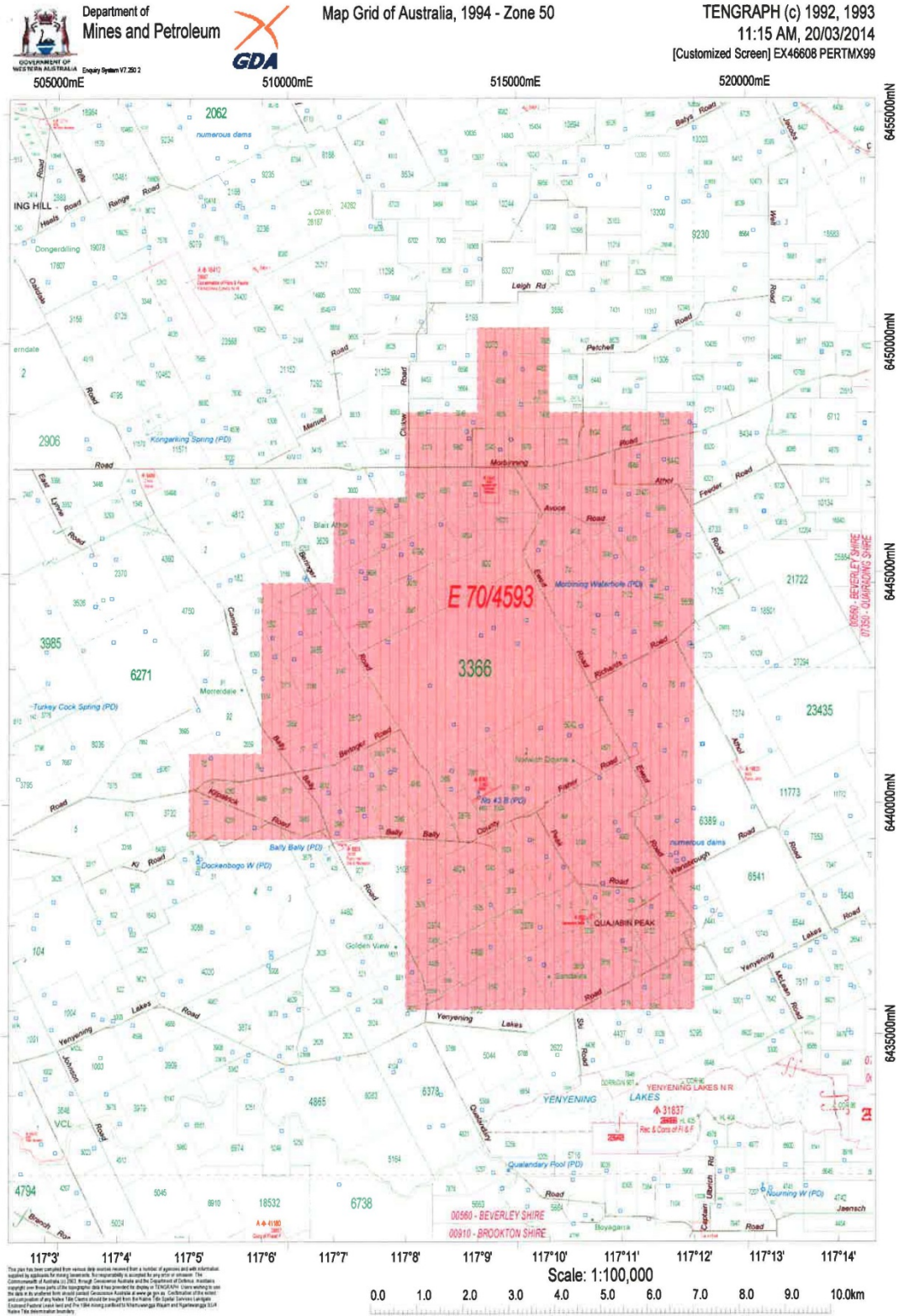
Time Officially Received : 17/03/2014 15:07:12  
User Id : ex36406



MAP SHOWING BLOCKS APPLIED FOR IN  
EXPLORATION LICENCE NO. 70/4593

Graticular Section Applied For

Attachment for Item 9.1



## **9.2 Family Day Care Services – Beverley Function & Recreation Centre**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 15 April 2014  
**APPLICANT:** Mari Tita  
**FILE REFERENCE:** ADM 0456  
**AUTHOR:** B S de Beer, Shire Planner  
**ATTACHMENTS:** Application Documentation

---

### **SUMMARY**

An application has been received from Mari Tita to establish and operate a Family Day Care from a designated room/space at the new Beverley Function & Recreation Centre (Lot 400, Reserve 4790 Forrest Street). It will be recommended the application be approved.

### **BACKGROUND**

Mari Tita approached the Shire to enquire as to the availability of space to enable her to establish and operate a Family Day Care. The application at hand (please refer to the attachments hereto), proposes to utilize a room at the new Recreation Building, which is suitably located and appointed for this purpose.

### **COMMENT**

It is accepted that there is a need within the Beverley Community for a Family Day Care service as proposed, and which proposes to cater for up to 4 children under 5 years of age, at a time. Family Day Care educators are licensed to work as such, and should Council view the proposal favourably, it will be recommended that the appropriate certifications be made a condition of approval.

It is submitted that the room proposed to house the Family Day Care is well suited for the purpose, i.e. it is in close proximity to the children's playground, sufficient ablution facilities are available and the layout is such that supervision and safety of the children are maximized. Educational equipment and other furniture can be stored in the adjacent store rooms, which would free up the space after hours, should the space be required for another function. Ample parking is available in close proximity to the room.

To enable the Council to trial the proposal, it will be recommended that the room be made available for a period of three months from date of approval, to be renewed by the Chief Executive Officer, on delegation from Council, for a further period and/or conditions as deemed appropriate.

### **STATUTORY ENVIRONMENT**

Shire of Beverley Town Planning Scheme No. 2.

### **FINANCIAL IMPLICATIONS**

It is proposed Council leases the space for an amount of \$75/week, to be reviewed after the trial period.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications relative to this application.

## **POLICY IMPLICATIONS**

There are no policy implications relative to this application.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council resolve to approve the application for the utilization of the designated room at the Beverley Function & Recreational Centre, located at Lot 400 (Reserve 4790), for the purposes of a Family Day Care, subject to the following conditions and advice notes: –

### **Conditions:**

1. This approval is for a period of three (3) months from the date of this approval. After three (3) months this approval will lapse and a new application will have to be submitted for the Shire's consideration;
2. Prior to operating as a Family Day Care facility, the educator in charge of the facility shall provide the Shire with copies of all accreditations, certifications, etc. in terms of the relevant regulatory authority, enabling them to run a Family Day Care;
3. Prior to operating as a Family Day Care facility, the applicant shall furnish the Shire with a copy of the relevant public liability insurance for the proposed use;
3. Written agreement be reached between the applicant and the Shire as to the rental fee per week for the facility.

### **Advice Notes:**

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the proposal.

**COUNCIL RESOLUTION**

**M5/0414**

**Moved Cr Murray**

**Seconded Cr Gogol**

**That Council resolve to approve the application for the utilization of the designated room at the Beverley Function & Recreational Centre, located at Lot 400 (Reserve 4790), for the purposes of a Family Day Care, subject to the following conditions and advice notes: –**

**Conditions:**

- 1. This approval is for a period of three (3) months from the date of this approval. After three (3) months this approval will lapse and a new application will have to be submitted for the Shire's consideration;**
- 2. Prior to operating as a Family Day Care facility, the educator in charge of the facility shall provide the Shire with copies of all accreditations, certifications, etc. in terms of the relevant regulatory authority, enabling them to run a Family Day Care;**
- 3. Prior to operating as a Family Day Care facility, the applicant shall furnish the Shire with a copy of the relevant public liability insurance for the proposed use;**
- 4. Written agreement be reached between the applicant and the Shire as to the rental fee per week for the facility.**

**Advice Notes:**

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the proposal.**

**LOST 0/8**

**Council considers that as the Beverley Function and Recreation Centre is a community facility it should remain available for use by the wider community and not be tied to private enterprise.**

Attachment for Item 9.2

14/04/14

To whom it may concern

**RE: Family Day Care Premises**

Hello, my name is Mari Tita and I am interested to lease a space at the Beverley Function & Recreation centre.

The space I am interested in, could be suitable for a Family Day Care. As our town is in need of child care services, I will be very happy to help our community, offering quality early childhood education and care services for their children, according the new National Quality Framework

The F.D.C. educators are licenced to care for 4 children under 5 and may also care for 3 children of school age and work under the regulatory body of Great Beginnings Family Day Care Services. The opening hours, at the moment, would be between 8am-5pm but that might change according with the parent's needs.

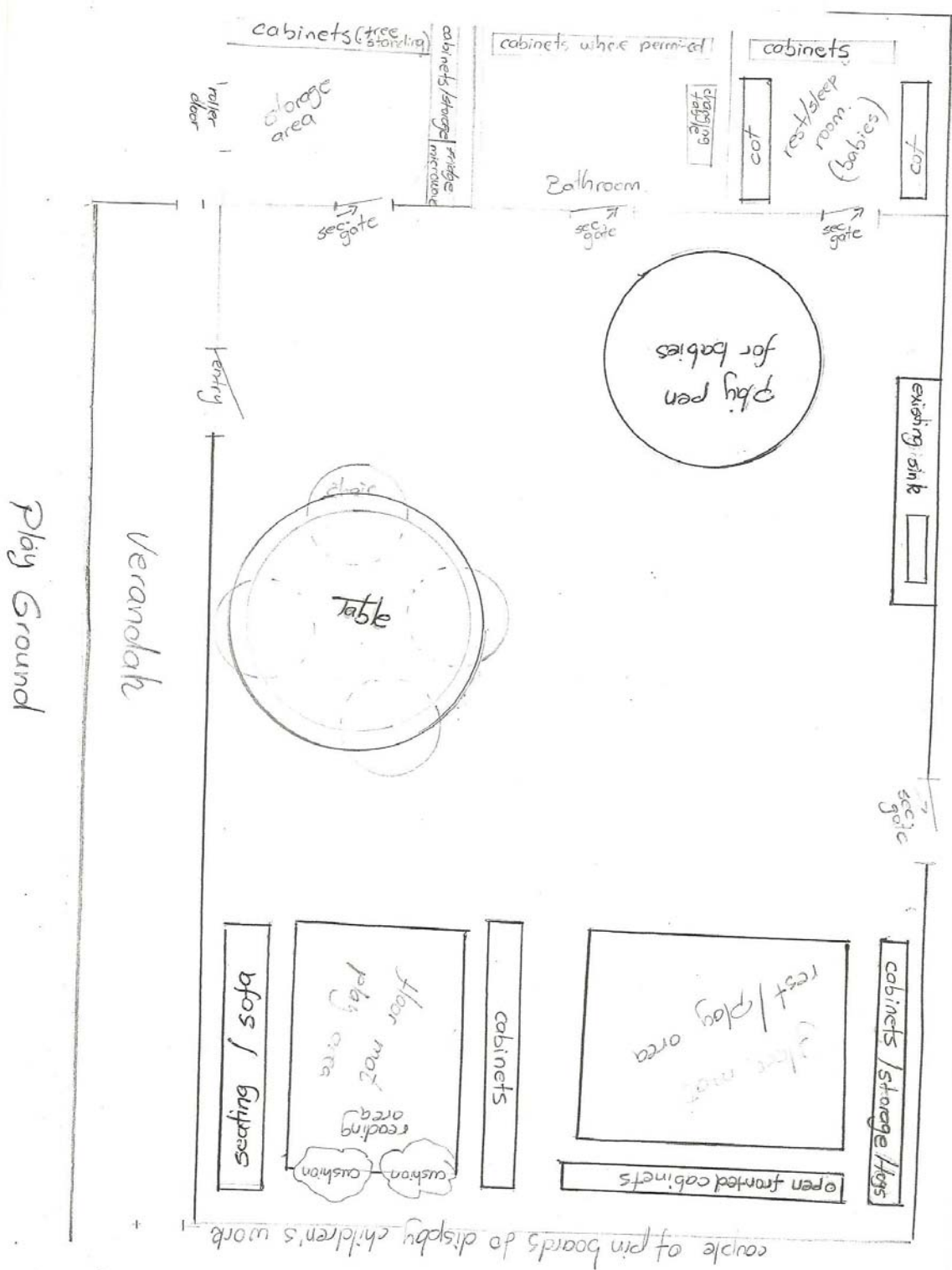
If you have any questions or you need more information, I can be contacted on 0422 466 831 or you could leave a message if I am not available on 9646 4095.

Yours sincerely

Mari Tita



Attachment for Item 9.2



## Attachment for Item 9.2

Hi Mari,

Chris spoke to the Commonwealth and we *do not* have to apply for permission for you to operate a Family Day Care service out of a building which isn't your home. So you have the green light to pursue a premises to get your service up and running. If you would like me to come out and visit on Tuesday that will be fine but can you send me details asap, as I will need to schedule it in.

Have a wonderful day.

*Sharon Palumbo*

Registration and Compliance Co-ordinator

Great Beginnings Family Day Care Service

PO Box 466 Narrogin 6312

08 98812991, 0488 049 831

## **10. BUILDING SERVICES & ENVIRONMENTAL HEALTH SERVICES**

Nil

## **11. FINANCE**

### **11.1 Monthly Financial Report**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S K Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** March 2014 Financial Report

---

#### **SUMMARY**

Council to consider accepting the financial report for the period ending 31 March 2014.

#### **BACKGROUND**

There is a statutory requirement that the Local Government is to prepare, each month, a statement of financial activity reporting on sources and applications of its funds and to present the statement to Council.

Council adopted a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater at the August 2013 Ordinary Meeting, item 11.5

#### **COMMENT**

The monthly financial report for the period ending 31 March 2014 has been provided and includes:

- Financial Activity Statement;
- Statement of Net Current Assets;
- Statement of Financial Position; and
- Supplementary information, including;
  - Road Maintenance Report; and
  - Investment of Surplus Funds Report.

#### **STATUTORY ENVIRONMENT**

Section 6.4(1) of the *Local Government Act* provides that a local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Regulation 34 of the *Local Government (Financial Management) Regulations* requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amount of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

**FINANCIAL IMPLICATIONS**

All revenue and expenditure, unless disclosed in the notes to material variances, are as per the 2013/14 Budget.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Investing Surplus Funds – That the Shire of Beverley only invests any surplus funds with the ANZ bank.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATION**

That the monthly financial report for the month of March 2014 be accepted and material variances be noted.

**COUNCIL RESOLUTION**

**M6/0414**

**Moved Cr Buckland**

**Seconded Cr Shaw**

**That the monthly financial report for the month of March 2014 be accepted and material variances be noted.**

**CARRIED 8/0**

**SHIRE OF BEVERLEY  
FINANCIAL ACTIVITY STATEMENT  
FOR THE PERIOD ENDED 31 MARCH 2014**

	2013/14 ANNUAL BUDGET	2013/14 MARCH BUDGET MONTH	2013/14 MARCH ACTUAL MONTH	VARIANCE MONTH	2013/14 JULY- MARCH BUDGET YTD	2013/14 JULY- MARCH ACTUAL YTD	VARIANCE YTD	MATERIAL VARIANCES YTD
	\$	\$	\$	\$	\$	\$	\$	
<b>OPERATING REVENUE</b>								
General Purpose Funding	3,085,269	6,026	(3,295)	(9,321)	2,751,885	2,894,397	142,513	Additional General Purpose and Road Grants received \$56,903 and \$30,695, rating and less rates discount take up \$37,312 and interest received \$17,603 when compared to YTD Budget
Governance	88,200	3,528	389	(3,139)	59,976	5,334	(54,642)	Grant funding for CCTV not expected to be received \$50,443.
Law, Order Public Safety	448,142	256	84	(172)	114,884	113,884	(1,000)	
Health	0	0	0	0	0	0	0	
Education and Welfare	4,500	80	419	339	3,860	2,516	(1,344)	
Housing	86,316	3,453	5,418	1,965	58,695	55,439	(3,256)	
Community Amenities	176,607	7,064	4,872	(2,192)	120,093	169,838	49,745	Annual Refuse and Recycling Charges received earlier than anticipated \$44,600
Recreation and Culture	1,388,010	670,643	45,320	(625,323)	1,364,262	539,319	(824,943)	CLGF Grant \$785,640 not expected to be received
Transport	736,332	215,823	122,944	(92,879)	540,324	497,533	(42,791)	Additional RRG Grant \$71,915 received and Roads to Recovery grant \$93,288 and Bridge Grant \$22,000 not yet received
Economic Services	79,000	3,160	8,095	4,935	53,720	53,360	(360)	
Other Property and Services	67,700	2,708	8,451	5,743	46,036	70,878	24,842	Additional workers compensation reimbursements received
	<b>6,160,076</b>	<b>912,741</b>	<b>192,697</b>	<b>(720,044)</b>	<b>5,113,734</b>	<b>4,402,499</b>	<b>(711,236)</b>	
<b>LESS OPERATING EXPENDITURE</b>								
General Purpose Funding	(40,853)	(1,534)	(2,749)	(1,215)	(14,187)	(28,604)	(14,417)	Debt collection and stationery and printing expenses incurred earlier than anticipated \$9,987 and \$5,263
Governance	(208,616)	(420)	(33,609)	(33,189)	(114,609)	(187,350)	(72,741)	Elected Members expenses incurred earlier than anticipated \$62,639
Law, Order, Public Safety	(180,569)	(12,640)	(10,930)	1,710	(126,398)	(132,123)	(5,725)	
Health	(86,605)	(6,062)	(5,999)	63	(60,624)	(53,704)	6,920	
Education and Welfare	(52,246)	(3,657)	(672)	2,985	(36,572)	(17,857)	18,715	Savings Youth Service no longer provided \$12,338 and Old School Building Mtce \$6,544
Housing	(223,557)	(15,649)	(13,081)	2,568	(156,490)	(159,422)	(2,932)	
Community Amenities	(524,453)	(36,712)	(31,541)	5,171	(367,117)	(350,755)	16,362	Expenditure less than anticipated for Refuse Site Mtce \$9,126 and Environmental Services \$8,300
Recreation and Culture	(1,223,740)	(85,662)	(78,967)	6,695	(856,618)	(995,944)	(139,326)	Expenditure incurred earlier than anticipated Recreation Ground Mtce \$78,071 and additional Depreciation expensed \$63,300
Transport	(1,523,815)	(106,667)	(94,069)	12,598	(1,066,670)	(1,116,705)	(50,035)	Additional Depreciation expensed \$94,223 and under expenditure Road Mtce \$32,963 and Street Trees \$9,141
Economic Services	(410,296)	(28,721)	(10,979)	17,742	(287,207)	(203,659)	83,548	Avondale mtce \$50,639 and Tourism Area Promotion \$24,500 under spent
Other Property & Services	(37,380)	18	(6,053)	(6,071)	(37,460)	(80,815)	(43,355)	Plant Operation Costs \$46,120 under allocated
	<b>(4,512,130)</b>	<b>(297,706)</b>	<b>(288,649)</b>	<b>9,057</b>	<b>(3,123,951)</b>	<b>(3,326,937)</b>	<b>(202,986)</b>	
<i>Increase/Decrease</i>	<b>1,647,946</b>	<b>615,035</b>	<b>(95,952)</b>	<b>(710,987)</b>	<b>1,989,783</b>	<b>1,075,561</b>	<b>(914,222)</b>	

**SHIRE OF BEVERLEY  
FINANCIAL ACTIVITY STATEMENT  
FOR THE PERIOD ENDED 31 MARCH 2014**

	2013/14 ANNUAL BUDGET	2013/14 MARCH BUDGET MONTH	2013/14 MARCH ACTUAL MONTH	VARIANCE MONTH	2013/14 JULY- MARCH BUDGET YTD	2013/14 JULY- MARCH ACTUAL YTD	VARIANCE YTD	MATERIAL VARIANCES YTD
	\$	\$	\$	\$	\$	\$	\$	
<b>ADD</b>								
Principal Repayment Received -Loans	11,306	0	0	0	5,653	0	(5,653)	
Provision for Long Service Leave	0	0	0	0	0	0	0	
Profit/ Loss on the disposal of assets	(32,500)	(6,300)	0	(6,300)	(6,300)	461	6,761	
Depreciation Written Back	924,853	64,740	94,932	30,192	647,397	836,486	189,089	Additional depreciation expensed
Book Value of Assets Sold Written Back	279,500	0	0	0	0	32,364	32,364	Plant traded in earlier than anticipated
	<b>1,183,159</b>	<b>58,440</b>	<b>94,932</b>	<b>23,892</b>	<b>646,750</b>	<b>869,311</b>	<b>222,561</b>	
<i>Sub Total</i>	<b>2,831,105</b>	<b>673,475</b>	<b>(1,020)</b>	<b>(687,095)</b>	<b>2,636,533</b>	<b>1,944,872</b>	<b>(691,661)</b>	
<b>LESS CAPITAL PROGRAMME</b>								
Purchase Tools	0	0	0	0	0	0	0	
Purchase Land & Buildings	(1,327,640)	0	(1,219)	(1,219)	(377,000)	(274,630)	102,370	RDAF and CLGF projects to be deleted due to lack of funding. Infant Health Centre, CRC and Industrial Land works unlikely to proceed. Hunt Rd Village Unit refurbishment savings realised.
Infrastructure Assets - Roads	(2,352,462)	(141,148)	(122,503)	18,645	(1,764,347)	(1,365,530)	398,817	Number of projects yet to be commenced or deferred
Infrastructure Assets - Recreation Facilities	(544,000)	0	(12,000)	(12,000)	(544,000)	(68,602)	475,398	Savings on Netball Court construction expenditure and projects not yet completed
Infrastructure Assets - Other	(20,000)	(20,000)	0	20,000	(20,000)	0	20,000	
Purchase Plant and Equipment	(940,020)	(490,470)	0	490,470	(490,470)	(71,413)	419,057	Plant Items yet to be purchased.
Purchase Furniture and Equipment	(105,000)	(25,500)	(274)	25,226	(38,500)	(5,605)	32,895	
Repayment of Debt - Loan Principal	(66,517)	0	0	0	(33,259)	(29,548)	3,711	
Transfer to Reserves	(126,081)	0	0	0	0	(32,281)	(32,281)	Transfer to Reserves earlier than anticipated.
	<b>(5,481,720)</b>	<b>(677,118)</b>	<b>(135,996)</b>	<b>541,122</b>	<b>(3,267,575)</b>	<b>(1,847,609)</b>	<b>1,419,966</b>	
<b>ABNORMAL ITEMS</b>								
Plus Rounding	0	0	(1)	0	0	0	0	
	<b>(5,481,720)</b>	<b>(677,118)</b>	<b>(135,997)</b>	<b>541,122</b>	<b>(3,267,575)</b>	<b>(1,847,609)</b>	<b>1,419,966</b>	
<i>Sub Total</i>	<b>(2,650,615)</b>	<b>(3,643)</b>	<b>(137,017)</b>	<b>(145,973)</b>	<b>(631,042)</b>	<b>97,264</b>	<b>728,306</b>	
<b>LESS FUNDING FROM</b>								
Reserves	400,000	0	0	0	0	0	0	
Loans Raised	0	0	0	0	0	0	0	
Closing Funds	2,250,615	0	0	0	2,250,615	2,243,381	(7,234)	Adjustment to Actual Surplus derived in 2012/13
	<b>2,650,615</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,250,615</b>	<b>2,243,381</b>	<b>(7,234)</b>	
<b>NET (SURPLUS) DEFICIT</b>	<b>0</b>	<b>(3,643)</b>	<b>(137,017)</b>	<b>(145,973)</b>	<b>1,619,573</b>	<b>2,340,645</b>	<b>721,072</b>	

<b>SHIRE OF BEVERLEY SUMMARY OF CURRENT ASSETS AND LIABILITIES FOR THE PERIOD ENDING 31 MARCH 2014</b>	
<b>CURRENT ASSET</b>	<b>ACTUAL</b>
Cash at Bank	
- Cash Advance	300.00
- Cash at Bank	143,936.09
- Investments Unrestricted	2,141,557.85
- Investments Reserves	1,610,970.19
Sundry Debtors General	425,845.19
Stock on Hand	14,329.42
Self-Supporting Loans	
GST	
<b>Total Current Assets</b>	<b>4,336,938.74</b>
<b>LESS CURRENT LIABILITIES</b>	<b>ACTUAL</b>
Sundry Creditors	272,917.03
Interest Bearing Loans and Borrowings	36,969.61
Provisions for Annual and Long Service Leave	303,601.47
<b>Total Current Liabilities</b>	<b>613,488.11</b>
<b>Adjustments</b>	
Less Cash Backed Reserves	1,610,970.19)
Plus Interest Bearing Loans and Borrowings	36,969.61
Plus Annual Leave Cash Backed Reserves as at 30/06/2013	136,520.41
Plus LSL and Gratuity Cash Backed Reserves as at 30/06/2013	105,147.00
Less Deferred Pensioner Rates Non-Current as at 30/06/2013	(61,778.00)
Plus Reimbursement-Current Asset Portion of S/Supporting loan 117 2013-14	11,306.00
<b>Total Adjustments</b>	<b>(1,382,805.17)</b>
<b>SURPLUS OF CURRENT ASSETS OVER CURRENT LIABILITIES</b>	<b>\$2,340,645.46</b>



**SHIRE OF BEVERLEY  
STATEMENT OF FINANCIAL POSITION  
AS AT 31 MARCH 2014**

<b>This section analyses the movements in assets, liabilities and equity between 2012/13 and 2013/14.</b>	<b>Actual 2012/13 \$</b>	<b>Actual 2013/14 \$</b>	<b>Variance \$</b>
<b>Current assets</b>			
Cash and cash equivalents	3,607,179	3,896,764	289,585
Trade and other receivables	390,412	425,845	35,433
Inventories	11478	14,329	2,851
Other assets	0	0	0
<b>Total current assets</b>	<b>4,009,069</b>	<b>4,336,939</b>	327,870
<b>Non-current assets</b>			
Trade and other receivables	172,447	121,976	(50,471)
Property, plant and equipment	18,331,048	18,293,824	(37,224)
Infrastructure	39,332,895	40,287,049	954,154
<b>Total non-current assets</b>	<b>57,836,390</b>	<b>58,702,848</b>	866,458
<b>Total assets</b>	<b>61,845,459</b>	<b>63,039,787</b>	1,194,328
<b>Current liabilities</b>			
Trade and other payables	125,065	272,917	(147,852)
Interest-bearing loans and borrowings	66,517	36,970	29,547
Provisions	303,601	303,601	(0)
<b>Total current liabilities</b>	<b>495,183</b>	<b>613,488</b>	(118,305)
<b>Non-current liabilities</b>			
Interest-bearing loans and borrowings	1,141,734	1,141,734	(0)
Provisions	36,619	36,620	(1)
<b>Total non-current liabilities</b>	<b>1,178,353</b>	<b>1,178,354</b>	(1)
<b>Total liabilities</b>	<b>1,673,536</b>	<b>1,791,843</b>	(118,307)
<b>Net assets</b>	<b>60,171,923</b>	<b>61,247,944</b>	1,076,021
<b>Equity</b>			
Accumulated surplus	44,675,503	44,643,222	(32,281)
Change in net assets resulting from operations	0	1,076,021	1,076,021
Asset revaluation reserve	13,917,731	13,917,731	0
Other reserves	1,578,689	1,610,970	32,281
<b>Total equity</b>	<b>60,171,923</b>	<b>61,247,944</b>	1,076,021

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>MISC</b>						
<b>MS7-Private Works - Stockpile Gravel</b>	2,465.00	6,378.75	2,895.80	3,415.44	12,689.99	15,154.99
<b>MS8-Main Street Banners</b>	0.00	32.50	28.32	33.32	94.14	94.14
<b>RN01-Rural Numbering</b>	356.00	90.00	74.05	87.12	251.17	607.17
<b>Total MISC</b>	<b>2,821.00</b>	<b>6,501.25</b>	<b>2,998.17</b>	<b>3,535.88</b>	<b>13,035.30</b>	<b>15,856.30</b>
<b>ROAD</b>						
<b>0001 MORBINING RD</b>	0.00	8,207.50	5,160.56	6,082.63	19,450.69	19,450.69
<b>0002 WATERHATCH RD</b>	0.00	2,836.25	1,599.10	1,881.27	6,316.62	6,316.62
<b>0003 YORK-WILLIAMS RD</b>	34.00	11,673.00	4,126.15	4,925.12	20,724.27	20,758.27
<b>0004 KOKEBY EAST RD</b>	0.00	2,276.25	959.95	1,132.44	4,368.64	4,368.64
<b>0005 EDISON MILL RD</b>	0.00	11,649.50	3,911.17	4,601.38	20,162.05	20,162.05
<b>0006 BREMNER RD</b>	0.00	2,442.50	1,094.46	1,288.60	4,825.56	4,825.56
<b>0007 YENYENING LAKES RD</b>	0.00	6,420.50	2,267.96	2,674.06	11,362.52	11,362.52
<b>0008 TOP BEVERLEY YORK RD</b>	0.00	2,308.75	1,218.24	1,465.74	4,992.73	4,992.73
<b>0009 BALLY-BALLY RD</b>	0.00	4,207.00	1,331.94	1,571.64	7,110.58	7,110.58
<b>0010 DALE KOKEBY RD</b>	0.00	2,979.00	895.06	1,053.01	4,927.07	4,927.07
<b>0011 KOKENDIN RD</b>	0.00	6,138.00	2,005.32	2,393.01	10,536.33	10,536.33
<b>0012 TALBOT WEST RD</b>	0.00	937.50	783.87	922.21	2,643.58	2,643.58
<b>0013 BARRINGTON RD</b>	0.00	4,614.50	1,700.96	2,005.45	8,320.91	8,320.91
<b>0014 POTTS RD</b>	0.00	3,761.50	1,214.20	1,428.48	6,404.18	6,404.18
<b>0015 JACOBS WELL RD</b>	0.00	2,333.50	862.82	1,015.10	4,211.42	4,211.42
<b>0016 CLULOWS RD</b>	0.00	2,353.75	828.06	974.20	4,156.01	4,156.01

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>0017 OAKDALE RD</b>	0.00	2,110.00	695.84	823.26	3,629.10	3,629.10
<b>0018 DONGADILLING RD</b>	0.00	3,360.00	1,059.69	1,252.15	5,671.84	5,671.84
<b>0019 QUALANDARY RD</b>	0.00	1,248.00	327.93	387.48	1,963.41	1,963.41
<b>0020 BUTCHERS RD</b>	0.00	2,106.50	679.76	799.70	3,585.96	3,585.96
<b>0021 VALLENTINES RD</b>	0.00	699.50	179.38	211.03	1,089.91	1,089.91
<b>0022 LUPTONS RD</b>	0.00	2,944.50	925.83	1,089.49	4,959.82	4,959.82
<b>0023 SPRINGHILL RD</b>	0.00	2,335.00	788.37	959.99	4,083.36	4,083.36
<b>0024 DALEBIN NORTH RD</b>	34.00	3,432.00	1,136.89	1,337.52	5,906.41	5,940.41
<b>0025 BALLY-BALLY COUNTYPEAK RD</b>	0.00	1,444.50	488.14	574.27	2,506.91	2,506.91
<b>0026 ATHOL RD</b>	0.00	2,127.50	747.59	883.39	3,758.48	3,758.48
<b>0027 EWERTS RD</b>	0.00	2,154.50	662.35	782.75	3,599.60	3,599.60
<b>0028 NORTHBOURNE RD</b>	0.00	1,069.25	339.13	398.98	1,807.36	1,807.36
<b>0029 BERINGER RD</b>	0.00	2,092.50	663.20	783.88	3,539.58	3,539.58
<b>0030 GORS RD</b>	0.00	2,255.50	590.62	697.79	3,543.91	3,543.91
<b>0031 THOMAS RD</b>	0.00	175.00	56.65	66.64	298.29	298.29
<b>0032 BALKULING RD</b>	0.00	3,172.50	1,076.39	1,267.06	5,515.95	5,515.95
<b>0033 GLENCOE RD</b>	0.00	4,212.50	1,368.82	1,620.29	7,201.61	7,201.61
<b>0034 ST JACKS RD</b>	0.00	452.50	138.97	163.78	755.25	755.25
<b>0035 RICKEYS RD</b>	0.00	1,057.50	384.26	452.91	1,894.67	1,894.67
<b>0036 GREENHILLS SOUTH RD</b>	0.00	742.50	623.49	733.52	2,099.51	2,099.51
<b>0038 PETCHELLS RD</b>	0.00	1,138.50	723.37	852.70	2,714.57	2,714.57
<b>0039 MAITLAND RD</b>	0.00	1,374.00	397.27	467.37	2,238.64	2,238.64
<b>0040 HOBBS RD</b>	0.00	1,061.50	338.45	398.17	1,798.12	1,798.12

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>0041 SOUTHERN BRANCH RD</b>	0.00	561.50	151.05	177.71	890.26	890.26
<b>0042 WALGY RD</b>	306.00	12,437.50	4,893.74	5,877.08	23,208.32	23,514.32
<b>0043 CORBERDING RD</b>	0.00	2,486.00	745.48	877.03	4,108.51	4,108.51
<b>0044 SPAVENS RD</b>	0.00	1,472.50	498.07	585.96	2,556.53	2,556.53
<b>0045 PIKE RD</b>	0.00	270.00	121.99	143.52	535.51	535.51
<b>0046 BLACKBURN RD</b>	0.00	300.00	75.53	88.86	464.39	464.39
<b>0047 CARRS RD</b>	0.00	882.50	269.43	316.98	1,468.91	1,468.91
<b>0048 JONES RD</b>	0.00	343.50	84.97	99.96	528.43	528.43
<b>0049 MILLERS RD</b>	0.00	1,176.25	456.89	538.64	2,171.78	2,171.78
<b>0050 NEGUS RD</b>	0.00	285.00	94.06	110.65	489.71	489.71
<b>0052 EAST LYNNE RD</b>	0.00	472.50	146.50	172.91	791.91	791.91
<b>0053 PATTEN RD</b>	0.00	500.00	151.06	177.71	828.77	828.77
<b>0054 McDONALDS RD</b>	0.00	1,945.00	576.74	680.19	3,201.93	3,201.93
<b>0055 KIEARA RD</b>	0.00	630.00	247.97	311.73	1,189.70	1,189.70
<b>0056 RIFLE RANGE RD</b>	0.00	662.50	189.11	223.60	1,075.21	1,075.21
<b>0058 LENNARD RD</b>	572.73	553.75	344.67	405.51	1,303.93	1,876.93
<b>0060 BATYS RD</b>	0.00	550.00	182.46	214.65	947.11	947.11
<b>0061 COOKES RD</b>	0.00	250.00	75.52	88.86	414.38	414.38
<b>0062 ROGERS RD</b>	0.00	225.00	56.65	66.64	348.29	348.29
<b>0063 WILLIAMSONS RD</b>	0.00	227.50	47.20	55.54	330.24	330.24
<b>0064 FERGUSONS RD</b>	0.00	512.50	148.38	174.57	835.45	835.45
<b>0065 SCHILLINGS RD</b>	0.00	91.00	18.88	22.21	132.09	132.09
<b>0066 COLLINS RD</b>	0.00	298.00	84.97	99.96	482.93	482.93

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>0067 WARRADALE RD</b>	0.00	567.50	186.98	219.98	974.46	974.46
<b>0068 WOODS RD</b>	0.00	187.50	47.20	55.54	290.24	290.24
<b>0070 PICCADILLY RD</b>	0.00	353.50	103.50	121.75	578.75	578.75
<b>0071 MURRAYS RD</b>	0.00	950.00	349.73	411.43	1,711.16	1,711.16
<b>0072 SMITH RD</b>	0.00	300.00	84.97	99.96	484.93	484.93
<b>0073 JOHNSONS RD</b>	0.00	1,590.50	905.29	1,065.06	3,560.85	3,560.85
<b>0074 KILPATRICKS RD</b>	0.00	860.00	243.80	287.53	1,391.33	1,391.33
<b>0075 FISHERS RD</b>	0.00	662.50	217.07	256.36	1,135.93	1,135.93
<b>0076 HILLS RD</b>	0.00	462.50	122.73	144.40	729.63	729.63
<b>0077 WANSBROUGH RD</b>	0.00	607.00	172.27	203.87	983.14	983.14
<b>0078 BATEMANS RD</b>	0.00	420.00	112.22	132.44	664.66	664.66
<b>0079 DRAPERS RD</b>	0.00	1,360.00	514.07	604.78	2,478.85	2,478.85
<b>0080 MILLS RD</b>	0.00	125.00	37.76	44.43	207.19	207.19
<b>0084 McLEAN RD</b>	0.00	112.50	35.96	42.30	190.76	190.76
<b>0085 KI RD</b>	0.00	1,635.00	539.92	636.88	2,811.80	2,811.80
<b>0087 MANDIAKIN RD</b>	0.00	90.00	74.05	87.12	251.17	251.17
<b>0090 SHEAHANS RD</b>	0.00	262.50	75.53	88.86	426.89	426.89
<b>0091 BENNETTS RD</b>	0.00	550.00	206.43	265.35	1,021.78	1,021.78
<b>0094 BUCKINGHAMS RD</b>	0.00	217.50	93.30	109.77	420.57	420.57
<b>0095 HEALS RD</b>	0.00	225.00	71.92	84.61	381.53	381.53
<b>0096 COUNTY PEAK RD</b>	0.00	855.00	406.87	481.05	1,742.92	1,742.92
<b>0098 AVOCA RD</b>	0.00	355.00	195.76	230.31	781.07	781.07
<b>0100 MAWSON RD</b>	0.00	1,361.25	1,528.63	1,798.36	4,688.24	4,688.24

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>0101 SIMMONS RD</b>	0.00	385.00	279.88	329.28	994.16	994.16
<b>0102 DOBADERRY RD</b>	0.00	4,015.00	1,103.56	1,298.31	6,416.87	6,416.87
<b>0103 FORREST ST</b>	37.27	1,245.00	1,233.98	1,451.75	3,930.73	3,967.73
<b>0104 LUKIN ST</b>	0.00	303.75	343.77	404.45	1,051.97	1,051.97
<b>0105 JOHN ST</b>	0.00	293.75	457.35	538.09	1,289.19	1,289.19
<b>0106 DAWSON ST</b>	0.00	90.00	54.85	64.53	209.38	209.38
<b>0107 EDWARD ST</b>	0.00	103.75	55.90	65.79	225.44	225.44
<b>0108 SMITH ST</b>	0.00	732.50	420.28	494.45	1,647.23	1,647.23
<b>0109 HARPER ST</b>	0.00	331.25	269.53	317.11	917.89	917.89
<b>0110 QUEEN ST</b>	0.00	45.00	54.59	64.23	163.82	163.82
<b>0111 DEMPSTER ST</b>	0.00	1,276.25	807.53	950.05	3,033.83	3,033.83
<b>0112 MORRISON ST</b>	0.00	173.75	148.50	174.70	496.95	496.95
<b>0115 HOPE ST</b>	0.00	112.50	121.19	142.58	376.27	376.27
<b>0116 MONGER ST</b>	0.00	117.50	130.12	153.08	400.70	400.70
<b>0119 SEWELL ST</b>	0.00	56.25	55.78	65.64	177.67	177.67
<b>0120 DELISLE ST</b>	0.00	440.00	226.58	266.57	933.15	933.15
<b>0122 BROOKING ST</b>	0.00	882.50	559.42	658.15	2,100.07	2,100.07
<b>0123 NICHOLAS ST</b>	0.00	3,942.00	1,856.16	2,186.11	7,984.27	7,984.27
<b>0124 RICHARDSON ST</b>	0.00	945.00	478.12	562.51	1,985.63	1,985.63
<b>0125 VINCENT ST</b>	0.00	1,291.25	1,152.60	1,356.04	3,799.89	3,799.89
<b>0127 HORLEY ST</b>	0.00	180.00	187.27	220.32	587.59	587.59
<b>0128 HOPKIN ST</b>	0.00	11.25	18.64	21.93	51.82	51.82
<b>0129 BROCKMAN ST</b>	0.00	22.50	27.97	32.90	83.37	83.37

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>0131 ELIZABETH ST</b>	0.00	270.00	139.82	164.50	574.32	574.32
<b>0135 ERNEST DR</b>	0.00	90.00	74.56	87.72	252.28	252.28
<b>0136 SHED ST</b>	0.00	45.00	37.02	43.56	125.58	125.58
<b>0137 RICKEYS SIDING RD</b>	0.00	1,856.50	748.43	881.79	3,486.72	3,486.72
<b>0139 CHESTILLION CT</b>	0.00	80.00	92.95	109.37	282.32	282.32
<b>0141 McNEIL ST</b>	0.00	75.00	18.88	22.21	116.09	116.09
<b>0143 LUDGATE ST</b>	0.00	172.50	181.60	213.65	567.75	567.75
<b>0146 RAILWAY ST</b>	0.00	150.00	55.93	65.81	271.74	271.74
<b>0147 RAILWAY PDE</b>	0.00	75.00	23.97	28.20	127.17	127.17
<b>0148 BETHANY RD</b>	0.00	730.00	238.00	280.00	1,248.00	1,248.00
<b>0149 COUNCIL RD</b>	0.00	842.50	880.95	1,036.41	2,759.86	2,759.86
<b>0150 WRIGHT ST</b>	0.00	66.25	56.29	66.22	188.76	188.76
<b>0154 WYALGIMA RD</b>	0.00	135.00	37.64	44.29	216.93	216.93
<b>0155 SIMS RD</b>	0.00	25.00	74.67	87.85	187.52	187.52
<b>0156 ROSSI RD</b>	0.00	91.00	18.88	22.21	132.09	132.09
<b>0157 RIGOLL RD</b>	0.00	112.50	37.76	44.43	194.69	194.69
<b>0158 BELLROCK RD</b>	0.00	150.00	37.76	44.43	232.19	232.19
<b>0160 DUFFIELD ST</b>	0.00	187.50	57.39	67.52	312.41	312.41
<b>0161 GEORGE ST NORTH</b>	0.00	140.00	66.09	77.75	283.84	283.84
<b>0166 WESTDALE RD</b>	3,026.86	12,291.50	9,691.92	11,456.83	33,440.25	36,467.25
<b>0167 MAWSON RD</b>	0.00	5,322.50	2,837.81	3,343.38	11,503.69	11,503.69
<b>0175 STEVE EDWARDS DV</b>	0.00	150.00	47.20	55.54	252.74	252.74
<b>0180 LITTLE HILL RD</b>	0.00	250.00	75.52	88.86	414.38	414.38

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING 31 MARCH 2014**

	<b>M &amp; C (Exp)</b>	<b>POC (Alloc)</b>	<b>PWOH (Alloc)</b>	<b>Wages (Alloc)</b>	<b>Total Alloc (Exp)</b>	<b>Total Exp</b>
<b>5001 HUNT RD</b>	0.00	827.50	1,224.76	1,440.91	3,493.17	3,493.17
<b>5002 YORK RD</b>	0.00	6.25	9.32	10.97	26.54	26.54
<b>8888 TREE LOPPING</b>	0.00	2,367.50	4,012.04	4,727.76	11,107.30	11,107.30
<b>9999 ROADS VARIOUS</b>	4,012.73	7,480.00	6,236.26	7,336.82	21,053.08	25,066.08
<b>Total ROAD</b>	<b>8,023.59</b>	<b>210,131.75</b>	<b>97,396.48</b>	<b>115,068.63</b>	<b>422,596.86</b>	<b>430,620.86</b>
<b>Reallocation to Capital Project</b>	<b>0.00</b>	<b>-10,658.50</b>	<b>-7,936.33</b>	<b>-9,391.43</b>	<b>-27,986.26</b>	<b>-27,986.26</b>
<b>TOTAL</b>	<b>10,844.59</b>	<b>205,974.50</b>	<b>92,458.32</b>	<b>109,213.08</b>	<b>407,645.90</b>	<b>418,490.49</b>



SHIRE OF BEVERLEY INVESTMENT OF SURPLUS FUNDS AS AT 31 MARCH 2014						
Account #	Account Name	Amount Invested (\$)	Total	Term	Interest Rate	Maturation
<b>9701-42341</b>	<b>Reserve Funds</b>					
	Long Service Leave	107,297.10				
	Plant	80,788.33				
	Bush Fire Fighters	108,141.39				
	Building	332,199.00				
	Recreation Ground	327,307.76				
	Cropping Committee	226,230.99				
	Avon River Development	21,735.77				
	Annual Leave	139,312.01				
	Community Bus	32,569.09				
	Road Construction	235,388.75	1,610,970.19	94 days	3.35%	6/04/2014
<b>2092-96973</b>	<b>Online Saver</b>	103,655.93	103,655.93	Ongoing	3.60%	28/02/2014
<b>9712-47247</b>	<b>Term Deposit</b>	520,188.55	520,188.55	90 days	3.85%	2/04/2014
<b>9717-90965</b>	<b>Term Deposit</b>	508,917.80	508,917.80	124 days	3.55%	5/05/2014
<b>9718-88386</b>	<b>Term Deposit</b>	1,112,451.50	1,112,451.50	86 days	3.60%	16/04/2014
	<b>Total</b>		<b>3,856,183.97</b>			

## **11.2 Accounts Paid by Authority**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S K Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** March 2014 – List of Accounts

---

### **SUMMARY**

Council to consider authorising the payment of accounts.

### **BACKGROUND**

The following list represents accounts paid by authority for the month of March 2014.

### **COMMENT**

Unless otherwise identified, all payments have been made in accordance with Council's 2013/14 Budget.

### **STATUTORY ENVIRONMENT**

Regulation 12 of the Local Government (Financial Management) Regulations provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
  - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the Local Government (Financial Management) Regulations provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
    - (a) the payee's name;
    - (b) the amount of the payment;
    - (c) the date of the payment; and
    - (d) sufficient information to identify the transaction.
  - (2) A list of accounts for approval to be paid is to be prepared each month showing —
    - (a) for each account which requires council authorisation in that month —
      - (i) the payee's name;
      - (ii) the amount of the payment; and
      - (iii) sufficient information to identify the transaction;
- and
- (b) the date of the meeting of the Council to which the list is to be presented.

- (3) A list prepared under sub regulation (1) or (2) is to be —
- (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

### **FINANCIAL IMPLICATIONS**

Unless otherwise identified, all payments have been made in accordance with Council's 2013/14 Budget.

### **STRATEGIC IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Authority to Purchase – All acquisitions should be in accordance with budget provisions or to a maximum specified cost.

### **VOTING REQUIREMENTS**

Simple majority

### **OFFICER'S RECOMMENDATION**

That the List of Accounts as presented:

#### **March 2014:**

- (1) **Municipal Fund** – Account 016-540 239 838 056
- |   |               |                 |
|---|---------------|-----------------|
| Cheque vouchers: 1159-1168 incl totalling       | \$ 26,412.23  | previously paid |
| EFT vouchers 11 March 2014 01-18 incl totalling | \$ 658,245.90 | previously paid |
| EFT vouchers 17 March 2014 01-17 incl totalling | \$ 51,302.72  | previously paid |
| EFT vouchers 27 March 2014 01-17 incl totalling | \$ 69,748.18  | previously paid |
- Trust Fund** – Account 016-239 838 123
- (2) Cheque vouchers: 1455-1455 incl totalling \$ 200.00 previously paid
- EFT vouchers 11 March 2014 01-01 incl totalling \$ 30.00 previously paid
- (3) **Direct Debit** Payments totalling \$ 55,511.46 previously paid
- (4) **Credit Card** Payments totalling \$ 4,943.75 previously paid
- be received.**

**COUNCIL RESOLUTION**

**M7/0414**

**Moved Cr Pepper**

**Seconded Cr Buckland**

**That the List of Accounts as presented:**

**March 2014:**

**(1) Municipal Fund – Account 016-540 239 838 056**

**Cheque vouchers: 1159-1168 incl totalling \$ 26,412.23 previously paid**

**EFT vouchers 11 March 2014 01-18 incl totalling \$ 658,245.90 previously paid**

**EFT vouchers 17 March 2014 01-17 incl totalling \$ 51,302.72 previously paid**

**EFT vouchers 27 March 2014 01-17 incl totalling \$ 69,748.18 previously paid**

**Trust Fund – Account 016-239 838 123**

**(2) Cheque vouchers: 1455-1455 incl totalling \$ 200.00 previously paid**

**EFT vouchers 11 March 2014 01-01 incl totalling \$ 30.00 previously paid**

**(3) Direct Debit Payments totalling \$ 55,511.46 previously paid**

**(4) Credit Card Payments totalling \$ 4,943.75 previously paid**

**be received.**

**CARRIED 8/0**

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	11/03/2014	AVG - AVON VALLEY GLASS	REC GROUNDS: CLEAR GLASS SLIDING PANELS	-470.80	
EFT Pymt	11/03/2014	AVON EXPRESS - STANFIELD Cobb	FREIGHT CHARGES: FEB 2014	-181.50	
EFT Pymt	11/03/2014	AVON VALLEY WINDSCREENS	BE016 (TRK10): REPAIRS	-611.60	
EFT Pymt	11/03/2014	AVON WASTE	1,917 BIN COLLECTION FE 21 FEB 14 INC RECYCLING BINS & 1 x RECYCLING COLLECTION	-4,277.93	
EFT Pymt	11/03/2014	BEV COUNTRY KITCHEN	COUNCIL MEET: 25 FEB 14	-216.00	
EFT Pymt	11/03/2014	BEV IGA	FEB 2014 PURCHASES	-427.09	
EFT Pymt	11/03/2014	BEV STEEL FABRICATION (BEAULENE P/L)	BE004 (LDR02): PARTS	-78.10	
EFT Pymt	11/03/2014	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 12 - 27 FEB 14	-63.29	
EFT Pymt	11/03/2014	DARREN LONG CONSULTING	CONSULTANCY: DRAFT CORPORATE BUSINESS PLAN	-5,456.00	
EFT Pymt	11/03/2014	GOSNELLS HARDWARE	HARDWARE SUPPLIES	-600.45	
EFT Pymt	11/03/2014	HOTEL BEV - MAXWELL	2 x VOUCHERS: 2013 CHRISTMAS LIGHTS COMP	-150.00	
EFT Pymt	11/03/2014	LANDGATE (DOLA)	6 x TITLE SEARCHES	-144.00	
EFT Pymt	11/03/2014	MAIN ROADS WA (EFT)	BRIDGES 3224A, 0726, 0730: SHIRE CONTRIBUTION	-642,400.00	
EFT Pymt	11/03/2014	PACIFIC BRANDS - WORKWEAR GP	UNIFORMS: ADMIN STAFF	-432.30	
EFT Pymt	11/03/2014	PCS - PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT: SHIRE & MEDICAL CENTRE	-722.50	
EFT Pymt	11/03/2014	WA CONTRACT RANGER SERVICES	RANGER SERVICES: 19, 26 FEB 2014	-981.75	
EFT Pymt	11/03/2014	WILSON Michael	2014-03 MAR BLARNEY ISSUE	-250.00	
EFT Pymt	11/03/2014	WURTH AUST P/L	SUNDRY PLANT (SPL03): PARTS	-782.59	-658,245.90
Liability Chq	13/03/2014	AUST SUPER	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	CBUS	SUPER CONTRIB: FE 11 MAR 14	0.00	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Liability Chq	13/03/2014	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	COLONIAL FIRST STATE-LUCAS Rachel	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	SHIRE OF BEVERLEY	2014-03 MAR SAL DEDUCTIONS (11 MAR): RATES	0.00	
Liability Chq	13/03/2014	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 11 MAR 14	0.00	
Liability Chq	13/03/2014	WA SUPER (nee WALGSP)	SUPER CONTRIB: FE 11 MAR 14	0.00	0.00
EFT Pymt	17/03/2014	BDH - BEV DOME HIRE	DIESEL: 8,005 L	-12,237.24	
EFT Pymt	17/03/2014	BEV ELECT SERVICES (SMITH K)	VARIOUS BLGS: ELECTRICAL REPAIRS	-1,948.44	
EFT Pymt	17/03/2014	BGC QUARRIES	VARIOUS ROADS (2ND SEAL): 108.32 T 10 & 14mm WASHED GRANITE	-4,407.74	
EFT Pymt	17/03/2014	BOC LIMITED	FEB 2014: CYLINDER RENTAL	-59.21	
EFT Pymt	17/03/2014	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 11 MAR 14	-54.21	
EFT Pymt	17/03/2014	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 11 MAR 14	-277.54	
EFT Pymt	17/03/2014	COLONIAL FIRST STATE-LUCAS Rachel	SUPER CONTRIB: FE 11 MAR 14	-163.21	
EFT Pymt	17/03/2014	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 11 MAR 14	-82.34	
EFT Pymt	17/03/2014	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 27 FEB - 05 MAR 14	-49.53	
EFT Pymt	17/03/2014	DPT FIRE & EMERGENCY SERVICES (DFES)	13/14 - OPT B 3rd QTR	-25,222.18	
EFT Pymt	17/03/2014	DUNLOP Graham	HARPER ST DRAINAGE & WATERHATCH RD: LOCATE CABLING	-627.00	
EFT Pymt	17/03/2014	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 11 MAR 14	-111.94	
EFT Pymt	17/03/2014	LUCAS Rachel	DOT TRAINING REIMBURSEMENTS: LUCAS Rachel, 10-14 MAR 2014	-150.67	
EFT Pymt	17/03/2014	McLEODS BARRISTERS & SOLICITORS	L3001 FORREST ST - REMOVAL of PLANT & EQUIP (K MORRELL): ADVICE	-212.89	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	17/03/2014	STEWART & HEATON CLOTHING CO PTY LTD	FIRE BRIGADE UNIFORMS	-79.55	
EFT Pymt	17/03/2014	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 11 MAR 14	-703.86	
EFT Pymt	17/03/2014	WA SUPER (nee WALGSP)	SUPER CONTRIB: FE 11 MAR 14	-4,915.17	-51,302.72
Liability Chq	27/03/2014	ATO - AUSTRALIAN TAX OFFICE	2014-03 MAR PAYG TAX	0.00	
Liability Chq	27/03/2014	AUST SUPER	SUPER CONTRIB: FE 25 MAR 14	0.00	
Liability Chq	27/03/2014	CBUS	SUPER CONTRIB: FE 25 MAR 14	0.00	
Liability Chq	27/03/2014	COLONIAL FIRST STATE- CORRIGAN Justin	SUPER CONTRIB: FE 25 MAR 14	0.00	
Liability Chq	27/03/2014	COLONIAL FIRST STATE-LUCAS Rachel	SUPER CONTRIB: FE 25 MAR 14	0.00	
Liability Chq	27/03/2014	COLONIAL FIRST STATE- MOULTON Clare	SUPER CONTRIB: FE 25 MAR 14	0.00	
Liability Chq	27/03/2014	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 25 MAR 14	0.00	
Liability Chq	27/03/2014	LGRCEU	2014-03 MAR UNION FEES	0.00	
Liability Chq	27/03/2014	SHIRE OF BEVERLEY	2014-03 MAR SAL DEDUCTIONS (25 MAR): RATES	0.00	
Liability Chq	27/03/2014	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 25 MAR 14 FE 25 MAR 14: BURTON Daryle E	0.00	
Liability Chq	27/03/2014	WA SUPER (nee WALGSP)	SUPER CONTRIB: FE 25 MAR 14	0.00	0.00
EFT Pymt	27/03/2014	AVON TRADING	FEB 2014 HARDWARE SUPPLIES	-861.91	
EFT Pymt	27/03/2014	AVON WASTE	1,905 BIN COLLECTION FE 07 MAR 14 INC RECYLING BINS & 1 x RECYCLING COLLECTION	-4,252.05	
EFT Pymt	27/03/2014	BDH - BEV DOME HIRE	DIESEL: 4,300 L	-6,408.29	
EFT Pymt	27/03/2014	BEV GAS & PLUMBING	RET VILLAGE - UNIT 7: WATER STOP VALVE	-391.71	
EFT Pymt	27/03/2014	BEV TYRE SERVICE	BE027 (CPK01): TYRE REPAIRS	-33.00	
EFT Pymt	27/03/2014	BORAL CONSTRUCTION MATERIALS	MORBINNING RD (2nd SEAL): PRIMER SEAL & TRUCK HIRE & RD MTCE - PATCHING	-30,228.44	
EFT Pymt	27/03/2014	COLONIAL FIRST STATE- CORRIGAN Justin	SUPER CONTRIB: FE 25 MAR 14	-277.54	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	27/03/2014	COLONIAL FIRST STATE-LUCAS Rachel	SUPER CONTRIB: FE 25 MAR 14	-81.60	
EFT Pymt	27/03/2014	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 25 MAR 14	-82.34	
EFT Pymt	27/03/2014	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 10 - 11 MAR 14	-24.22	
EFT Pymt	27/03/2014	DAWSONS CONCRETE & REINFORCING	FOOTPATH - FORREST ST (EAST SIDE): PROGRESS PYMT 1	-20,000.00	
EFT Pymt	27/03/2014	GOSNELLS HARDWARE	HARDWARE SUPPLIES	-681.60	
EFT Pymt	27/03/2014	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 25 MAR 14	-111.94	
EFT Pymt	27/03/2014	LGRCEU	2014-03 MAR UNION FEES	-77.60	
EFT Pymt	27/03/2014	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 25 MAR 14	-703.86	
EFT Pymt	27/03/2014	WA CONTRACT RANGER SERVICES	RANGER SERVICES: 04, 12 MAR 2014	-561.00	
EFT Pymt	27/03/2014	WA SUPER (nee WALGSP)	SUPER CONTRIB: FE 25 MAR 14	-4,971.08	-69,748.18
Direct Debit	03/03/2014	ANZ- TRANSACTIVE (ONLINE BANKING)	2014-02 FEB ONLINE BANKING	-77.00	
Direct Debit	03/03/2014	WESTNET PTY LTD	2014-02 FEB INTERNET ACCESS	-156.00	
Direct Debit	03/03/2014	CBA - MERCHANT BANKING	2014-02 FEB ACCCESS FEE	-39.38	
Direct Debit	03/03/2014	CBA - MERCHANT BANKING	2014-02 FEB TRANSACTION FEES	-119.49	
Direct Debit	18/03/2014	3 MESSAGING	3 MESSAGING: 2014-01 JAN 14: 577 TXT MSGS	-99.44	
Direct Debit	31/03/2014	DPI - LICENSING SERVICES	FEB/MAR 14 LICENSING PAYMENTS	-55,020.15	-55,511.46
Cheque # 1159	11/03/2014	SYNERGY	2014-02 FEB ELECTRICITY ACCOUNTS inc FEB 14 STREET LIGHTS	-18,297.85	
Cheque # 1160	17/03/2014	AUST SUPER	SUPER CONTRIB: FE 11 MAR 14	-90.81	
Cheque # 1161	17/03/2014	CBUS	SUPER CONTRIB: FE 11 MAR 14	-52.03	
Cheque # 1162	17/03/2014	SYNERGY	L36 FORREST ST: 12 FEB - 11 MAR 14	-539.20	
Cheque # 1163	17/03/2014	TELSTRA	2014-03 MAR TELEPHONE ACCOUNTS	-2,748.84	



TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Cheque # 1164	17/03/2014	WATER CORPORATION	FIRE STATION: SERVICE CHARGES - 01 MAR - 30 APR 14	-34.38	
Cheque # 1165	25/03/2014	SHIRE OF BEVERLEY	ADVANCE PYMT MAR 2014 CREDIT CARD	-4,446.05	
Cheque # 1166	27/03/2014	VOID - PRINTING ERROR		0.00	
Cheque # 1167	27/03/2014	CBUS	SUPER CONTRIB: FE 25 MAR 14	-69.38	
Cheque # 1168	27/03/2014	AUST SUPER	SUPER CONTRIB: FE 25 MAR 14	-134.69	-26,413.23
Gen Jnl 2803	14/03/2014		FEB 14 # - CREDIT CARD	-497.70	-497.70
<b>PAYMENTS RAISED IN CURRENT MONTH</b>				<b>-861,719.19</b>	<b>-861,719.19</b>
<b>WAGES &amp; SALARIES</b>					
EFT Pymt	13/03/2014	WAGES & SALARIES	FE - 11 MAR 2014	-48,550.54	
EFT Pymt	27/03/2014	WAGES & SALARIES	FE - 25 MAR 2014	-46,948.70	
<b>WAGES &amp; SALARIES</b>				<b>-95,499.24</b>	<b>-95,499.24</b>
<b>TRANSFERS to TRUST</b>					
<b>TRANSFERS to TRUST</b>				<b>0.00</b>	<b>0.00</b>
<b>UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT</b>					
<b>UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT</b>				<b>0.00</b>	<b>0.00</b>
<b>PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS</b>					
Cheque # 1153	27/02/2014	AUST SUPER	SUPER CONTRIB: FE 25 FEB 14	-108.74	
Cheque # 1154	27/02/2014	BCE - BEV COM INFORMATION REFERRAL	2013/14 DONATION	-2,000.00	
Cheque # 1155	27/02/2014	BEV MED PRACTICE - ADEBAYO	PRE-EMPLOYMENT MEDICAL: LUCAS Rachel	-132.00	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Cheque # 1156	27/02/2014	CBUS	SUPER CONTRIB: FE 25 FEB 14	-121.41	
			<b>PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS</b>	<b>-2,362.15</b>	<b>-2,362.15</b>
<b>OTHER AMENDMENTS/GENERAL JOURNALS</b>					
			<b>OTHER AMENDMENTS/GENERAL JOURNALS</b>	<b>0.00</b>	<b>0.00</b>
<b>INVESTMENTS</b>					
Transfer	5/03/2014	ONLINE SAVER	FUNDS TFR for INVESTMENT	-120,000.00	
			<b>INVESTMENTS</b>	<b>-120,000.00</b>	<b>-120,000.00</b>
<b>TOTAL EXPENDITURE for MUNICIPAL ACCOUNT</b>					<b>-1,079,580.58</b>
<b>CREDIT CARD PAYMENT SUMMARY for CURRENT BANK STATEMENT</b>					
Cheque # 1165	25/03/2014	SHIRE OF BEVERLEY	ADVANCE PYMT MAR 2014 CREDIT CARD		-4,446.05
Credit Card	26/02/2014	DOME MUNDARING	AGED CARE MEET WITH VERSCO - 26 FEB 14	65.80	
Credit Card	03/07/2014	THE ORANGE DOOR (SA) P/L	CONFERENCE: MAIN ST SA, 03-05 APR 14: CONFERENCE FEES	410.00	
Credit Card	03/07/2014	THE ORANGE DOOR (SA) P/L	CONFERENCE: MAIN ST SA, 03-05 APR 14: CONFERENCE FEES	410.00	
Credit Card	03/07/2014	THE ORANGE DOOR (SA) P/L	CONFERENCE: MAIN ST SA, 03-05 APR 14: CONFERENCE FEES	410.00	
Credit Card	03/12/2014	QBE INSURANCE	CONFERENCE: MAIN ST SA, 03-05 APR 14: TRAVEL INSURANCE	36.00	
Credit Card	13/03/2014	ROCKFORD HOTELS	CONFERENCE: MAIN ST SA, 03-05 APR 14: ACCOMMODATION	295.20	
Credit Card	13/03/2014	ROCKFORD HOTELS	CONFERENCE: MAIN ST SA, 03-05 APR 14: ACCOMMODATION	295.20	
Credit Card	13/03/2014	ROCKFORD HOTELS	CONFERENCE: MAIN ST SA, 03-05 APR 14: ACCOMMODATION	295.20	
Credit Card	14/03/2014	CRITERION HOTEL PERTH	DOT TRAINING: RACHEL LUCAS - 5 NIGHTS ACCOM 9-14 MAR 14	765.00	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Credit Card	14/03/2014	AIRPORT SECURITY PARKING	CONFERENCE: MAIN ST SA, 03-05 APR 14: AIRPORT SECURITY PARKING	80.80	
Credit Card	19/03/2014	NR-NETREGISTRY	RENEW: DOMAIN NAME beverley.wa.gov.au to 17 MAY 2016	47.85	
Credit Card	24/03/2014	QANTAS TRAVEL	CONFERENCE: MAIN ST SA, 03-05 APR 14: 3 x AIR FARES	1,335.00	
Gen Jrnl 2803	14/03/2014		FEB 14 # - CREDIT CARD		-497.70
Credit Card	13/02/2014	ABCB	BCA VOLS 2014: COPY & ACCESS	330.00	
Credit Card	19/02/2014	MEGA PACIFIC P/L	BE013 (TRK14): PARTS	41.80	
Credit Card	02/12/2014	DPT ENVIRONMENT - CLEARING PERMITS	RES 25625 - BROOKING ST: CLEARING PERMIT	50.00	
Credit Card	21/02/2014	OEM GROUP	HIGH PRESSURE CLEANER(SPL02): PARTS	75.90	
<b>CREDIT CARD PAYMENT SUMMARY for CURRENT BANK STATEMENT</b>				<b>4,943.75</b>	<b>-4,943.75</b>
<b>TRUST ACCOUNT DETAILS</b>					
<b>PAYMENTS RAISED IN CURRENT MONTH</b>					
EFT Pymt	11/03/2014	ROBERTS Annette	REFUND - GYM KEY BOND	-30.00	
Cheque # 1455	11/03/2014	PEEL AQUATIC CLUB	REFUND-REC BLDG BOND	-200.00	
<b>PAYMENTS RAISED IN CURRENT MONTH</b>				<b>-230.00</b>	<b>-230.00</b>
<b>PAYMENTS UNPRESENTED IN CURRENT BANK #</b>					
<b>PAYMENTS UNPRESENTED IN CURRENT BANK #</b>				<b>0.00</b>	<b>0.00</b>
<b>PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS</b>					
<b>PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS</b>				<b>0.00</b>	<b>0.00</b>

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
<b>OTHER AMENDMENTS/GENERAL JOURNALS</b>					
Gen Jml	07/03/2014	MUNICIPAL BANK ACCT	TFR to MUNI: INCORRECT DEPOSIT BANKED INTO MUNI DEP 28 FEB 2014	-1,814.85	
			<b>OTHER AMENDMENTS/GENERAL JOURNALS</b>	<b>-1,814.85</b>	<b>-1,814.85</b>
			<b>TOTAL EXPENDITURE for TRUST ACCOUNT</b>		<b>-2,044.85</b>
 <b>TOTAL EXPENDITURE as reconciled to the MARCH 2014 BANK STATEMENTS</b>					
			Municipal Account Expenditure	-1,079,580.58	
			Trust Account Expenditure	-2,044.85	
			<b>TOTAL EXPENDITURE for MARCH 2014</b>	<b>-1,081,625.43</b>	

### **11.3 WATC Master Lending Agreement**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** Western Australia Treasury Corporation  
**FILE REFERENCE:** ADM 0098  
**AUTHOR:** SK Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** WATC Master Lending Agreement (tabled)

---

#### **SUMMARY**

Council to consider entering into a Master Lending Agreement with the Western Australian Treasury Corporation (WATC).

#### **BACKGROUND**

The WATC provides loan funding to Western Australian Local Governments.

The Shire of Beverley currently has 5 loans being repaid to the WATC, including;

Loan #	Description	Final Payment Due
112	Frail Aged Lodge \$75,000	2018/19
115	Oval Water Supply \$105,000	2014/15
116	Caravan Park Upgrade \$98,000	2015/16
117	Bowling Club Greens (SSL) \$180,000	2021/22
118	Function and Recreation Centre \$1,000,000	2032/33

Previously, when seeking loan funds, an application for funding would be made and assessed, a firm quote would be received and an individual agreement for funding would be entered into.

Under new WATC requirements, a blanket Master Lending Agreement will do away with the individual agreements essentially making the release of funds from the WATC more timely (loan funds will be released once the quotation from WATC is agreed to).

#### **COMMENT**

As per clause 31.1 of the Master Lending Agreement, the minuted acceptance of the agreement by Council is required.

#### **STATUTORY ENVIRONMENT**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That:

1. the Shire of Beverley enters into a Master Lending Agreement with the Western Australian Treasury Corporation;
2. the affixation of the Common Seal of the Shire of Beverley to the said Master Lending Agreement in the presence of the President and the Chief Executive Officer be approved; and
3. the Chief Executive Officer is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions there under on behalf of the Shire of Beverley.

## **COUNCIL RESOLUTION**

**M8/0414**

**Moved Cr Pepper**

**Seconded Cr Murray**

**That:**

1. **the Shire of Beverley enters into a Master Lending Agreement with the Western Australian Treasury Corporation;**
2. **the affixation of the Common Seal of the Shire of Beverley to the said Master Lending Agreement in the presence of the President and the Chief Executive Officer be approved; and**
3. **the Chief Executive Officer is authorised to sign schedule documents under the Master Lending Agreement and or to give instructions there under on behalf of the Shire of Beverley.**

**CARRIED 8/0**

## **11.4 Rates – Legal Charges Dispute**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** Mr J Roche  
**FILE REFERENCE:** SPR5112 / ADM 0094  
**AUTHOR:** SK Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** Letter Ref: 51112 – Legal Expenses

---

### **SUMMARY**

Council to consider waiving legal charges on rate Assessment 51112.

### **BACKGROUND**

A letter has been received regarding disputed legal charges applied to Assessment 51112 for the recovery of unpaid rates in the 2012/13 financial year.

2012/13 Rates were raised on 24 August 2012 with the lump sum payment due date being 15 October 2012.

All regular steps as per Council policy regarding the recovery of rates for Assessment 51112 were undertaken in 2012/13 including:

- 1) Rate notice was issued on 7 September 2012;
- 2) Final notice was sent on 7 November 2012;
- 3) Reminder notice was sent on 28 November 2012;
- 4) Another reminder was sent on 17 December 2012;
- 5) A final notice from AMPAC (Shire of Beverley's Debt Collection agency) was sent on 25 February 2013;
- 6) AMPAC was authorised to proceed with debt collection on 21 March 2013;
- 7) A General Procedure Claim (GPC) process was initiated on 25 March 2013;
- 8) The GPC was served to Mr Roche by a Bailiff on 12 April 2013;
- 9) A Property Seizure and Sale Order (PSSO) process was initiated on 29 April 2013;
- 10) The PSSO was served on 25 May 2013; and
- 11) Debt collection proceedings were suspended on 13 August 2013, following demonstrated commitment to a Pay By Special Arrangement agreement..

The Shire of Beverley is charged legal fees by the Debt Collection Company when collection processes are initiated. There is a gap between initiating the collection process, either a GPC or PSSO, and for that process to proceed through the Courts and then to be executed by a Bailiff.

The property owner made a payment towards outstanding rates on 26 April 2013, however having no commitment to pay the remaining outstanding balance, the debt collection process continued.

The property owner entered into a Pay By Special Arrangement agreement on 7 May 2013.

The first payment received under the Special Arrangement agreement was on 3 June 2013.

The property owner believes that:

*"...agreement to pay was made before at least part of this trigger-happy and in my view exorbitantly expensive process was undertaken"; and*

*"...I reject the legal charge completely; however, in the interests of general goodwill I am prepared to negotiate, and look forward to a sensible proposal from you. However I must stress I reserve my rights in this regard".*

## **COMMENT**

As per the *Local Government Act 1995*, if a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.

As the Shire of Beverley was charged legal fees in regards to debt recovery through the courts in this instance, the charge can be passed on to the property owner.

As per the timeline above, rate payers are initially given ample opportunity to pay their rates before debt collection is initiated.

As the PSSO debt recovery process against Assessment 51112 was initiated on the 29 April 2013, the Shire of Beverley was charged accordingly by AMPAC. As the process was initiated before any Special Arrangement agreement was received (on 7 May 2013), legal charges were applied to Assessment 51112 accordingly.

Total legal fees charged to Assessment 51112 totals \$1,068.10 (\$514.90 applied to Assessment 51112 on 24 March 2013 and \$498.20 applied on 6 May 2013).

## **STATUTORY ENVIRONMENT**

Section 6.12 of the *Local Government Act 1995* relating to Council's power to defer, grant discounts, waive or write off debts, provides that:

- (1) Subject to subsection (2) and any other written law, a local government may —
  - (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money, which is owed to the local government.

*\* Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Section 6.56 of the *Local Government Act 1995* relating to rates or service charges recoverable in court, provides that:

- (1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.
- (2) Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.



**FINANCIAL IMPLICATIONS**

Legal fees totalling \$1,068.10.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Debt Collection

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION**

That the request to write off legal charges of \$1,068.10 applied in the 2012/13 financial year to Assessment 51112, be declined.

**COUNCIL RESOLUTION**

**M8/0414**

**Moved Cr Gogol**

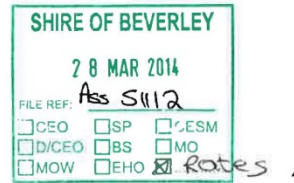
**Seconded Cr Davis**

**That the request to write off legal charges of \$1,068.10 applied in the 2012/13 financial year to Assessment 51112, be declined.**

**CARRIED 8/0**

Attachment for Item 11.4

55 Springhill Road  
Beverley  
WA 6304



Attn:

Rates Officer  
Shire of Beverley  
138 Vincent Street  
Beverley 6304

Ref: 51112 – legal expenses

Dear Sir/Madam

This letter is to lodge a formal complaint regarding the legal fees which the Shire has seen fit to charge in relation to late payment on this account.

As far as I am concerned, agreement to pay was made before at least part of this trigger-happy and in my view exorbitantly expensive process was undertaken.

As things stand, I reject the legal charge completely; however, in the interests of general goodwill I am prepared to negotiate, and look forward to a sensible proposal from you. However I must stress I reserve my rights in this regard.

Yours faithfully

Julian Roche

## **12. ADMINISTRATION**

### **12.1 Terms of Reference for the Audit and Risk Committee**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0102  
**AUTHOR:** SP Gollan, Chief Executive Officer  
**ATTACHMENTS:** Audit and Risk Committee Terms of Reference

---

#### **SUMMARY**

Council to adopt the Terms of Reference for the Audit and Risk Committee

#### **BACKGROUND**

In accordance with Section 5.8 of the Local Government Act 1995, Council may convene Committees of three or more persons for the purposes of assisting the Council and to exercise the powers and discharge of the duties of the local government that can be delegated to committees.

At the Ordinary October Meeting, council resolved:

**That Council appoint the following Councillors as members of the following Committees/Organisations:**

<b>Committee/Organisation</b>	<b>New Members</b>
<b>Audit and Administration Committee</b>	<b>Dee Ridgway Keith Murray Jim Alexander Lew Shaw Tom Buckland David White Chris Pepper</b>

However after a review of the Council Committees in November it was decided that Council would be better suited to have three standing committees of Council being; Audit and Risk Committee; Economic and Community Strategy Committee; and Corporate Strategy Committee.

At the Ordinary December Council Meeting, it was resolved:

<b>That all Councillors be appointed as members to the Audit and Risk Committee, Corporate Strategy Committee and the Economic and Community Development Committee.</b>
---

At the Audit and Risk Committee Meeting on Tuesday 8 April 2014, it was resolved:

**That the Audit and Risk Committee recommend to Council that the draft Audit and Risk Committee Terms of Reference, with the deletion of item 5.2, be adopted.**

The terms of reference are presented minus item 5.2

#### **COMMENT**

The Terms of Reference for the Audit and Risk Committee have been reviewed and written in line with legislative requirements.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 – Division 2 Council meetings, committees and their meetings and electors meetings : Subdivision 2 – Committees and their meetings.

### **SUBDIVISION 2 — COMMITTEES AND THEIR MEETINGS**

#### **5.8. Establishment of committees**

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

*\* Absolute majority required.*

#### **5.9. Committees, types of**

(1) In this section —

**other person** means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

#### **5.10. Committee members, appointment of**

(1) A committee is to have as its members —

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

#### **5.11A. Deputy committee members**

- (1) The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.

*\* Absolute majority required.*
- (2) A person who is appointed as a deputy of a member of a committee is to be —
  - (a) if the member of the committee is a council member — a council member; or
  - (b) if the member of the committee is an employee — an employee; or
  - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
  - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

*[Section 5.11A inserted by No. 17 of 2009 s. 20.]*

### **5.11. Committee membership, tenure of**

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
  - (b) the person resigns from membership of the committee; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the term of the person's appointment as a committee member expires; or
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,whichever happens first.

### **5.12. Presiding members and deputies, election of**

- (1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —
  - (a) to "office" were references to "office of presiding member"; and
  - (b) to "council" were references to "committee"; and
  - (c) to "councillors" were references to "committee members".
- (2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —
  - (a) to "office" were references to "office of deputy presiding member"; and
  - (b) to "council" were references to "committee"; and
  - (c) to "councillors" were references to "committee members"; and
  - (d) to "mayor or president" were references to "presiding member".

### **5.13. Deputy presiding members, functions of**

If, in relation to the presiding member of a committee —

- (a) the office of presiding member is vacant; or
- (b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,

then the deputy presiding member, if any, may perform the functions of presiding member.

### **5.14. Who acts if no presiding member**

If, in relation to the presiding member of a committee —

- (a) the office of presiding member and the office of deputy presiding member are vacant; or
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,

then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

### **5.15. Reduction of quorum for committees**

The local government may reduce\* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

*\* Absolute majority required.*

### **5.16. Delegation of some powers and duties to certain committees**

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

*\* Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
  - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

### **5.17. Limits on delegation of powers and duties to certain committees**

- (1) A local government can delegate —

- (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
    - (ii) any other power or duty that is prescribed;and
  - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
    - (i) the local government's property; or
    - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

*[Section 5.17 amended by No. 49 of 2004 s. 16(2).]*

#### **5.18. Register of delegations to committees**

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

### **SUBDIVISION 3 — MATTERS AFFECTING COUNCIL AND COMMITTEE MEETINGS**

#### **5.19. Quorum for meetings**

The quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.

#### **5.20. Decisions of councils and committees**

- (1) A decision of a council does not have effect unless it has been made by a simple majority or, if another kind of majority is required under any provision of this Act or has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (2) A decision of a committee does not have effect unless it has been made by a simple majority or, if another kind of majority has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (3) This section does not apply to elections —
  - (a) by a council of the local government's mayor or president under section 2.11; or
  - (b) by a council of the local government's deputy mayor or president under section 2.15; or



- (c) by a committee of the committee's presiding member or deputy presiding member under section 5.12.

### **5.21. Voting**

- (1) Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.
- (2) Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.
- (3) If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.
- (4) If a member of a council or a committee specifically requests that there be recorded —
  - (a) his or her vote; or
  - (b) the vote of all members present,on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.
- (5) A person who fails to comply with subsection (2) or (3) commits an offence.

*[Section 5.21 amended by No. 49 of 2004 s. 43.]*

### **5.22. Minutes of council and committee meetings**

- (1) The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting's proceedings.
- (2) The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.
- (3) The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.

### **5.23. Meetings generally open to public**

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (a) a matter affecting an employee or employees; and
  - (b) the personal affairs of any person; and

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret; or
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person,where the trade secret or information is held by, or is about, a person other than the local government; and
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;and
  - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

#### **5.24.Question time for public**

- (1) Time is to be allocated for questions to be raised by members of the public and responded to at —
  - (a) every ordinary meeting of a council; and
  - (b) such other meetings of councils or committees as may be prescribed.
- (2) Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

#### **5.25.Regulations about council and committee meetings and committees**

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to —
  - (a) the matters to be dealt with at ordinary or at special meetings of councils; and
  - (b) the functions of committees or types of committee; and

- (ba) the holding of council or committee meetings by telephone, video conference or other electronic means; and
  - (c) the procedure to be followed at, and in respect of, council or committee meetings; and
  - (d) methods of voting at council or committee meetings; and
  - (e) the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made); and
  - (f) the content and confirmation of minutes of council or committee meetings and the keeping and preserving of the minutes and any documents relating to meetings; and
  - (g) the giving of public notice of the date and agenda for council or committee meetings; and
  - (h) the exclusion from meetings of persons whose conduct is not conducive to the proper conduct of the meetings and the steps to be taken in the event of persons refusing to leave meetings; and
  - (i) the circumstances and time in which the unconfirmed minutes of council or committee meetings are to be made available for inspection by members of the public; and
  - (j) the circumstances and time in which notice papers and agenda relating to any council or committee meeting and reports and other documents which could be —
    - (i) tabled at a council or committee meeting; or
    - (ii) produced by the local government or a committee for presentation at a council or committee meeting,are to be made available for inspection by members of the public.
- (2) Regulations providing for meetings to be held by telephone, video conference or other electronic means may modify the application of this Act in relation to those meetings to the extent necessary or convenient to facilitate the holding of those meetings in that way.

*[Section 5.25 amended by No. 64 of 1998 s. 28.]*

Local Government (Administration) Regulations 1996;  
Local Government (Rules of Conduct) Regulations 2007

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Sustainable Government – Ensure governance and legislative requirements are met.

### **POLICY IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION**

That Council adopt the Terms of Reference for the Audit and Risk Committee.

**COUNCIL RESOLUTION**

**M9/0414**

**Moved Cr Pepper**

**Seconded Cr Shaw**

**That Council adopt the Terms of Reference for the Audit and Risk Committee.**

**CARRIED 8/0**

Attachment for Item 12.1

SHIRE OF BEVERLEY

*AUDIT AND RISK COMMITTEE*

*TERMS OF REFERENCE*

April 2014

## Attachment for Item 12.1

### **SHIRE OF BEVERLEY**

#### *AUDIT AND RISK COMMITTEE*

#### *TERMS OF REFERENCE*

#### **1. PURPOSE**

The Council of the Shire of Beverley ("the Shire") has established an Audit and Risk Committee (the "Committee") pursuant to Part 7 of the Local Government Act 1995 ("the Act"). The purpose of the Committee is to review all published financial accounts, statements and reports issued by the Shire with a view to making a recommendation to the Council as to whether they give a true and fair view of the financial position and performance of the Shire as required by the Act, supporting legislation, and all applicable accounting standards. In fulfilling this purpose, the Committee will oversee:

- *the processes of the Shire that ensure financial accounts and statements, approved and published by the Council from time to time, are complete and timely;*
- *the Shire's relationship with the external auditors;*
- *the internal controls, policies and procedures which the Shire uses to identify and manage business risks; and*
- *the policies and procedures for ensuring compliance with all relevant regulatory and legal requirements.*

#### **2. RESPONSIBILITIES**

2.1 The responsibilities of the Committee shall include:

- (a) the review of all published financial accounts of the Shire which require approval by the Council, and discussion of the accounts with the external auditors and management prior to their submission to the Council;
- (b) the review of the audit plans for the internal and external auditors, including the degree of co-ordination between the two parties;
- (c) the review of the planned audit scope to ascertain the extent to which it can be relied upon to detect weaknesses in internal controls or non compliance with legal requirements;
- (d) assessing management's programmes and policies which deal with the adequacy and effectiveness of internal controls over the Shire's accounting and financial reporting systems;
- (e) the review of all management letters issued by the internal and external auditors and review any significant recommendations by the auditors to strengthen the internal controls and reporting systems of the Shire;
- (f) reviewing any changes in accounting policies or practices and subsequent effects on the financial accounts of the Shire;

## Attachment for Item 12.1

- (g) reviewing any accruals, provisions, or estimates which are subject to judgment and significantly affect the financial accounts as well as any other sensitive matters;
- (h) reviewing jointly with management, the internal and external auditors to ensure that there are no unresolved issues between the parties that could materially affect the audited financial accounts and that there is a good working relationship between management and the auditors;
- (i) the review with management of the terms of the external audit engagement in order to make recommendations to the Council concerning the appointment, re-appointment, removal and remuneration of the auditors;
- (j) reviewing and assessing non-audit services to be provided by the external auditors, with particular consideration to the potential of those services to impair the external auditors' judgement or independence in respect of the Shire;
- (k) reviewing and monitoring management's responsiveness to external audit findings;
- (l) assessing the effectiveness of internal controls, policies and procedures in identifying business and financial risks and controlling their financial impact;
- (m) assessing the effectiveness of the Shire's Compliance Programme in ensuring compliance with relevant regulatory and legal requirements;
- (n) assessing the effectiveness of internal processes for ensuring compliance with the Shire's policies and procedures;
- (o) assessing and monitoring the performance and effectiveness of the external auditors; and
- (p) the consideration of any other matter which, in its judgment, should be taken into account in reaching its recommendations to the Council concerning the approval of the financial accounts.

### **3. STRUCTURE AND COMPOSITION**

- 3.1 The Committee shall be structured in accordance with the Act and initially shall comprise all elected members of Council.
- 3.2 The Chairman of the Committee will be appointed by the Committee.
- 3.3 The Council may determine the appointment of any member of the Committee at any time.
- 3.4 The Shire CEO and Deputy CEO may be invited to attend all meetings of the Committee.
- 3.5 The auditors of the Shire, both internal and external, may be invited to attend all meetings of the Committee.

## Attachment for Item 12.1

- 3.6 The Committee may invite such other persons to attend meetings of the Committee as deemed appropriate.

### **4. MEETINGS**

- 4.1 The Committee shall meet at least bi-annually and shall hold such additional meetings as it deems necessary.
- 4.2 At a meeting of the Committee, the number of members whose presence is necessary to constitute a quorum shall be five (5).
- 4.3 Any member of the Committee, the CEO or the auditors may request the Chairman to convene a meeting of the Committee at any time. That request shall be in writing and include an outline of the purpose for that meeting.
- 4.4 The Chairman shall convene a meeting for a date no later than 21 days after receipt of that request.
- 4.5 All meetings of the Committee must be conducted in a place that enables members of the public to attend, preferably being the Council Chambers 136 Vincent Street Beverley.
- 4.6 The Committee shall meet annually with the external auditors in the absence of management to consider any matter the external auditor may have which affects management.

### **5. ACCESS TO INFORMATION AND INDEPENDENT ADVICE**

- 5.1 The Committee has the authority, subject to the law, to require access to any information, document, report or material in the possession of any employee of the Shire or any related body corporate, and all employees must comply with such requests from the Committee.

### **6. RELIANCE**

Committee members are entitled to rely on employees of the Shire or professional advisers or consultants engaged by the Committee or the Shire where:

- (a) there are reasonable grounds to believe that the employee, adviser or consultant is reliable and competent; and
- (b) the reliance was made in good faith and after making an independent assessment of the information.



Attachment for Item 12.1

**7. REPORTS TO THE COUNCIL**

The Committee shall keep the Council informed of its activities through the minutes of all its meetings and shall formally advise the Chairman of the Council of any matters or recommendations requiring attention by the Council.

**8. SELF ASSESSMENT**

The Committee shall assess its effectiveness periodically, with a view to ensuring that its performance accords with Best Practice. The Committee's Terms of Reference shall be reviewed annually and updated as required.

## **12.2 Risk Management**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** Shire of Beverley  
**FILE REFERENCE:** ADM 0163  
**AUTHOR:** SP Gollan, Chief Executive Officer  
**ATTACHMENTS:** Nil

---

### **SUMMARY**

Council to consider appointing a contractor to undertake a Risk Management Review for the Shire of Beverley.

### **BACKGROUND**

The State Government has made amendments to the Local Government (Audit) Regulations 1996.

The amendments related to extending regulation 16, function of an audit committee and inserting a new regulation 17, review of certain systems and procedures by a CEO. The amendments are detailed as follows:

### **COMMENT**

Local Government Insurance Services (LGIS) have provided a quote to assist in developing the Shire's risk management capabilities with a view to enabling compliance with Local Government (Audit) Regulations in respect to regulation 17 (Risk Management Procedures).

The Audit and Risk Committee discussed LGIS proposal at their meeting on 8 April 2014, and recommended that LGIS be engaged to undertake a Risk Management Review.

### **STATUTORY ENVIRONMENT**

The State Government has made amendments to the Local Government (Audit) Regulations 1996.

The amendments related to extending regulation 16, function of an audit committee and inserting a new regulation 17, review of certain systems and procedures by a CEO. The amendments are detailed as follows:

### **16. Audit committee, functions of**

An audit committee —

- (a) is to provide guidance and assistance to the local government —
  - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
  - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;

and

- (b) may provide guidance and assistance to the local government as to —

- (i) matters to be audited; and
  - (ii) the scope of audits; and
  - (iii) its functions under Part 6 of the Act; and
  - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —
- (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council.

#### **17. CEO to review certain systems and procedures**

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

#### **FINANCIAL IMPLICATIONS**

Nil. Funds to be budgeted for in the 2014/2015 budget.

#### **STRATEGIC IMPLICATIONS**

Governance – Manage resources effectively – Ensure governance and legislative requirements are met.

#### **POLICY IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER'S RECOMMENDATION**

That Council engage LGIS to undertake a Risk Management review.

#### **COUNCIL RESOLUTION**

**M11/0414**

**Moved Cr Murray**

**Seconded Cr Davis**

**That Council engage LGIS to undertake a Risk Management review.**

**CARRIED 8/0**

### **12.3 Trails Master Plan 2014**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 10 April 2014  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0289  
**AUTHOR:** SP Gollan. Chief Executive Officer  
**ATTACHMENTS:** Shire of Beverley Trails Master Plan (tabled)

---

#### **SUMMARY**

Council to consider adopting the Trails Master Plan.

#### **BACKGROUND**

Mike Maher from Transplan Pty Ltd was commissioned to prepare a Trails Master Plan for the Shire of Beverley as part of a successful Lotterywest/DSR Grant.

Mike has visited Beverley and the surrounding areas on many occasions since November 2013 to learn about any existing and potential new trails.

On 19 February 2014, Mike held a community meeting in which there were 27 attendees. The meeting was a chance for members of the community to interact, ask questions and provide feedback on the work he has already completed.

A draft Master Plan was sent to the Shire of Friday 28 February. On the same day we learned from the National Trust that the drive trail at Avondale is to be decommissioned as part of the new lease. The current drive trail was integral to the draft Master Plan and so had to be revised.

The Draft Master Plan was provided to Councillors via email and through the Economic and Community Strategy Meeting.

Mike had suggested that Council review the Master Plan and leave it open to the Public for one week for comment. However at the Economic and Community Strategy Meeting it was decided to advertise that the Master Plan was available to view and any submissions were to be received by 31 March 2014.

#### **COMMENT**

The Master Plan was advertised in the Beverley Bulletin and on the Shire of Beverley website. Approximately 8 copies were taken from the front counter of the Administration building. To date no submissions or comments have been received.

#### **STATUTORY ENVIRONMENT**

N/A

#### **FINANCIAL IMPLICATIONS**

Future Budgets if Council is to proceed with implementing any of the suggested trails.

**STRATEGIC IMPLICATIONS**

Built Environment – review streetscape plan and identify walking routes.

**POLICY IMPLICATIONS**

N/A

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council adopt the Trails Master Plan as prepared by Mike Maher from Transplan Pty Ltd.

**COUNCIL RESOLUTION**

**M12/0414**

**Moved Cr Pepper**

**Seconded Cr Shaw**

**That Council adopt the Trails Master Plan as prepared by Mike Maher from Transplan Pty Ltd.**

**CARRIED 8/0**

## **12.4 Use of the Common Seal**

---

**SUBMISSION TO:** Ordinary Council Meeting 22 April 2014  
**REPORT DATE:** 16 April 2014  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0265  
**AUTHOR:** SP Gollan, Chief Executive Officer  
**ATTACHMENTS:** Nil

---

### **SUMMARY**

Council to endorse the use of the Common Seal.

### **BACKGROUND**

Allocation of the Common Seal requires accompanying signatures of both the Shire President (or Deputy) and Chief Executive Officer (or person acting in that position).

### **COMMENT**

The Common Seal has been recently attached to the following documents:

1. Master Lending, Agreement between Western Australian Treasury Corporation and the Shire of Beverley.
2. 4 x Notification Under Section 70A - Clearances for the subdivision on Lot 3 Simmons Road

### **STATUTORY ENVIRONMENT**

Local Government Act 1995, Part 9, Division 3, Execution of documents states:

- (1) A document is duly executed by a local government if -
  - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of –
  - (a) the mayor or president; and
  - (b) the chief executive officer or a senior employee authorised by the chief executive officer,  
each of whom is to sign the document to attest that the common seal was so affixed.
- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a sees and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER'S RECOMMENDATION**

That Council note and endorse the use of the Common Seal having been attached to:

1. Master Lending, Agreement between Western Australian Treasury Corporation and the Shire of Beverley.
2. 4 x Notification Under Section 70A - Clearances for the subdivision on Lot 3 Simmons Road

#### **COUNCIL RESOLUTION**

**M15/0414**

**Moved Cr Davis**

**Seconded Cr Gogol**

**That Council note and endorse the use of the Common Seal having been attached to:**

- 1. Master Lending, Agreement between Western Australian Treasury Corporation and the Shire of Beverley.**
- 2. 4 x Notification Under Section 70A - Clearances for the subdivision on Lot 3 Simmons Road**

**CARRIED 8/0**

### **13. NEW BUSINESS ARISING BY ORDER OF THE MEETING**

#### **13.1 Water Connection**

Cr Pepper raised the issue of extending water mains to make building on vacant blocks more attractive. To be discussed further at the Corporate Strategy Committee Meeting.

#### **13.2 CEO Performance Review, Remuneration Review and Contract Renewal**

##### **COUNCIL RESOLUTION**

**M16/0414**

**Moved Cr Pepper**

**Seconded Cr White**

**That Council go "Into Committee" to consider the Chief Executive Officer Contract Renewal at 3.12pm**

**CARRIED 8/0**

3.12pm - CEO Stephen Gollan, Deputy CEO Simon Marshall and Executive Assistant Alison Lewis were requested to leave the meeting.

##### **COUNCIL RESOLUTION**

**M17/0414**

**Moved Cr Buckland**

**Seconded Cr White**

**The Cash and Superannuation components of the Chief Executive Officers' salary be increased by 4% and backdated to 24 January 2014.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

The current Chief Executive Officer Employment Contract between the Shire of Beverley and Mr Stephen Paul Gollan expires on Friday 23 January 2015.

##### **COUNCIL RESOLUTION**

**M18/0414**

**Moved Cr Davis**

**Seconded Cr Buckland**

**That:**

- 1. The Shire of Beverley offers Mr Stephen Paul Gollan a further term of contract being for a three (3) year period concluding on Thursday 25 January 2018.**
- 2. The Shire president, Deputy Shire president and Chairman of the Audit and Risk Committee are delegated authority to negotiate the terms and conditions of agreement.**
- 3. Discussion regarding a further contract to be finalized no later than Wednesday 23 July 2014.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

##### **COUNCIL RESOLUTION**

**M19/0414**

**Moved Cr Pepper**

**Seconded Cr White**

**That Council "come out of Committee" at 3.30pm**

**CARRIED 8/0**



3:30pm - CEO Stephen Gollan, Deputy CEO Simon Marshall and Executive Assistant Alison Lewis returned to the meeting.

**14. CLOSURE**

The Chairman declared the meeting closed at 3:35pm

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

**PRESIDING MEMBER:**

**DATE:**