



SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 18 APRIL 2016
COMMENCING AT 5.05PM
IN COUNCIL CHAMBERS,
YORK TOWN HALL, YORK**

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SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL
HELD ON MONDAY, 18 APRIL, 2016, COMMENCING
AT 5.05PM IN COUNCIL CHAMBERS, YORK TOWN HALL, YORK

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1. OPENING

1.1 Declaration of Opening

Cr David Wallace, Shire President, declared the meeting open at 5.05pm.

1.2 Disclaimer

The Shire President advised the following:

"I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."

1.3 Standing Orders

Clause 3.2 – Order of Business

Motion Not Put

1.4 Announcement of Visitors

Nil

1.5 Declarations of Interest that Might Cause a Conflict

Financial Interests

Nil

Disclosure of Interest that May Affect Impartiality

Cr Saint – SY035-04/16 – Matters Referred to the Major Fraud Squad – Cr Saint provided documentation for the investigation

2. ATTENDANCE

2.1 Members

Cr David Wallace, Shire President; Cr Denese Smythe, Deputy Shire President; Cr Heather Saint; Cr Pam Heaton; Cr Jane Ferro; Cr Trevor Randell; Cr Tricia Walters

2.2 Staff

Mark Dacombe, Acting Chief Executive Officer; Allan Rourke, Manager Works & Serviced; Gordon Tester, Manager Development Services; Tabitha Bateman, Financial Controller; Gael Ferguson, Advisor; Helen D'Arcy-Walker, Executive Support Officer

2.3 Apologies

Nil

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in Gallery at Commencement of Meeting

There were 6 people in the Gallery at the commencement of the meeting

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr Simon Saint

Public Question Time - 22nd February, 2016

Question 1(a):

Appointment of Commissioner Best in a dual role as the Shire of York visionary consultant

(a) In the Department of Finance - Procurement Practice Guide, it lists the key principles to be observed when engaging consultants. The Department states that it is generally not appropriate to engage consultants; where it is reasonably believed that a conflict of interest could develop or to resource long-term projects or ongoing core activities. Now that Minister Simpson has clarified that he did not authorize Mr Best's appointment as a visionary consultant, who, how and why did the Shire engage this man?

Response:

The appointment was made by the former Acting Chief Executive Officer. The records indicate that Mr Best was engaged because of the need for:

- the community to be refocussed on York's future, and
- the community to be involved in training to ensure their expectations of the Shire are reasonable.

Question 1(b):

(b) Before engaging Mr Best as a visionary consultant, did the Shire obtain any of the following?

- description/objectives of the project and function and boundaries of the consultancy;
- outcomes/deliverables (e.g. reports, recommendations, seminars, workshops);
- project time frame, including milestones, deadlines and completion date;
- project methodologies and management requirements;
- required knowledge, expertise, experience, interpersonal skills;
- costing requirements e.g. fixed cost, daily or hourly rates, incidentals etc;
- proposed payment schedule

Response:

There is no written record of the above having been obtained.

Question 2:

Mr Best's visioning report presented to Council/himself consisted of:

- 21 pages of easily downloadable generic material
- 12 pages of poor quality photographs of post-it notes stuck to A3 paper
- 12 pages of poor quality photocopies of the 12 pages of poor quality photographs
- 1 page advertising a business development meeting at the Castle
- 6 pages of Mr Best's handwritten notes
- 1 page of the 'output' from York business breakfast 5 May 2015

This 'Report' cost nearly \$40,000.00.

- a. Who approved payment of the visioning invoice?
- b. Does Council consider that the ratepayers have got value for their money in regard to Mr Best's visioning program?
- c. Does Council consider that Mr Best's report is satisfactory?
- d) If any evidence of corruption, misconduct or fraud is presented to Council, will it undertake to refer the matter to the relevant authority for investigation.

Response:

- a) The invoice was approved by the former Acting Chief Executive Officer
- b) The Council has not expressed a view on the question. The raw material contained in the report has been channelled into the Major Strategic Review so that it may be considered in that process
- c) There are mandatory reporting requirements where the circumstances dictate.

Mr Simon Saint**Public Question Time – 21 March, 2016****Question 1:**

In December last year, a confidential Corruption and Crime Commission document was leaked. DLA Piper, representing LGIS and the Shire of York, stated that its client, the Shire of York was not responsible for the leak, I think it highly unlikely that the CCC leaked the document. Could Council confirm who had the authority to access the legal file containing the leaked document, that the document contains false information about a member of the public and that the administration department is in possession of a record which confirms this?

Response:

The question refers to documents that are subject to confidentiality. Access to confidential documents are limited within the Shire organization. Access is only obtained for lawful purposes by Senior Officers.

Question 2:

The following Council resolutions from the special Council meeting 20 August 2014 are ambiguous, could Council please clarify whether resolution 470814 relates to the Shire of York initiating legal action against Mr Hooper for criminal defamation or vice versa, and to clarify why resolution 490814 relates to a nonexistent agenda item?

Response:

This Resolution relates to legal advice. I am not able to provide any further information on the matter as it is not clear from the record what was contemplated. Resolution 490814 appears to relate to a numbering error. It appears to refer to 9.6.2.2.

Mr Keith Schekkerman
Chair AVRA

SITA vs JDAP

Question 1:

Has the Shire received advice that as a third party to the case, they cannot appeal the decision?

Response:

Yes, the Shire has had such advice.

Question 2:

When the case first was dealt with by the York Shire Council it decided to deal with the SITA application by means of 'use not listed' and 'maybe permitted' and the consequent advertising, etc. The question is 'Could the York Shire Council have dealt with the SITA application by not using its discretionary powers and simply refuse it?'

Response:

The proposed use did not reasonably fall within an existing use class of the Scheme and was required to be assessed as an 'Unlisted Use'. Clause 3.2.4 of the Town Planning Scheme No. 2 requires the Shire to then make a discretionary decision in regards to whether the land use is consistent with the objectives and purposes of that zone prior to reaching a decision that the land use was not permitted.

It should also be noted that due to the value of the application, it was a mandatory requirement that the proposal be referred to the Joint Development Assessment Panel, and the Shire's role in the matter is to provide a recommendation to the JDAP for determination.

4. PUBLIC QUESTION TIME

G 2.6 – Public Question Time - Policy Statement

1.0 "Public Question Time" will be limited to 15 minutes*. The Council may exercise a discretion to extend the time by resolution if required. If there are questions remaining unasked at the expiration of the time allotted members of the public will be asked to submit their questions in writing to the Chief Executive Officer who will provide a written reply with the response placed in the Agenda of the next Ordinary Meeting of the Council.

** A minimum of 15 minutes is provided by Regulation 6(1) of the Local Government (Administration) Regulations 1996 (S.5.24 of the Local Government Act 1995)*

2.0 Questions may be asked at the Ordinary Council Meeting and any Committee meeting on any matter affecting the Council and the Shire's operations. Questions submitted to Special Meetings of the Council will be restricted to the subject matter of the meeting.

3.0 Each questioner will be limited to two (2) questions. Statements or long preamble are not permitted.

- 4.0 People wishing to ask questions will be encouraged to put their questions in writing or in a prescribed form and submit them to the Chief Executive Officer prior to 10 am on the day of the meeting. This allows for an informed response to be given at the meeting. Oral questions are permitted.
- 5.0 Priority will be given to questions about matters on the agenda for the meeting and which are submitted in accordance with 4.0 above.
- 6.0 Every person who wishes to ask a question must identify themselves and register with a Council Officer immediately prior to the meeting. Subject to 5.0 above questions will be taken in the order in which people register.
- 7.0 Questions containing offensive remarks, reference to the personal affairs or actions of Elected Members or staff, or which relate to confidential matters or legal action will not be accepted. Questions that the Presiding Member considers have been answered by earlier questions at the meeting or earlier meetings may not be accepted.
- 8.0 On receipt of a question the Presiding Member may answer the question or direct it to the Chief Executive Officer to answer. If the question is of a technical nature the Chief Executive Officer may direct the question to a senior technical officer present. If the question requires research it will be taken on notice.
- 9.0 There will be no debate on the answers to questions.
- 10.0 A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.
- 11.0 Public Question Time guidelines incorporating this policy are being prepared and will include information on the other methods of enquiry that are available to members of the public to obtain information from the Shire.

Adopted 21 October 2013
Amended 17 September 2015
Amended 23 November 2015

Public Question Time commenced at 5.07pm

4.1 Written Questions – Current Agenda

Ms Vicki Bertrand

Question 1:

When are the caravans going to be moved from our beautiful Avon Park – so we just have the Rotunda, Playground and Picnic area to look at.

Question 2:

Will the new Caravan area be a free parking. – No Power Site.

Response:

Thank you for your questions. The recent community engagement undertaken with respect to the Major Strategic Review elicited quite a bit of comment about Avon Park. It is a much loved part of York and many comments were focused on moving the RVs and caravans to a different location. It is also noted that the area is popular with travellers because of its pleasant location and proximity to the shops and cafes on Avon Terrace.

The Council will give consideration to its response to the submissions that it has received as it prepares the Strategic Community Plan and Corporate Business Plan for public comment at the beginning of May.

4.2 Public Question Time

Ms Darlene Barratt

Question 1:

My question refers to item SY035-04/16 – Matters Referred to the Major Fraud Squad – the Fitzgerald Report was a list of complaints that were never heard. When will the Report be put to Council and recognised?

Response:

The Acting CEO replied that there is no proposal to put the Report before Council. The previous Council sealed the Report.

Question 2:

Is it a yes or no that the Fitzgerald Report will surface?

Response:

The Acting CEO replied it is a No.

Question 3:

What happens to those who have complaints?

Response:

The Acting CEO replied that he is not privy to the Fitzgerald Report. However a number of complaints have been reviewed over the last few months (legacy issues) and he is unsure if the legacy issues covers all complaints.

The Shire President stated that the Shires Insurance Company says the report must remain confidential.

Question 4:

What should those people with complaints do if the Fitzgerald Report is not released?

Response:

The Acting CEO stated that a number of legacy issues have been dealt with by Council over the last few months. If there are other issues that people feel a need to raise they should be put in writing.

As there were no further questions from the Gallery, Public Question Time concluded at 5.13pm

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Minutes of the Ordinary Council Meeting held March 21, 2016

Correction – Question Taken on Notice at the Annual General Meeting of Electors held on 4th February, 2016 is still to be answered

Confirmation

**RESOLUTION
010416**

Moved: Cr Ferro

Seconded: Cr Randell

“That the minutes of the Ordinary Council Meeting held March 21, 2016 be confirmed as a correct record of proceedings with the above amendment.”

CARRIED: 6/1

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President thanked Mr Mark Dacombe, Acting CEO for his help and support over the last few months which has been a difficult period.

9. OFFICERS' REPORTS

SY032-04/16 - Delegations Review

FILE REFERENCE: OR.CMA.1
APPLICANT OR PROPONENT(S): Council
AUTHORS NAME & POSITION: Tyhscha Cochrane, DCEO
PREVIOUSLY BEFORE COUNCIL: Resolution 090912 - September 2012
DISCLOSURE OF INTEREST: Nil
APPENDICES: Delegations Register April 2016

Nature of Council's Role in the Matter:

To review the delegations attached to this report.

Purpose of the Report:

To consider a review of Council's delegations of authority to the Chief Executive Officer (CEO), as required by Section 5.46(2) of the *Local Government Act 1995* ('the Act').

Background:

The current Delegated Authority Register was last reviewed by Council at its Ordinary Council meeting held on the 17th September 2012. Whilst a review commenced by way of providing the delegations to all Councillors and staff for review in the form of a memorandum dated 25 March 2014 and further a power point presentation and proposed delegations by a consultant the delegations have not yet been formally reviewed and adopted by Council Resolution.

The fact that the delegations had not been reviewed as required was noted in the Probity Report delivered in 2015 and reported in the recent compliance return.

Statutory:

Under the Act, Council can delegate certain powers and duties to the CEO and the CEO, in turn, can on-delegate those powers and functions to other employees.

Section 5.46 of the Act requires the CEO to keep a record of the delegations adopted by Council and on-delegated by the CEO.

Section 5.46(2) of the Local Government Act 1995 requires the Council to carry out a review of its delegations at least once every financial year.

Comments and details:

The Act requires the Council to 'review' its delegations annually. It does not prescribe the process for review. Staff have examined examples of delegations in use by other Council's and have submitted for your consideration delegations that have been:

- amended/updated, including to reflect the titles in the current structure
- revoked where a delegation simply repeats a statutory responsibility conferred on the CEO. The recommended revocations will not change or remove the need for Administration to still comply with any adopted Council Policy relating to the exercise of that particular function; or
- new policies due to new legislation, for example the Cat Act, is in force.

The CEO advised the meeting that the delegations were being written in two tranches. A similar approach was conducted for the Policy review. The second tranche will be submitted to the May Ordinary Council Meeting.

Voting Requirements:
Absolute Majority Required: Yes

OFFICER RECOMMENDATION

“That Council

1. *notes the annual review of its Delegations of Authority in accordance with Section 5.46(2) of the Local Government Act 1995, as outlined in this report and provided for in Attachment 1;*
2. *revokes the following Delegations of Authority:*

*Power to speak on behalf of Local Government
Application for effluent disposal systems*
3. *Delegates to the Chief Executive Officer delegations as contained in the Shire of York Delegation Register.”*

Cr Walters Moved a Motion to defer this item. As there was no Seconder the Motion lapsed.

**RESOLUTION
020416**

Moved: Cr Smythe

Seconded: Cr Ferro

“That Council

1. *Notes the annual review of its Delegations of Authority in accordance with Section 5.46(2) of the Local Government Act 1995, as outlined in this report and provided for in Attachment A;*
2. *Revokes the following Delegations of Authority:*

*Power to speak on behalf of Local Government
Application for effluent disposal systems*
3. *Delegates to the Chief Executive Officer delegations as contained in the Shire of York Delegation Register.”*

Carried: 6/1

SY033-04/16 - Sponsorship of Tourism Events

FILE REFERENCE:

APPLICANT OR PROPONENT(S): Not Applicable
AUTHORS NAME & POSITION: Gael Ferguson (Advisor)
PREVIOUSLY BEFORE COUNCIL: No
DISCLOSURE OF INTEREST: Nil
APPENDICES: Yes

Nature of Council's Role in the Matter:

To consider the draft Sponsorship of Tourism Events for decision.

Purpose of the Report:

To provide a draft Sponsorship of Tourism Events Policy for consideration and decision by Council.

Background:

At the 22 March Ordinary Council Meeting, the Council considered and approved the Community Funding Policy which provides a framework for considering applications for funding for community projects, community based events and sponsorship of individuals for certain activities. At that meeting, the Council also resolved:

RESOLUTION 060316

Moved: Cr Smythe

Seconded: Cr Walters

"That Council:

- ***Adopts the draft Community Funding Policy as set out in Appendix A.***
- ***That the Council requests the Chief Executive Officer to develop a draft Tourism and Events Support Policy for consideration at the next Ordinary Meeting of the Council to be held on 18 April, 2016."***

CARRIED: 7/0

This report brings back a draft policy for consideration which is attached in Appendix 1.

Considerations

The Council wishes to see the development of events designed to attract visitors to the Shire and town of York with a level of economic benefit to accrue to the community as a result. It recognises that it has a role to play in encouraging such events to be established and has identified that in selected circumstance it is prepared to provide a level of formal sponsorship which includes direct or in-kind financial support.

The level of resource available will depend on the Council's wider budgeting decisions but whatever is available will be constrained in terms of likely demand for support. It is important that Council has a clear framework for making decisions and this is set out in the draft policy.

It is important that the policy does not try to 'pick winners' by specifying parameters too tightly. Apart from alluding to the key themes of heritage, arts and the environment and areas of focus that might emerge via an economic development strategy, the emphasis is on a flexible and open approach to ideas.

The policy does make clear that sponsorship is dependent on a deliberate focus on attracting visitors, and on being able to show economic benefit to the Shire. This benefit is defined in the policy. It does not necessarily require immediate significant results but it does allow the Council to make a judgement on whether benefit in the medium or long term will emerge. This will of course require a level of judgement and there will be a level of risk and uncertainty about outcomes. Requirements around information on planning and project management etc are intended to provide information at a level that Council can make informed judgements.

Potential Council Funding Framework

The emerging Council Funding Framework has previously been considered by the Council (OCM March 2016) and is reproduced here for completeness. The framework identifies the following categories:

- A. One-off community driven **not-for-profit** activities including events, developed for **general community enjoyment**. Note: this includes individuals applying for funding to participate in external activities (e.g. sports events, arts events).

It is this category which the Community Funding Policy is concerned with. It provides a process for determining support for one-off community events and projects via a contestable process. This could include support for one-off events requiring an entry charge (e.g. concerts/ performances) provided that they event or activity is essentially not-for-profit and primarily for general community enjoyment.

- B. Community driven **not-for-profit activities** and events which occur **year-on-year and are developed for community enjoyment** or community well-being and where it is important to have a level of certainty about funding support. The Council would support these activities if it considered that there was on-going social or community benefit. There may be 'knock-on' spend benefits but this is peripheral to the main intent.

The Council would support these recurring not-for-profit community activities (including events) via regular budget provision (in effect current practice). Examples include support for the school chaplain service, or the events like the Agricultural Show. There would be a review every few years to ensure equitable access to Council funding: groups receiving this support would not have to apply every year but would receive funding with the understanding that Council would have the ability to review. They would report to Council annually on progress or use of funds.

It should also be noted that the Council has adopted a policy of consulting on annual budgets and the Long Term Financial Plan. This also enables submissions to be made requesting support for a longer term community initiatives through the submission process.

- C. Community driven/ not-for-profit events which have been **deliberately developed as an economic development tool to attract people** to York and market the town and Shire. There would be significant open events available for general participants. Benefits accrue from spend in local businesses and general marketing of York. A business case on application would be required.

This approach would entail a dedicated Tourism Events budget. The budget would provide relatively significant funding and in-kind support for those not-for-profit event projects considered to have real potential to grow visitors, especially overnight visitors.

It would be targeted and might be limited to one or two events per year so that Council could fund at a meaningful level. The applicant would be expected to be a legal entity (e.g. a Trust or Incorporated Society with formal not-for-profit status. This would give Council confidence that it was not funding a private business venture. Note: not for profit does not mean that entry charges cannot be used. It means that anything beyond a break even situation would be reinvested in the event itself, or other community benefits.

Criteria for selection might include:

- significant open entry
- links to one or more key York themes: e.g. heritage, arts, wildflowers, trails
- capacity to become independent of Council over time (allows Council to then help 'seed fund' other not-for-profit events).
- business plan quality

- D. Activities (including events) developed by sole traders or businesses as a profit making venture – i.e. as an income source, where the benefits accrue directly or via a Trust to the individuals as personal revenue - with collateral benefits through spend (depending on type of activity or event).

As a general principle, Council would not provide direct financial support for private businesses, on the basis that it is not appropriate for public funding to be expended on a private business, even if there is a multiplier effect from the business activity.

The Council would provide liaison and facilitation support for private profit based activities and events and support communication about the events through any of the Council channels where benefits are identified for the wider community. The Council would have the ability to consider in-kind support.

Council will need to consider and finalise any overall framework. A specific policy for the B and D categories remains to be fully documented and formally considered by the Council and consulted on via the 2016 Strategic Review process.

Voting Requirements:

Absolute Majority Required: No

RESOLUTION

030416

Moved: Cr Smythe

Seconded: Cr Randell

“That Council:

- 1. Approves the Sponsorship of Tourism Events Policy (C1.4) attached at Appendix A.”***

CARRIED: 7/0

SY034-04/16 - Shire of York (Council Meetings) Local Law 2016

FILE REFERENCE:	LE.LLW.3
APPLICANT OR PROPONENT(S):	Shire of York
AUTHORS NAME & POSITION:	Mark Dacombe, Acting Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL:	No
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	1. <i>Shire of York Local Government (Council Meetings) Local Law 2016</i> 2. Flowchart of the Local Law-Making Process

Nature of Council's Role in the Matter:

Legislative

Purpose of the Report:

The purpose of the report is to allow:

- 1) the Presiding Person to give notice to the Council meeting of the intent to make a new Local Government (Council Meetings) Local Law 2016;
- 2) the Presiding Person to give notice of the purpose and effect of the new *Local Government (Council Meetings) Local Law 2016*;
- 3) for the Council to adopt the proposed new *Local Government (Council Meetings) Local Law 2016* for advertising purposes;
- 4) for advertising of the proposed new *Local Government (Council Meetings) Local Law 2016* for public comment.

Background:

The Shire of York 2014 Probity Compliance Audit Report submitted to the Commissioner in April 2015 contained the recommendation that:

The council undertakes a review of its Local Law (Standing Orders) to reflect contemporary meeting processes, legislative changes and the manner in which the Council wishes to conduct its meetings.

Comments and details:

The Council has now been in place for several months and has worked through a program of policy development and strategic review. This has included how Council meetings are conducted with particular reference to the conduct of Public Question Time. Guidance on the conduct of meetings was, for the period from the election in October 2015 to early February 2016, provided by the Mentoring Panel.

This experience now makes the time right to enshrine the current practices in a new Local Law to reflect contemporary meeting processes and legislative changes since the adoption of the current Standing Orders in 2000. It is also noted that local laws are required to be reviewed no longer than 8 years after they come into effect making the current local law well out of date.

In making a new local law, the Council must comply with the provisions of section 3.12 of the Local Government Act 1995.

The *Local Government (Functions and General) Regulations* (Regulation 3) states:

For the purpose of section 3.12 of the Act, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that meeting; and the minutes of the meeting of the council include the purpose and effect of the proposed local law.

Purpose: The purpose of the local law is to provide for the orderly conduct of proceedings and business of the Council.

Effect: The effect of the local law is that all Council meetings, committee meetings, and other meetings as described in the Act, shall be governed by this local law unless otherwise provided in the Act, regulations or other written law.

At the conclusion of the advertising period a further report detailing any submissions received from interested parties will be presented to Council for consideration.

Implications to Consider:

Consultative

Section 3.12 of the Local Government Act 1995 requires an advertisement to be placed in a state-wide newspaper, inviting the public to comment on the proposed local law, with submissions being open for a period of not less than 6 weeks (42 days).

Strategic

New meeting procedures will ensure that the Council is conducting itself in accordance with contemporary meeting processes consistent with current legislation.

Policy related

There are no policy implications for this item.

Financial

There are no financial implications for this item.

Legal and Statutory

Section 3.12 of the Local Government Act 1995

The proposed local law is exempt from the requirement to undertake an assessment of any possible National Competition Policy implications (Department of Local Government Circular 916 – October 2009).

Risk related

There are no risk related implications.

Voting Requirements:

Absolute Majority Required: Yes

OFFICER RECOMMENDATION

“That Council:

1. *adopt the proposed Shire of York Local Government (Council Meetings) Local Law 2016, as contained in the attachment for advertising purposes;*
2. *pursuant to section 3.12 of the Local Government Act 1995, give State-wide public notice that it intends to make the Shire of York Local Government (Council Meetings) Local Law 2016 as contained in the Attachment:*
 - a. *the purpose of which is to provide for the orderly conduct of the proceedings and business of the Council; and*
 - b. *the effect of this local law is that all Council meetings, committee meetings, and other meetings as described in the Act, shall be governed by this local law unless otherwise provided in the Act, regulations or other written law.”*

The Council Moved the Officer Recommendation:

Motion to Amend:

Include an additional Advice Note to clarify that current Standing Orders will be repealed by gazettal of the new local law.

**RESOLUTION
040416**

Moved: Cr Saint

Seconded: Cr Ferro

“That Council:

1. *adopt the proposed Shire of York Local Government (Council Meetings) Local Law 2016, as contained in the attachment for advertising purposes;*
2. *pursuant to section 3.12 of the Local Government Act 1995, give State-wide public notice that it intends to make the Shire of York Local Government (Council Meetings) Local Law 2016 as contained in the Attachment:*
 - a. *the purpose of which is to provide for the orderly conduct of the proceedings and business of the Council; and*
 - b. *the effect of this local law is that all Council meetings, committee meetings, and other meetings as described in the Act, shall be governed by this local law unless otherwise provided in the Act, regulations or other written law.*

Advice Note:

To be aware that the Shire of York Local Law (Standing Orders) 1999 will be repealed by gazettal of the new local law.

CARRIED: 7/0

Disclosure of Interest: *Cr Saint – Impartial Interest – Provided documentation for the investigation.*

Councillors Voted for Cr Saint to remain in the room.

Moved: Cr Smythe

Seconded: Cr Heaton

Carried: 6/0

SY035-04/16 - Matters Referred To The Major Fraud Squad

FILE REFERENCE:

APPLICANT OR PROPONENT(S): Shire of York

AUTHORS NAME & POSITION: Mark Dacombe, Acting Chief Executive Officer

PREVIOUSLY BEFORE COUNCIL: 6 October 2015

DISCLOSURE OF INTEREST: Nil

APPENDICES: Nil

Nature of Council's Role in the Matter:

Executive

Purpose of the Report:

To receive information with respect to a matter referred by the Council to the Major Fraud Squad in October 2015.

Background:

At a Special Council meeting held on 6 October 2015 the Council resolved as follows:

That Council:

1. *Consider the actions recommended by Detective Sergeant Kearns Gangin, Major Fraud Squad Western Australian Police Force.*

2. *Provide Clear direction to the Acting CEO by way of Council resolutions to:*

a. request the Major Fraud Squad investigate possible offences as discussed at the meeting of Council, and Acting CEO with Detective Sergeant Kearns Gangin and Detective Sergeant Stuart Mirfin, Major Fraud Squad Western Australian Police Force at 2.00pm Monday 5 October 2015.

b. immediately provide a full copy of the Shire of York Response to the Show Cause notice as tabled at the Special Council Meeting 11 December 2014 to Detective Sergeant Kearns Gangin, Major Fraud Squad Western Australian Police Force.

c. immediately write to Detective Sergeant Kearns Gangin, Major Fraud Squad Western Australian Police Force requesting that the Major Fraud Squad investigate possible offences.

d. The letter to be signed by both the Acting Chief Executive Officer and the Shire President.

Comments and details:

The directions of the Council were carried out by the Acting Chief Executive Officer of the day, Mr Graeme Simpson and the matter left in the hands of Detective Sergeant, Kearns Gangin.

Advice has now been received from the Major Fraud Squad that the issues referred to them have been assessed.

They advise that there are explanations for the issues raised that do not reveal evidence that would justify a police investigation. The matters are either governance, accounting or record keeping issues for which there are explanations. They advise that what is or is not reasonable or justifiable expenditure of Shire funds or use of Shire resources is a matter for the Shire. They further advise that on assessment of the information provided the decision has been reached that no police investigation will be undertaken.

Implications to Consider:

Consultative

There are no issues related to consultation with respect to this matter.

Strategic

There are no strategic issues.

Policy related

It is noted that most of the issues raised are identified by the WA Police as governance issues. The matters are historical in the sense that there has since been an overhaul of the Council's policy manual and policies. While there is still work to be done there is a much stronger framework in place than there was when the issues first arose.

Financial

It is noted that good financial management processes are in place and continue to be a focus. This work is complementary to the governance work and goes hand in hand to strengthen systems, processes and probity.

Legal and Statutory

The Acting Chief Executive Officer has received legal advice that the **confidential** report from the Major Fraud Squad should not be released. The report is couched in such a way that individuals are easily identified and this would not be appropriate.

Risk related

Risks have been mitigated as far as possible with the governance, systems and processes being progressively reviewed.

Voting Requirements:

Absolute Majority Required: No

OFFICER RECOMMENDATION

“That Council:

- 1. note the information contained in the report that the WA Police having assessed the information provided to them, are not going to undertake an investigation; and*
- 2. note that work continues on strengthening governance, processes, and systems in the organisation and requests the Acting Chief Executive Officer to ensure that the incoming Chief Executive Officer is fully briefed on all pertinent matters.”*

The Council Moved the Officer Recommendation:

Motion to Amend

To include a new Point 2 –

To note that the decision of the WA Police could be based only on limited information provided to them in October 2015.

Current Point 2 to become Point 3.

Moved: Cr Saint

Seconded: Cr Walters

**LOST: 2/5
Amendment Defeated**

Original Officer Recommendation to Stand

**RESOLUTION
050416**

Moved: Cr Randell

Seconded: Cr Heaton

“That Council:

- 1. note the information contained in the report that the WA Police having assessed the information provided to them, are not going to undertake an investigation; and*
- 2. note that work continues on strengthening governance, processes, and systems in the organisation and requests the Acting Chief Executive Officer to ensure that the incoming Chief Executive Officer is fully briefed on all pertinent matters.”*

CARRIED: 5/2

SY036-04/16 - Appointment Of Chief Bush Fire Officer

FILE REFERENCE:

APPLICANT OR PROPONENT(S): Shire Of York
AUTHORS NAME & POSITION: Mark Dacombe, Acting Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL:
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil

Nature of Council's Role in the Matter:

Executive

Purpose of the Report:

To appoint a Chief Bush Fire Officer following the resignation of Mr Terry Davies.

Background:

The Bushfires Act 1954 provides for the appointment by a local government of a person to be its Chief Bush Fire Control Officer. When a vacancy occurs the local authority is required to appoint a replacement.

Comments and details:

Mr Terry Davies has resigned as the Shire of York Chief Bush Fire Control Officer. Attempts have been made to recruit a person to replace him but to no avail.

There is a time constraint (one month) under the Act to fill a vacancy and this has passed. To cover an interim period while a search for a volunteer progresses it is proposed to appoint the Shire's Community Emergency Services Manager, Mr Justin Corrigan to fill the position for a period of 4 months.

Implications to Consider:

Consultative

Mr Corrigan is employed jointly with the Shire of Beverley. This proposal has been discussed informally with the Chief Executive Officer of the Shire of Beverley who understands the issue and is prepared to support the appointment for an interim period.

Strategic

No strategic issues

Policy related

No policy related issues

Financial

It will be necessary to pay an additional duties allowance to Mr Corrigan while he holds the position

Legal and Statutory

The statutory reference is Section 38 of the Bush Fire Act 1954

Risk related

The main risk is created by any delay in making an appointment. The Commissioner is authorised to make an appointment and if that authorisation was exercised the default appointment would most likely be the Shire Chief Executive Officer.

Voting Requirements:
Absolute Majority Required: No

**RESOLUTION
060416**

Moved: Cr Smythe

Seconded: Cr Walters

“That Council:

- 1. *pursuant to Section 38 (1) of the Bush Fires Act 1954 appoint Justin Corrigan to the position of Chief Bush Fire Control Officer for a period of 4 months from 18 April 2016***
- 2. *public notification be made of the appointment in a newspaper circulating in the Shire.”***

CARRIED: 7/0

SY037-04/16 - 2014 Probity Compliance Audit Report

FILE REFERENCE:

APPLICANT OR PROPONENT(S): Shire Of York

AUTHORS NAME & POSITION: Mark Dacombe, Acting Chief Executive Officer

PREVIOUSLY BEFORE COUNCIL: 15 May 2015

DISCLOSURE OF INTEREST: Nil

APPENDICES:

- 1) Letter from the Director General, Department Of Local Government And Communities – 7 April 2015
- 2) Shire Of York 2014 Probity Compliance Report

Nature of Council's Role in the Matter:

Executive

Purpose of the Report:

To receive and adopt the final responses to the recommendations contained in the Shire of York 2014 Probity Compliance Report and to seek the final sign off from the Department of Local Government and Communities of the actions taken by the Council in response to the recommendations.

Background:

In September 2014 the Department of Local Government and Communities (the Department) undertook a probity audit at the Shire of York. A report was prepared by the Department that identified concerns with the Shire's level of probity in particular areas where processes and procedures require prompt attention.

The Department noted a number of areas of particular concern including:

- the Council's decision-making framework including meeting processes and practices, especially in regard to statutory compliance for declarations of interest and the standard of information recorded in the minutes of meetings;
- the standard and manner of general and statutory record keeping by the Shire, especially in relation to the retention of records, recording of information in the minutes of meetings and in registers, such as the register of financial interests;
- policy manual and Council policies, which are in need of review in order to upgrade and introduce additional policies to improve the quality of the Shire's policy structure,
- delegations register and delegations, which are in need of review due to the out of date information, legislative references and relevancy of a number of the delegations; and
- improvement of complaints handling policy and procedures to provide guidance in supporting a more effective and reliable system of handling complaints.

Comments and details:

The Department of Local Government and Communities wrote to the Commissioner on 7 April 2015, enclosed the report and requested that it be tabled at the next meeting of the Council and a detailed action plan and timeframe on how the report recommendations would be implemented to be submitted by 30 April 2015. Department also advised that matters related to the training of elected members would be coordinated by the Department as the Councillors had since been suspended by the Minister.

The report and action plan was considered at the Council meeting held on 15 May 2015. Subsequently the Departmental officer who was also a member of the Mentoring Panel has monitored progress with the implementation of the recommendations.

The actions that have been taken to implement the recommendations are summarised in the following table and all are now either complete or in formal processes that will see them to completion:

PROBITY AUDIT REVIEW

RECOMMENDATION	ACTION TAKEN	COMPLETED DATE OR EXPECTED COMPLETION
<p>Recommendation 1: That council members and key members of staff receive training on declarations of interest at council meetings, and the proper recording of the declarations in the minutes of those meetings.</p>	<p>Training was undertaken by council members and key members of staff.</p> <p>Post-election induction</p>	<p>6th May, 2015</p> <p>Conducted during November and December 2015</p>
<p>Recommendation 2: The CEO amend the register of financial interests and disclosure forms to provide for the disclosure of information which complies with the Act.</p>	<p>Pro forma received from the DLGC for our use.</p>	<p>Form received 6th May, 2015 Register implemented Register implemented September 2015</p>
<p>Recommendation 3: That council members and key members of staff receive training on the recording of information in financial interest returns.</p>	<p>Training was undertaken by council members and key members of staff as part of the training program for suspended Councillors.</p> <p>Post-election induction covered this issue also.</p>	<p>6th May, 2015</p> <p>Conducted during November and December 2015</p>
<p>Recommendation 4: That relevant council members and employees make the necessary corrections to time periods, dates, missing signatures and blank sections of their returns by amending each return or replacing the return with the correct information where applicable.</p>	<p>Compliance Officer confirms that current documents are correctly completed. Councillors who have been with the Shire of York for the period of the Probity Report are compliant.</p>	<p>Completed as at April 2016</p>
<p>Recommendation 5: The CEO implements a process that checks for discrepancies in the manner in which information is completed in financial interest returns with any discrepancies being brought to the relevant elected member's attention for correction.</p>	<p>HR/Compliance Officer undertook training to monitor financials interest returns.</p> <p>Post-election induction covered this issue.</p>	<p>6th May, 2015</p> <p>Conducted during November and December 2015.</p>

<p>Recommendation 6: Council members undertake training in council meeting process and statutory meeting procedure</p>	<p>Training was undertaken by council members as part of the training program for suspended Councillors.</p> <p>On-going real-time guidance provided by the Mentoring Panel post 2015 election. The issue was also addressed during post-election induction.</p>	<p>23rd April 2015</p> <p>November, December, January Council meetings and workshops.</p>
<p>Recommendation 7: That council ensures all of its motions are in a form that is clear in the intent. Each motion should stand alone and allow a person to understand exactly what decision has been made without the need to refer to any other document.</p>	<p>Training was undertaken by council members and key members of staff as part of the training program for suspended Councillors.</p>	<p>23rd April 2015</p>
<p>Recommendation 8: The key members of staff undertake training in report writing and the framing of recommendations that support clarity in council motions.</p>	<p>Training was undertaken by key members of staff.</p> <p>Internal checks are in place with final sign off prior to Agenda release by the CEO.</p> <p>An on-going issue being monitored by the Chief Executive Officer.</p>	<p>23rd April 2015</p> <p>Monitored for quality control on an ongoing basis.</p>
<p>Recommendation 9: The council undertakes a review of its Local Law (Standing Orders) to reflect contemporary meeting processes, legislative changes and the manner in which the Council wishes to conduct its meetings.</p>	<p>The Local Law has been reviewed to reflect contemporary meeting processes and incorporate changes since the last law was Gazetted in 2000.</p>	<p>To be submitted for adoption at the Ordinary Council meeting of 18 April 2016.</p> <p>This will commence the legal process and the local law will be advertised following the meeting.</p>
<p>Recommendation 10: That Council members and key members of staff receive training in regard to the Shire's recordkeeping plan for recording and retaining information and relevant provisions in the <i>State Records Act 2000</i> regarding the keeping of records.</p>	<p>Review completed and submitted to the State Records Office.</p> <p>2015 Record Keeping Plan provided to the SRO in November 2015, amended in response to their recommendations and final approval 31 March 2016.</p>	<p>Reviewed at the May Council meeting. Acknowledged by the SRO 15 June 2015</p>

	In January 2016 the Council adopted a new policy to provide clear guidelines on how they will comply with their responsibilities under the State Records Act .	28 January 2016
Recommendation 11: That council review its committee structure and each committees' terms of reference to ensure that its function and operation complies with the Act and that all members of committees are made aware of their statutory obligations, and the property role that committees are to play in the decision making process.	Commissioner disbanded Finance, Risk and Audit Committee, and subsequently disbanded the Works Committee and Heritage Committee at June 2015 Ordinary Council meeting. The Council established its new structure at its inaugural meeting in October 2015 with the result that only one committee was created. The Audit Committee is a committee of the whole with no delegated powers.	June 2015 October 2015
Recommendation 12: As part of the review undertaken, in accordance with recommendation 13, that council consider the option of disbanding its advisory committees, except for its FRAC, and hold two council meetings per month to deal with matters previously dealt with by the committees.	The Council conducts its business in one Council meeting monthly. There are currently no advisory committees. A briefing conducted by the Chief Executive Officer is held on the Monday preceding the Council meeting. This briefing covers matters that will be submitted to the Council at the forthcoming Ordinary Council Meeting and gives an early indication of items that are in the pipeline for future meetings. Subject specific briefings and site visits are conducted on an as required basis.	October 2015 This approach will be reviewed by the Council after a settling down period with the new Chief Executive Officer who is commencing on 26 April 2016.

<p>Recommendation 13: That the Shire's complaints officer reviews the information contained in the complaints register regarding the description recorded for a minor breach and amends the information to ensure that it complies with section 5.121(2)(c) of the Act.</p>	<p>Amended and recorded in the 2013/14 Annual Report tabled at the Annual Electors meeting in 2015.</p>	<p>This was reviewed and amended in May 2015.</p>
<p>Recommendation 14: That council gives priority to the preparation of a new draft comprehensive complaints policy that is to contain guidance on the process and procedure to be followed when dealing with complaints made to the Shire.</p>	<p>A Comprehensive Complaints policy was adopted by the Council on 28 January 2016 and came into effect on 28 March 2016.</p>	<p>Adopted 28 January 2016 effective 28 March 2016</p>
<p>Recommendation 15: That council and the CEO give priority to undertaking a review of delegations that includes updating the register by amending out of date delegations and deleting invalid or unnecessary delegations.</p>	<p>The review of delegations is to be submitted to the April 2016 Ordinary Council Meeting .</p>	<p>18 April 2016</p>
<p>Recommendation 16: That council give priority to reviewing its policy manual and policies to support a high standard of direction and guidance in its decision making processes.</p>	<p>An extensive review of policies has been undertaken with the first tranche of 24 policies being adopted in January 2016 and the second tranche of 18 adopted in February 2016.</p>	<p>October-December 2015 28 January 2016 22 February 2016</p>
<p>Recommendation 17: That the Director General of the Department of Local Government and Communities presents the Shire of York Probity Compliance Audit Report 2014 to the Council of the Shire of York for its comment and response, which is to include what action it proposes to take in implementing the report recommendations.</p>	<p>Extension granted until the 30th May, 2015. Report and action plan to be tabled at the Ordinary Council Meeting to be held on 25th May, 2015.</p> <p>The current Acting Chief Executive Officer was tasked with completing the response to the Probity Audit and progress was regularly checked on by the DLGC Mentor.</p>	<p>25th May, 2015</p> <p>October 2015 – April 2016</p>

<p>Note: A number of the issues and recommendations contained in the probity report relate to the training of Councillors. Two policies were adopted in January and February 2016 to address this. These are Policy G1.2 Councillors: Professional Development and G1.5 Induction for Councillors.</p>	<p>G1.2 makes it a responsibility of the Chief Executive Officer to prepare annually in consultation with Councillors a Governance Training Package for implementation in that year.</p> <p>G1.5 makes it a responsibility of the Chief Executive Officer to prepare an induction program for Councillors to commence immediately after an election and to be completed no later than three months after the election date. The policy has appended to it the titles of the subject matter to be included but the program is not limited to that subject matter.</p>	
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Advice of the actions taken should now be submitted to the Department of Local Government and Communities with a request for confirmation that the required actions have been completed to the satisfaction of the department.

Implications to Consider:

Consultative

There has been on-going consultation with the Director of Local Government Regulation and Support who was also on the Mentoring Panel. These discussions included both content of the Shire's response and progress with the action plan.

Legal and Statutory

The issues raised in the probity report included the potential for breaches of relevant legislation.

Risk related

The issues raised in the probity report included a high level of risk to the Shire's ability to provide a quality customer service, meet statutory requirements and maintain a good reputation in the community.

Voting Requirements:

Absolute Majority Required: No

**RESOLUTION
070416**

Moved: Cr Smythe

Seconded: Cr Heaton

“That Council:

- 1. notes the actions taken to address the recommendations of the 2014 Probity Audit;
and***
- 2. requests the Department of Local Government and Communities to confirm that the
requirements of the Probity Audit have been met.”***

CARRIED: 7/0

SY038-04/16 – Financial Report for March 2016

FILE REFERENCE:	FI.FRP
APPLICANT OR PROPONENT(S):	Not Applicable
AUTHORS NAME & POSITION:	Tabitha Bateman, Financial Controller
PREVIOUSLY BEFORE COUNCIL:	No
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Monthly Statements
	List of Creditors Payments
	Corporate Credit Card Transaction Listing

Purpose of the Report:

The purpose of financial reporting and the preparation of monthly financial statements, is to communicate information about the financial position and operating results of the Shire of York to Councillors and the community and monitors the local government's performance against budgets.

Background:

Local governments are required to prepare general purpose financial reports in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards.

Comments and details:

The Financial Report for the period ending 31 March 2016 is presented for consideration and includes the following;

- Monthly Statements for the period ended 31 March 2016
- List of Creditors Payments
- Corporate Credit Card Transaction Listing

The following information provides balances for key financial areas for the Shire of York's financial position as at 31 March 2016;

Outstanding Rates and Services

Total outstanding rates as at 31 March 2016 are \$911,827 compared to \$1,001,492 as at 29 February 2016.

3 Years & over	\$ 151,569	16.62% of rates outstanding
2 Years & over	\$ 62,400	6.84% of rates outstanding
1 Years & over	<u>\$ 163,519</u>	17.93% of rates outstanding
<i>Total Prior Years</i>	<i>\$ 377,487</i>	<i>41.40% of rates outstanding</i>

Current rates \$ 534,340 58.60% of rates outstanding

Outstanding Sundry Debtors

Total outstanding sundry debtors as at 31 March 2016 are \$406,179 compared to \$488,435 as at 29 February 2016.

90 days & over	\$ 302,225	74.41% of sundry debtors outstanding
60 days & over	\$ 6,724	1.66% of sundry debtors outstanding
30 days & over	\$ 47,909	11.79% of sundry debtors outstanding
Current	\$ 49,321	12.14% of sundry debtors outstanding

Voting Requirements:

Absolute Majority Required: No

**RESOLUTION
080416**

Moved: Cr Ferro

Seconded: Cr Heaton

“That Council:

Receive the Monthly Financial Report and the list of payments drawn from the Municipal and Trust accounts for the period ending 31 March 2016 as summarised below:

MUNICIPAL FUND	AMOUNT
Cheque Payments	28,338.48
Electronic Funds Payments	569,000.02
Payroll Debits	259,319.89
Payroll Debits - Superannuation	54,032.10
Bank Fees	1,036.98
Corporate Cards	310.00
Viva Energy - Fuel Cards	12.50
Fire Messaging Service	729.96
TOTAL	912,779.93
TRUST FUND	
Electronic Funds Payments	622.76
Cheque Payments	0.00
Direct Debits Licensing	129,937.30
TOTAL	130,560.06
TOTAL DISBURSEMENTS	1,043,339.99 ”

CARRIED: 5/2

SY039-04/16 – Investments – March 2016

FILE REFERENCE: FI.FRP
APPLICANT OR PROPONENT(S): Not Applicable
AUTHORS NAME & POSITION: Tabitha Bateman, Financial Controller
PREVIOUSLY BEFORE COUNCIL: No
DISCLOSURE OF INTEREST: Nil
APPENDICES: Investment Portfolio

Purpose of the Report:

To report to Council the balance of investments held by the Shire of York as at 31 March 2016.

Background:

The investment policy requires Council to review the performance of its investments on a monthly basis. In accordance with the policy, a report of investments is presented to Council to provide a summary of investments held by the Shire of York.

Comments and details:

The Shire of York Investment Portfolio includes the following items that highlight Council's investment portfolio performance:

- a) Council's Investments as at 31 March 2016
- b) Application of Investment Funds
- c) Investment Performance

Voting Requirements:

Absolute Majority Required: No

**RESOLUTION
090416**

Moved: Cr Saint

Seconded: Cr Randell

“That Council:

Receive the Shire of York Investment Portfolio attached to this report.”

CARRIED: 7/0

SY040-04/16 – Request for Financial Assistance

FILE REFERENCE: FI.DON
APPLICANT OR PROPONENT(S): York Pony Club
AUTHORS NAME & POSITION: T Cochrane, DCEO
PREVIOUSLY BEFORE COUNCIL: N/A
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil

Nature of Council’s Role in the Matter:

Legislative - Local Government Act 1995

The Chief Executive Officer only has delegated authority to approve financial support up to a value of \$500.00.

Purpose of the Report:

The York Pony Club are hosting the Avon Zone Eventing Championship over the 7th and 8th May 2016 and request financial assistance for the hiring of equipment for the event.

Background:

Last year approximately 60 riders competed with many staying in York over the 2 days with their supporters.

The Council has previously provided sponsorship in the 2013/14 financial year to a value of \$900.00.

Comments and details:

To host the event the Club will need to hire a State level show-jumping course, eventing equipment, PA system these items are \$1,300, which the club is requesting Council cover the costs.

It is important that Council are seen to be supportive of our youth by recognising their efforts and encouraging health and wellbeing in the community. It is recommended that Council approves the financial assistance to the York Pony Club.

Implications to Consider:

Financial - The Shire of York’s 2015/16 Annual Budget provides for sports-related sponsorships and donations. If Council accepts the recommendation expenditure of \$1,300.00 this will be taken from GL 113167 and will leave a balance at the time of writing the report of \$2,080.00.

Voting Requirements:

Absolute Majority Required: Yes – Unbudgeted expenditure

RESOLUTION

100416

Moved: Cr Randell

Seconded: Cr Ferro

“That Council:

Approves funding of \$1,300.00 to the York Pony Club towards the cost of hiring equipment for the Avon Zone Eventing Championship to be held 7 and 8 May 2016, subject to a copy of the invoices being provided.”

CARRIED: 7/0

10.NEXT MEETING

RESOLUTION

110416

Moved: Cr Walters

Seconded: Cr Heaton

“That Council:

holds the next Ordinary Meeting of the Council on Monday, 23rd May, 2016 at 5.00pm in the Talbot Hall, Talbot.”

CARRIED: 7/0

11.CLOSURE

The Shire President gave a special thank you to Mark Dacombe for his support and thanked everyone for their attendance and closed the meeting at 6.00pm.