Minutes of the ordinary Council meeting held on 17 June 2016

Preamble
The Mount Magnet Shire Council embraces the Heritage of the land on which we meet. Council pays respect to the Elders and Ancestors of this land. Council acknowledges the Culture forever embedded with the custodians of the Country.

Minutes of the meeting of the Council of the Shire of Mount Magnet held in the Council Chamber, 90 Hepburn Street Mount Magnet on Friday 17 June 2016

The meeting commenced at 1.03PM

PUBLIC QUESTION TIME:
Sergeant Matt Fogarty

- April Police Review: Briefs and charges were down for May.
- Coronial investigation in Sandstone.
- Court was held twice in Cue, amalgamated with Meekatharra. 23 Investigations.
- Down one Officer, replacement will be second in charge.
- 7 Traffic Infringements. 116 Tasks attended to.
- Inter Agency Meeting.
- Sergeant Matt Fogarty will be on leave from 28 June to 27 July 2016.
- Suggested the Works Manager move the location of the SAM trailer further North to where the 50km speed limit begins.

PRESENT:
Cr Jorgen Jensen (in the Chair), Cr Jason Homewood, Cr Eliz Morris, Cr Carole Minney, Cr Karen Williams, and Cr Mary Ford.

APOLOGIES:
Cr Joe O’Brien

LEAVE OF ABSENCE:
Nil.

(PREVIOUSLY GRANTED)

ALSO IN ATTENDANCE:
Warren Olsen (Chief Executive Officer), Ronella Kelly (Administration Supervisor), Patrick O’Brien (Works Manager).

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE: Nil.

APPLICATIONS FOR LEAVE OF ABSENCE: Nil.

PETITIONS: Nil.

DEPUTATIONS / PRESENTATIONS / SUBMISSIONS:
Councillor Carole Minney
- Attended the Mid West Development Commission Meeting in Geraldton on 20 May where she had to declare an interest.

Councillor Eliz Morris
- Reconciliation Week at the School which involved a barbecue and live music.
CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:

Cr Williams requested a change to the minutes in relation to provision of a locum doctor.

Moved: Cr Jason Homewood  
Seconded: Cr Eliz Morris
That, subject to a change in relation to the comments about a locum doctor, the minutes of the ordinary meeting held of the Council held on 20 May 2016 be confirmed as a true and correct record of the meeting.

Resolution no. 2016-062

CARRIED 6/0

ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION: Nil.

DECLARATIONS OF INTEREST: Nil.

REPORTS OF OFFICERS AND COMMITTEES:

1. **2016/2017 Freedom of Information Statement**
The Council considered the Chief Executive Officer’s report numbered 12.1 in the agenda.

It was pointed out that the number of Councillors was now only seven, and that this needed to be corrected in the draft Freedom of Information Statement.

Moved: Cr Karen Williams  
Seconded: Cr Carole Minney
That:
1. The Freedom of Information Statement for 2016/2017 be adopted; and

Resolution no. 2016-063

CARRIED 6/0

2. **Cost of Band for Friday night function - Astro Rocks Fest 2016**
The Council considered the Chief Executive Officer’s report numbered 12.2 in the agenda.

Moved: Cr Carole Minney  
Seconded: Cr Eliz Morris
That a grant of $1,400 to Wirnda Barna Artists Inc be approved from the Ramelius Resources Community Benefit fund in reimbursement of the cost of hiring a local band for the function held in Federation Park on Friday 13th May 2016.

Resolution no. 2016-064

CARRIED 6/0

3. **Approach from Visage Productions - “Our Town”**
The Council considered the Chief Executive Officer’s report numbered 12.3 in the agenda.

Moved: Cr Karen Williams  
Seconded: Cr Eliz Morris
That Visage Productions be advised that:
1. The Shire of Mount Magnet will not participate in an *Our Town* segment at a cost of $10,000 at this stage as it is directing its resources toward implementation of those actions identified in the Murchison Tourism Strategy and agreed with its neighbouring local governments.
2. Future proposals of this nature would be better directed to the Murchison Executive Group where they could receive some collective consideration in the first instance.

Resolution no. 2016-065

CARRIED 6/0
4. **Request for Sponsorship - Prince-Wright Productions**

The Council considered the Chief Executive Officer’s report numbered 12.4 in the agenda.

Councillors were reluctant to contribute to a private venture, and considered that the number of people to be accommodated would be better to be camping at the Race Course. Consequently, the Council did not want to contribute Community Benefit Funds to the accommodation cost, and requested the CEO to suggest that Mr Prince-Wright approach the Mount Magnet Race Club about camping at the Race Course.

Moved: Cr Eliz Morris  
Seconded: Cr Jason Homewood  
That:
1. Mr Prince-Wright be advised that the Shire has no objection to his filming in the Granites, but that the Granites is Unallocated Crown Land which is not under the management of the Shire, so the Shire is not in a position to grant approval.  
2. Mr Prince-Wright be advised that the Shire will not make a cash contribution.  

Resolution no. 2016-066  
CARRIED 6/0

5. **Transfers To/From Reserve Funds**

The Council considered the Finance Manager’s report numbered 12.5 in the agenda.

The CEO advised that, on the advice of the accountant, he was changing the first recommendation in the report.

Moved: Cr Mary Ford  
Seconded: Cr Carole Minney  
That:
1. The following transfers to Reserve Funds be approved for processing on 30 June 2016:  
   - Leave Reserve - $25,000.00  
2. The CEO be instructed to ensure that the draft 2016-2017 annual budget includes a provision to transfer the estimated Airport operating surplus to the Airport Reserve, in accordance with resolution no. 2012-08-12 of 24 August 2012.  
3. The following transfers from Reserve Funds be approved for processing on 29 August 2016:

<table>
<thead>
<tr>
<th>Housing Construction</th>
<th>Recreation Precinct</th>
<th>Youth Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,936.18</td>
<td>409,870.16</td>
</tr>
<tr>
<td></td>
<td></td>
<td>413,806.34</td>
</tr>
</tbody>
</table>

Resolution no. 2016-067  
CARRIED 6/0
6. **Proposal to Impose Differential and Minimum Rates**
The Council considered the Finance Manager’s report numbered 12.6 in the agenda.

<table>
<thead>
<tr>
<th>Rate Type</th>
<th>Rate in $ (Cents)</th>
<th>Category</th>
<th>Minimum $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>10.1143</td>
<td>Gross Rental Value</td>
<td>413</td>
</tr>
<tr>
<td>Boogardie and Lennonville</td>
<td>10.1143</td>
<td>Gross Rental Value</td>
<td>138</td>
</tr>
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<td>Industrial and Commercial</td>
<td>11.5520</td>
<td>Gross Rental Value</td>
<td>472</td>
</tr>
<tr>
<td>Single Person Quarters</td>
<td>18.4747</td>
<td>Gross Rental Value</td>
<td>775</td>
</tr>
<tr>
<td>Pastoral</td>
<td>6.6960</td>
<td>Unimproved Value</td>
<td>413</td>
</tr>
<tr>
<td>Mining (Prospecting, Exploration, Mining, Gold Mining)</td>
<td>31.2859</td>
<td>Unimproved value</td>
<td>468</td>
</tr>
</tbody>
</table>

**Moved:** Cr Eliz Morris  
**Seconded:** Cr Karen Williams
That the advertising of the following differential rates and minimum rates be approved:

CARRIED 6/0

Resolution no. 2016-068

7. **2016/2017 Insurance Renewals**
The Council considered the Chief Executive Officer’s report numbered 12.7 in the agenda.

It was generally agreed that “Crime” cover should be increased to $300,000.

<table>
<thead>
<tr>
<th>Rate Type</th>
<th>Rate in $ (Cents)</th>
<th>Category</th>
<th>Minimum $</th>
</tr>
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</tr>
</tbody>
</table>

**Moved:** Cr Eliz Morris  
**Seconded:** Cr Jason Homewood
That:
1. The CEO be instructed to arrange crime insurance cover of $300,000.00.
2. Subject to the above, that the renewal proposals from LGIS be accepted.
3. The Chief Executive Officer be instructed to engage Procurement Australia Risk Management & Insurance on a no savings – no fee basis to undertake a review of the Shire’s risks and insurances.

CARRIED 6/0

Resolution no. 2016-069

8. **Works Manager's Report**
The Council considered the Works Manager’s report numbered 12.8 in the agenda.

The Works Manager was requested to arrange a maintenance grade of the Cue-Paynesville Road.

**Moved:** Cr Eliz Morris  
**Seconded:** Cr Carole Minney
That the report of the Works Manager be received.

CARRIED 6/0

Resolution no. 2016-070

9. **Accounts for Payment to 30 April 2016**
The Council considered the Finance Manager’s report numbered 12.9 in the agenda.

<table>
<thead>
<tr>
<th>Represented by</th>
<th>$</th>
<th>Account Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT’s 6794</td>
<td>1,033,639.93</td>
<td>Municipal Account</td>
</tr>
<tr>
<td>Vouchers 13498</td>
<td>32,397.41</td>
<td>Trust Account</td>
</tr>
<tr>
<td>EFT’s 13503</td>
<td>236.00</td>
<td>Trust Account</td>
</tr>
<tr>
<td>Total</td>
<td>1,066,273.34</td>
<td></td>
</tr>
</tbody>
</table>

**Moved:** Cr Karen Williams  
**Seconded:** Cr Carole Minney
That Council note the payment of accounts for payment totalling $1,066,273.34

CARRIED 6/0

Resolution no. 2016-071
10. **Financial Activity Statement to 31 May 2016**
The Council considered the Finance Manager’s report numbered 12.10 in the agenda.

<table>
<thead>
<tr>
<th>Moved: Cr Karen Williams</th>
<th>Seconded: Cr Jason Homewood</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Financial Report for the period ending 31 May 2016 be received.</td>
<td></td>
</tr>
<tr>
<td>Resolution no. 2016-072</td>
<td></td>
</tr>
<tr>
<td><strong>CARRIED 6/0</strong></td>
<td></td>
</tr>
</tbody>
</table>

*The President adjourned the meeting at 3.55pm*

*The meeting resumed at 4.04pm.*

*All Councillors who were present at the adjournment were present at the resumption of the meeting.*

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:** Nil.

**NOTICE OF MOTIONS FOR NEXT MEETING:** Nil.

**CLOSURE OF MEETING TO PRESS AND PUBLIC TO CONSIDER CONFIDENTIAL MATTERS:**

<table>
<thead>
<tr>
<th>Moved: Cr Jason Homewood</th>
<th>Seconded: Cr Karen Williams</th>
</tr>
</thead>
<tbody>
<tr>
<td>That, pursuant to subsections 5.23 (2) (a), (b) and (c) of the Local Government Act 1995, the meeting now be closed to the press and public to discuss:</td>
<td></td>
</tr>
<tr>
<td>• a matter affecting an employee or employees; and</td>
<td></td>
</tr>
<tr>
<td>• the personal affairs of any person; and</td>
<td></td>
</tr>
<tr>
<td>• a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.</td>
<td></td>
</tr>
<tr>
<td>Resolution no. 2016-073</td>
<td></td>
</tr>
<tr>
<td><strong>CARRIED 6/0</strong></td>
<td></td>
</tr>
</tbody>
</table>

*The meeting was closed to the press and public at 4.05pm+*

11. **Proposed Road Usage Agreement for Blackmans Project Haulage**
The Council considered the Chief Executive Officer’s confidential report numbered 15.1 which had been separately circulated to Councillors only.

<table>
<thead>
<tr>
<th>Moved: Cr Jason Homewood</th>
<th>Seconded: Cr Carole Minney</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Road Use Agreement with Mt Magnet Resources Pty Ltd relating to its 12-month haulage program from Blackmans Project to Checker Gold Mill [document no. 7381] as presented to this meeting now be executed on behalf of the Shire of Mount Magnet</td>
<td></td>
</tr>
<tr>
<td>Resolution no. 2016-074</td>
<td></td>
</tr>
<tr>
<td><strong>CARRIED 6/0</strong></td>
<td></td>
</tr>
</tbody>
</table>
12. **RFT 2016-02 Modifications to the Mount Magnet Memorial Swimming Pool**

The Council considered the Chief Executive Officer’s confidential report numbered 15.2 which had been separately circulated to Councillors only.

**Moved: Cr Mary Ford**

**Seconded: Cr Eliz Morris**

That:

1. In accordance with the provisions of Regulation 18 (2) of the Local Government (Functions and General) Regulations 1996, Council resolve to not accept the submitted tender as it does not meet the tender specification.
2. Council request the CEO (or his nominated representative) to seek written quotations for the work from at least three suppliers, at least one being the tender respondent that submitted a non-compliant tender.
3. Delegate authority be granted to the CEO to award the works to the quotation responded that (in the opinion of the CEO) demonstrates the best value for money solution, provided that the total value of works falls within no more than 5% of the total budget expenditure provided for the project in the 2016/17 Annual Budget.

**CARRIED BY ABSOLUTE MAJORITY 6/0**

**Resolution no. 2016-075**

13. **Chief Executive Officer’s Employment Contract**

The Council considered the Chief Executive Officer’s confidential report numbered 15.3, which was tabled at the meeting.

**Moved: Cr Eliz Morris**

**Seconded: Cr Jason Homewood**

That:

1. The Shire President and the CEO be authorised to execute the document presented herewith as APPENDIX 1 and identified in the Shire’s document management system as document number 7466.
2. Mr Gary Martin be appointed as Acting CEO commencing on 27 June 2016 for a period not exceeding 12 months.
3. Council records that it believes that Mr Gary Martin is suitably qualified for the position of Acting Chief Executive Officer.
4. Mr Martin’s remuneration comprise a base salary of $163,000.00 per annum, plus an isolation allowance of $30,000pa, plus superannuation of 9.5% on both the base salary and the isolation allowance, plus free utilities valued at $3,300pa and FBT estimated at 8,159pa.
5. Mr Martin be provided with a rent-free house and free motor vehicle for both work and private use (subject to keeping a vehicle log book for at least 3 months).
6. It be noted that, in accordance with the Salaries and Allowances Tribunal’s Determination, neither the house nor motor vehicle are counted as part of the “total remuneration package”; however, they can still attract a Fringe Benefits Tax liability.
7. The Works Manager, Mr Patrick O’Brien, be appointed to act in the position of CEO from 20 June 2016 until Mr Martin takes up the position of Acting CEO on 27 June.
8. That the Acting CEO from time-to-time be authorised to exercise all the delegations and functions of the CEO position

**CARRIED BY ABSOLUTE MAJORITY 6/0**

**Resolution no. 2016-076**

14. **Application for the Waiving of Refuse (Sanitation) Charges**

The Council considered the Chief Executive Officer’s report numbered 16.1 which had been separately circulated to Councillors only.

**Moved: Cr Carole Minney**

**Seconded: Cr Jason Homewood**

That Mr Black be informed that the Council has considered his request to waive sanitation charges and has resolved not to grant his request because the kerbside rubbish collection service is available to him if he puts his mobile garbage bins at the kerbside on collection day.

**CARRIED 5/1**

**Resolution no. 2016-077**

*Cr Karen Williams requested that her dissent be recorded in the minutes of the meeting.*
The meeting reopened to the public at 7.09pm

URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING: Nil.

ELECTED MEMBER MATTERS:

Councillor Mary Ford
- Residents with Asthma are leaving due to the Rubbish Tip being deliberately lit on fire.

Councillor Karen Williams
- Visited GRAMS to seek clarification on prescriptions. Was advised that GRAMS have a new number; (08) 9940-3220

Councillor Carole Minney
- Invited to Yalgoo's Women's Activity Day held from the 15th to the 18th of June.

There being no further business, the President declared the meeting closed at 7.19PM.