

# SHIRE OF YORK

**MINUTES OF THE SPECIAL  
MEETING OF THE COUNCIL  
HELD ON 1 JULY, 2013  
COMMENCING AT 4.00pm  
IN COUNCIL CHAMBERS,  
YORK TOWN HALL, YORK**



**SHIRE OF YORK**  
**DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Shire of York for any act, omission or statement or intimation occurring during Council meetings.

The Shire of York disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the Shire of York during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of York.

The Shire of York notifies that anyone who has any application lodged with the Shire of York must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of York in respect of the application.

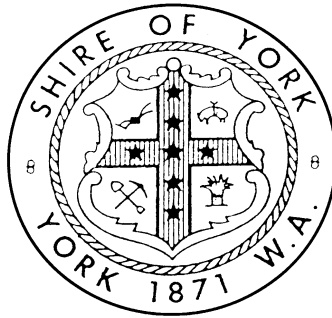
RAY HOOPER  
CHIEF EXECUTIVE OFFICER



# Table of Contents

|   |           |
|---|-----------|
| <b>1. OPENING .....</b>   | <b>7</b>  |
| 1.1 Declaration of Opening .....  | 7         |
| 1.2 Chief Executive Officer to read the disclaimer.....                 | 7         |
| 1.3 Suspension of Standing Orders (undergoing the repeal process) ..... | 7         |
| 1.4 Announcement of Visitors .....                                      | 7         |
| 1.5 Announcement of any Declared Financial Interests .....              | 7         |
| <b>2. ATTENDANCE .....</b>  | <b>7</b>  |
| 2.1 Members.....  | 7         |
| 2.2 Staff.....  | 7         |
| 2.3 Apologies.....  | 7         |
| 2.4 Leave of Absence Previously Approved.....                           | 7         |
| 2.5 Number of People in Gallery at Commencement of Meeting.....         | 7         |
| <b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>   | <b>8</b>  |
| 3.1 Previous Public Questions Taken on Notice.....                      | 8         |
| <b>4. PUBLIC QUESTION TIME.....</b>                                     | <b>8</b>  |
| 4.1 Written Questions – Current Agenda .....                            | 8         |
| 4.2 Public Question Time.....   | 8         |
| <b>5. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>                       | <b>8</b>  |
| <b>6. PETITIONS / PRESENTATIONS / DEPUTATIONS.....</b>                  | <b>8</b>  |
| <b>7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>             | <b>8</b>  |
| <b>8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....</b>     | <b>8</b>  |
| <b>9. OFFICER'S REPORTS.....</b>  | <b>8</b>  |
| <b>9.1 Development Services.....</b>                                    | <b>9</b>  |
| <b>9.2 Administration Reports .....</b>                                 | <b>11</b> |
| <b>9.3 Works Reports .....</b>  | <b>13</b> |
| <b>9.4 Financial Reports.....</b>                                       | <b>15</b> |
| 9.4.1 Investments – May 2013.....                                       | 17        |
| Item 9.4.1 – Appendices .....   | 19        |
| 9.4.2 Monthly Financial Reports – May 2013.....                         | 21        |
| Item 9.4.2 – Appendices .....   | 23        |
| 9.4.3 Tender for Vibrating Roller.....                                  | 25        |
| <b>9.5 Late Reports.....</b>  | <b>29</b> |
| <b>9.6 Confidential Reports.....</b>                                    | <b>31</b> |
| <b>10. NEXT MEETING .....</b>   | <b>33</b> |
| <b>11. CLOSURE .....</b>  | <b>33</b> |





## SHIRE OF YORK

THE SPECIAL MEETING OF THE COUNCIL  
HELD ON MONDAY, 1 JULY, 2013, COMMENCING AT  
4.00PM 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 Tony Boyle, Shire President, declared the meeting open at 4.00pm*
- 1.2 Chief Executive Officer to read the disclaimer  
*Ray Hooper, Chief Executive Officer, read the disclaimer*
- 1.3 Suspension of Standing Orders (undergoing the repeal process)  
Moved: Cr Lawrance; Seconded: Cr Hooper - Carried: 5/0
- 1.4 Announcement of Visitors  
*Nil*
- 1.5 Announcement of any Declared Financial Interests  
*Nil*

### 2. ATTENDANCE

- 2.1 Members  
*Cr Tony Boyle, Shire President; Cr Roy Scott, Deputy Shire President;  
Cr Brian Lawrance; Cr Pat Hooper; Cr Mark Duperouzel*
- 2.2 Staff  
*Ray Hooper, Chief Executive Officer; Gail Maziuk, Finance Officer/Project  
Co-Ordinator; Helen D'Arcy-Walker, Executive Support Officer*
- 2.3 Apologies  
*Cr Denese Smythe*
- 2.4 Leave of Absence Previously Approved  
*Nil*
- 2.5 Number of People in Gallery at Commencement of Meeting  
*There were nil people in the Gallery at the commencement of the meeting.*

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

3.1 Previous Public Questions Taken on Notice  
*Nil*

**4. PUBLIC QUESTION TIME**

4.1 Written Questions – Current Agenda  
*Nil*

4.2 Public Question Time  
*Nil*

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

*Cr Pat Hooper*

**RESOLUTION  
010713**

**Moved: Cr Scott**

**Seconded: Cr Duperouzel**

***“That Council grant a leave of absence to Cr Pat Hooper for the Council Meeting scheduled for 19<sup>th</sup> August, 2013”***

***CARRIED: 5/0***

**6. PETITIONS / PRESENTATIONS / DEPUTATIONS**

*Nil*

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

*Nil*

**8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

*Nil*

**9. OFFICER’S REPORTS**



## **9.1 Development Services**



## 9.2 Administration Reports



### **9.3 Works Reports**



## 9.4 Financial Reports





**9. OFFICER'S REPORTS**  
**9.4 FINANCE REPORTS**  
**9.4.1 Investments – May 2013**

|                                |   |
|--------------------------------|---|
| <b>FILE NO:</b>                | <b>FI.FRP</b>                             |
| <b>COUNCIL DATE:</b>           | <b>1 July 2013</b>                        |
| <b>REPORT DATE:</b>            | <b>10 June 2013</b>                       |
| <b>LOCATION/ADDRESS:</b>       | <b>Shire of York</b>                      |
| <b>APPLICANT:</b>              | <b>N/A</b>                                |
| <b>SENIOR OFFICER:</b>         | <b>Ray Hooper, CEO</b>                    |
| <b>REPORTING OFFICER:</b>      | <b>Tabitha Bateman, FO</b>                |
| <b>DISCLOSURE OF INTEREST:</b> | <b>Nil</b>                                |
| <b>APPENDICES:</b>             | <b>Shire of York Investment Portfolio</b> |
| <b>DOCUMENTS TABLED:</b>       | <b>Nil</b>                                |

**Summary:**

That Council consider the investment portfolio as attached.

**Background:**

The investment policy requires Council to review the performance of its investments on a monthly basis.

**Consultation:**

Auditors; and  
Dominic Carbone.

**Statutory Environment:**

Not Applicable.

**Policy Implications:**

In accordance with the Financial Management Investment Policy.

**Financial Implications:**

Credit Ratings:

**Strategic Implications:**

Not applicable.

**Voting Requirements:**

**Absolute Majority Required: No**

**Site Inspection:**

**Site Inspection Undertaken: Not applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

Not applicable.

**Social Implications:**

Not applicable.

**Environmental Implications:**

Not applicable.

**Comment:**

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 as at 31 May 2013.

The Shire of York Investment Portfolio identifies Council's investment type, term to maturity and investment value.

The reporting will be reviewed on an ongoing basis by the Auditors and staff.

**RESOLUTION  
020713**

**Moved: Cr Scott**

**Seconded: Cr Hooper**

***"That Council receive the Shire of York Investment Portfolio as attached to this report."***

***CARRIED: 5/0***

*Cr Duperouzel stated that the ladies in the Finance Department do a fantastic job collating all the financial information required.*

## Item 9.4.1 – Appendices



**9. OFFICER'S REPORTS**

**9.4 FINANCE REPORTS**

**9.4.2 Monthly Financial Reports – May 2013**

**FILE NO:** FI.FRP  
**COUNCIL DATE:** 1 July 2013  
**REPORT DATE:** 10 June 2013  
**LOCATION/ADDRESS:** Not Applicable  
**APPLICANT:** Not Applicable  
**SENIOR OFFICER:** Ray Hooper, CEO  
**REPORTING OFFICER:** Tabitha Bateman, Administration Officer  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Yes – Appendix A as detailed in Summary  
**DOCUMENTS TABLED:** Nil

**Summary:**

The Financial Report for the period ending 31 May 2013 is hereby presented for the consideration of the Council.

Appendix A includes the following:

- Monthly Statements for the period ended 31 May 2013
- Bank Account Reconciliations
- List of Creditors Payments
- Payroll Direct Debits Summary
- Corporate Credit Card Summary
- Fuel Card Summary

**Consultation:**

Dominic Carbone

**Statutory Environment:**

Local Government Act 1995 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

**Policy Implications:**

Nil.

**Financial Implications:**

The following information provides balances for key financial areas for the Shire of York's financial position as at 31 May 2013;

|   |                     |
|---|---------------------|
| Sundry Creditors as per General Ledger                            | <b>\$41,603.88</b>  |
| Sundry Debtors as per General Ledger                              | <b>\$732,869.90</b> |
| Unpaid rates and services current year (paid in advance inc. ESL) | <b>\$381,326.67</b> |
| Unpaid rates and services previous years (inc. ESL)               | <b>\$476,774.92</b> |

**Strategic Implications:**

Nil

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Not applicable

**Triple bottom Line Assessment:**

**Economic Implications:**

A zero balance or surplus end of year financial position will increase community confidence and cohesion and provide an opportunity for improved community benefits in future years.

**Social Implications:**

Not applicable.

**Environmental Implications:**

Not applicable.

**Comment:**

Not applicable.

**RESOLUTION  
030713**

**Moved: Cr Hooper**

**Seconded: Cr Lawrance**

***“That Council:***

***Receive the Monthly Financial Report for May and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 May 2013:***

|                                  | <u>VOUCHER</u> | <u>AMOUNT</u>                     |
|----------------------------------|----------------|-----------------------------------|
| <b>MUNICIPAL FUND</b>            |                |                                   |
| <i>Cheque Payments</i>           | 30665 - 30702  | \$ 114,069.49                     |
| <i>Electronic Funds Payments</i> | 10789 - 10898  | \$ 644,131.88                     |
| <i>Direct Debits Payroll</i>     |                | \$ 253,205.88                     |
| <i>Bank Fees</i>                 |                | \$ 606.74                         |
| <i>Corporate Cards</i>           |                | \$ 4,575.10                       |
| <i>Shell Cards</i>               |                | <u>\$ 242.89</u>                  |
| <b>TOTAL</b>                     |                | <b><u>\$1,016,831.98</u></b>      |
| <br><b>TRUST FUND</b>            |                |                                   |
| <i>Cheque Payments</i>           | 4132 - 4145    | \$ 4,075.09                       |
| <i>Direct Debits Licensing</i>   |                | <u>\$ 102,369.00</u>              |
| <b>TOTAL</b>                     |                | <b><u>\$ 106,444.09</u></b>       |
| <br><b>TOTAL DISBURSEMENTS</b>   |                | <br><b><u>\$1,123,276.07”</u></b> |

**CARRIED: 5/0**

## Item 9.4.2 – Appendices





## 9. OFFICER'S REPORTS

### 9.4 FINANCE REPORTS

#### 9.4.3 Tender for Vibrating Roller

|                                |  |
|--------------------------------|--|
| <b>FILE NO:</b>                | <b>FI.BUD1213</b>                                  |
| <b>COUNCIL DATE:</b>           | <b>1 July 2013</b>                                 |
| <b>REPORT DATE:</b>            | <b>26 June 2013</b>                                |
| <b>LOCATION/ADDRESS</b>        | <b>N/A</b>   |
| <b>APPLICANT:</b>              | <b>N/A</b>   |
| <b>SENIOR OFFICER:</b>         | <b>Ray Hooper</b>                                  |
| <b>REPORTING OFFICER:</b>      | <b>Gail Maziuk – Senior Administration Officer</b> |
| <b>DISCLOSURE OF INTEREST:</b> | <b>Nil</b>   |
| <b>APPENDICES:</b>             | <b>Nil</b>   |
| <b>DOCUMENTS TABLED:</b>       | <b>Nil</b>   |

#### **Summary:**

Tender 03-1213 for the supply of a Vibrating Roller was issued on Monday 13 May 2013 and closed on Thursday 13 June 2013. RFT was advertised in the West Australian on 11 May 2013.

#### **Background:**

Shire's current Vibrating Roller (P144–Y4894) has reached its serviceable life. This item of plant now requires replacement.

A total of 8 tenderers submitted prices with 14 different options, 4 tenderers provided multiple options.

Tenders were received from the following companies:

1. McIntosh & Sons
2. Tutt Bryant Equipment - 2 options
3. CDJ Equipment P/L - 2 tenders
4. GCM Agencies P/L
5. Westrac P/L - 2 options
6. Wirtgen Australia
7. JCB Construction P/L
8. Conplant P/L - 3 options and 1 alternative tender

All tenders were conforming and satisfied the selection/qualitative criteria as specified in the tender document

- Cost – Net Changeover price
- Warranty
- Machines supplied to other Local Government Authorities
- Delivery timeframe

All tenders were reviewed and scored according to the qualitative criteria

**Prices and proposed equipment submitted by tender were:**

| #  | Tenderer              | Model No. / Description                  |
|----|-----------------------|--|
| 1  | McIntosh & Son P/L    | LUIGONG CLG614                           |
| 2  | Tutt Bryant Equipment | BOMAG BW 211D-4                          |
| 3  | Tutt Bryant Equipment | BOMAG BW 216D-4                          |
| 4  | CJD Equipment P/L     | VOLVO SD 130D                            |
| 5  | CJD Equipment P/L     | VOLVO SD 160DX                           |
| 6  | GCM Agencies P/L      | MULTIPAC SSR 180                         |
| 7  | Westrac P/L           | USED CATERPILLAR CS 74                   |
| 8  | Westrac P/L           | NEW CATERPILLAR CS 74                    |
| 9  | Wirtgen Australia     | HAMM 3414                                |
| 10 | JCB Construction P/L  | JCB VM 166D VIBROMAZ                     |
| 11 | Conplant P/L          | AMMANN ASC 13 OD                         |
| 12 | Conplant P/L          | AMMANN ASC 15 OD                         |
| 13 | Conplant P/L          | AMMANN ASC 17 OD                         |
| 14 | Conplant P/L          | AMMANN ASC 11 OD<br>(Alternative Tender) |
|    |                       |  |

**Consultation:**

Depot / Works staff

**Statutory Environment:**

Local Government Tender Regulations

**Policy Implications:**

Nil

**Financial Implications:**

Council approved provision of funds to facilitate the replacement of the existing Roller (Plant number P144) in 12/13 financial budget.

Tenders received in RFT 03-1213 were all within Council's estimate of cost range of a net changeover cost of \$155,000.

**Strategic Implications:**  
**Shire of York 2012 Strategic Community Plan**

**Governance:** Strengthen Shire Leadership  
**Outcome:** Sustainable resource management  
**Objective:** Ensure resources are managed effectively.

**Voting Requirements:**  
**Absolute Majority Required:** Yes

**Site Inspection:**  
**Site Inspection Undertaken:** Not Applicable

**Triple bottom Line Assessment:**

**Economic Implications:**

Council maintains a plant replacement program to ensure that its mechanical resources are at peak effectiveness.

**Social Implications:**

Reliable modern machinery ensures that the community is serviced to best practice standards.

**Environmental Implications:** Nil

**Comment:**

The current machine is in the 11-13 tonne range and the recommended weight range to MRWA compaction requirements is in the 16-18 tonne range and the staff recommendation is in the higher range.

The preferred models based on price, weight, local service capacity, warranty, delivery and past machine history were the Bomag BW 216D-4, Volvo SD160DX and the caterpillar CS 74 (new).

**RESOLUTION**  
**040713**

**Moved:** Cr Duperouzel

**Seconded:** Cr Lawrance

***“That Council:***

- 1. Accept the tender for the supply and delivery to the Shire Depot, York of a smooth drum Vibrating Roller (Tender 03-1213) submitted by CJD Equipment Pty Ltd for a Volvo SD160DX at a purchase price of \$174,000 exclusive of GST and the trade-in of the existing caterpillar vibrating roller at a value of \$40,000 exclusive of GST for a net changeover cost of \$134,000.***
- 2. Authorise the purchase of a padfoot shell to suit the machine at a cost of \$14,256 excluding GST.”***

**CARRIED: 5/0**



## 9.5 Late Reports



## 9.6 Confidential Reports





## 10. NEXT MEETING

**RESOLUTION  
050713**

**Moved: Cr Scott**

**Seconded: Cr Lawrance**

***“That Council:***

***hold the next Ordinary Meeting of the Council on July 15, 2013 at 3.00pm in the Council Chambers, York Town Hall, York.”***

***CARRIED: 5/0***

## 11. CLOSURE

*Cr Boyle thanked everyone for their attendance and declared the meeting closed at 4.17pm.*