

Shire of Perenjori

MINUTES

Ordinary Council Meeting

Held in the Shire of Perenjori Council Chambers, Fowler Street, Perenjori on **18th October 2012, commencing at 1.30pm**

Table of Contents

12101	PRELIMINARIES	2
12101.1	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	2
12101.2	OPENING PRAYER.....	2
12101.3	DISCLAIMER READING.....	2
12101.4	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	2
12101.5	PUBLIC QUESTION TIME	2
12101.6	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	2
12101.7	NOTATIONS OF INTEREST	2
12101.8	APPLICATIONS FOR LEAVE OF ABSENCE	3
12101.9	CONFIRMATION OF MINUTES.....	3
12101.10	ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION	3
12101.11	MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS	3
12102	FINANCE	4
12102.1	MONTHLY STATEMENT OF FINANCIAL ACTIVITY	4
12103	HEALTH BUILDING & PLANNING.....	6
12104	PLANT & WORKS.....	7
12104.1	EXTRACTIVE INDUSTRY LAW	7
12105	GOVERNANCE.....	9
12105.1	TENDER 6/2012 SALE OF LOT 340 RUSSELL ST PERENJORI.....	9
12105.2	PERENJORI EARLY CHILDHOOD CENTRE	11
12105.3	WIN DIGITAL TRANSMISSION PROPOSAL/MT GIBSON TELECOM.....	14
12105.4	ROTHSAY MINE RE-DEVELOPMENT	16
12105.5	DRAFT ESTABLISHMENT AGREEMENT MWRC	18
12106	OTHER BUSINESS	19
12106.1	INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS.....	19
12106.2	MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN.....	19
12106.3	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN ..	19
12106.4	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION19	
12106.4.1	BOWLING GREEN CONTRACT	20
12106.4.2	NORTH MIDLANDS REGIONAL GENERAL PRACTICE	21
12106.4.3	MISCELLANEOUS CONTRACTS TENDER.....	22
12106.5	MATTERS BEHIND CLOSED DOORS	22

12106.6	DATE OF NEXT MEETING / MEETINGS	22
12106.7	CLOSURE.....	23

12101 PRELIMINARIES

12101.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Cr King opened the meeting at 1.40pm.

12101.2 OPENING PRAYER

12101.3 DISCLAIMER READING

12101.4 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Present:

- Cr Chris King
- Cr Laurie Butler
- Cr Graeme Reid
- Cr Harold Wass
- Cr Peter Waterhouse
- Alison Mills – CEO
- Barrye Thompson – Acting CEO
- Doug Stead – DCEO
- Kimberley Wheeler – EA

Apology:

- Cr Jenny Hirsch
- Cr Rodney Desmond
- Cr Lisa Smith

12101.5 PUBLIC QUESTION TIME

Nil

12101.6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

12101.7 NOTATIONS OF INTEREST

- Financial Interest – Local Government Act s 5.60A**
- Proximity Interest – Local Government Act s 5.60B**
- Interest Affecting Impartiality – Shire of Perenjori Code of Conduct.**

Cr John Cunningham declared on interest in items 12105.7 Tender Lot 340 Russell Street and 12106.4.3 Contractors Retender.

12101.8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

12101.9 CONFIRMATION OF MINUTES

Minutes of Ordinary Council meeting held 20th September 2012 are attached.

COUNCIL RESOLUTION

Moved: Cr Cunningham

Seconded: CR Wass

That the minutes from Ordinary Council meeting held 20th September 2012 are seen as a true and accurate record.

Carried: 6/0

12101.10 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

Cr King thanked the Barrye Thompson for all that he had done as Acting CEO for the Shire of Perenjori.

12101.11 MATTERS FOR WHICH MEETING MAY GO BEHIND CLOSED DOORS

12102 FINANCE**12102.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

APPLICANT:	DEPUTY CEO
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	Gypsie Douglas - SFO
RESPONSIBLE OFFICER	DOUG STEAD - DCEO
REPORT DATE:	11th October 2012
ATTACHMENTS	SEPTEMBER FINANCIAL ACTIVITY REPORTS

Executive Summary:

As required by the Local Government Act and Financial Management Regulations a Monthly Statement of Financial Activity is required to be presented to each monthly meeting. This statement is used with Councils adopted 10% variance or \$5000 figure which was adopted by Council at its July meeting. A report detailing the variances is also included.

Other Financial statements are also attached as per the Finance Committee preferences.

Statutory Environment:	N/A
Policy Implications:	N/A
Financial Implications:	N/A
Strategic Implications:	N/A
Consultation:	N/A

UHF Haines Norton

Voting Requirements: Simple Majority

Officers Recommendation:**1. Statement of Financial Activity**

That the Statement of Financial Activity for the period ended 30th September 2012 including report on variances be accepted as presented.

2. Finance Report

That the Finance Report for the period ended 30th September 2012 be accepted as presented.

3. Acquisition of Assets

That the Acquisition of Assets Report for the period ended 30th September 2012 with a balance of \$551,708.00 as presented be received.

4. Reserves Report

That the Reserves Report for the period ended 30th September 2012 with a balance of \$892,144.00 as presented be received.

5. Net Current Assets

That the Net Current Assets report for the period ended 30th September 2012 with a balance of \$3,401,590.00 as presented be received.

6. Bank Reconciliation's

That the balances of the Municipal Fund of \$1,619,674.14 and the Trust Fund of \$42,235.37 as at 30th September 2012 as presented be received.

7. Sundry Creditors Report

That the Sundry Creditors Report for the period ended 30th September 2012 with a balance of \$179,587.70 as presented be received.

8. Sundry Debtors Report

That the Sundry Debtors Report for the period ended 30th September 2012 with a balance of \$235,836.80 as presented be received.

9. Accounts for Payment

That the Accounts paid from the Municipal Account consisting of Cheque Numbers 18373 - 18402 and EFT Numbers 3903 - 3983 for \$759,099.41 and the Trust Account consisting of EFT Number 3968 - 3969 for \$800.00 for the period ended 30th September 2012 as presented be accepted.

10. Rates Outstanding

That the Rates Outstanding Report for the period ended 30th September 2012 as presented be received.

COUNCIL RESOLUTION

Moved: Cr Butler

Seconded: CR Wass

That items 1-10 of the Financial Activity Report be seen as a true and accurate record.

Carried: 6/0

12103 HEALTH BUILDING & PLANNING

Nil

12104 PLANT & WORKS**12104.1 EXTRACTIVE INDUSTRY LAW**

APPLICANT: SHIRE OF PERENJORI

FILE: 0

DISCLOSURE OF INTEREST: 0

AUTHOR: Barrye Thompson –ACTING CEO

RESPONSIBLE OFFICER: Barrye Thompson ACTING CEO

REPORT DATE: 12 October 2012

ATTACHMENTS**Executive Summary:**

At the Plant and Works Committee meeting the process for adopting Extractive Industry Local Laws was discussed.

Applicants Submission:

An extractive Industry Local Law will allow Council to license the extraction of materials from land in the Shire of Perenjori and in particular:

- Control the impacts that result from these activities and
- Recover costs where these activities result in damage to shire roads

Background:

At its March Ordinary council meeting the following resolution was adopted:

Moved: Cr HC Wass

Seconded: Cr GK Reid

That Council commence the process for making an Extractive Industry Local Law based on the Shire of Cunderdin Local Law gazetted in January 2012.

Carried: 6/0

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications:

The completed Local Law must be published in the Gazette.

Consultation:**Comment:**

Voting Requirements: Simple Majority

Officers Recommendation:

That the process for adopting the Extractive Industry Local Law be carried out as per Council Resolution 12036.4.5 dated 15th March 2012.

COUNCIL RESOLUTION

Moved: Cr Wass

Seconded: CR Reid

That the process for adopting the Extractive Industry Local Law be carried out as per Council Resolution 12036.4.5 dated 15th March 2012.

Carried: 6/0

12105 GOVERNANCE

1.54 Cr Cunningham left the Chambers due to declaring a financial interest in item 12105.1 Tender 6/2012 Sale of Lot 340 Russell St Perenjori.

12105.1 TENDER 6/2012 SALE OF LOT 340 RUSSELL ST PERENJORI

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	1
AUTHOR:	Barrye Thompson ACTING CEO
RESPONSIBLE OFFICER	Barrye Thompson ACTING CEO
REPORT DATE:	12th October 2012
ATTACHMENTS	Tenders received for the sale of Lot 340 Russell St PJ

Executive Summary:

Tenders for the sale of this building closed 3rd October 2012, one only tender was received.

Applicants Submission:

The single tenderer has submitted a price of \$71,000.00 for the outright purchase of the property..

Background:

Council had budgeted to receive \$84,000.00 for the sale.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Council, if it accepts the tender, will have a \$29,000.00 shortfall as opposed to its budget expectations.

Strategic Implications:

Nil

Comment:**Voting Requirements:**

Simple Majority

Officers Recommendation:

The CEO is not making a judgement call on this item as he is not familiar with Perenjori housing market valuations, however a bird in the hand _ _ _ _ _ .

COUNCIL RESOLUTION

Moved: Cr Reid

Seconded: CR Waterhouse

That the tender submitted with a price of \$71,000.00 for the outright purchase of Lot 340 Russell Street be accepted by Council.

Carried: 5/0

2.03pm Cr Cunningham returned to the chambers

12105.2 PERENJORI EARLY CHILDHOOD CENTRE

APPLICANT:	SHIRE OF PERENJORI			
FILE:	0			
DISCLOSURE INTEREST:	OF	0		
AUTHOR:	Barrye	Thompson	–ACTING	CEO
RESPONSIBLE OFFICER	<i>Barrye</i>	<i>Thompson</i>	<i>ACTING</i>	<i>CEO</i>

REPORT DATE:**ATTACHMENTS** Latest Spread Sheet**Executive Summary:**

The purpose is to update Council in respect to the submission made to the Mid West Investment Fund.

Applicants Submission:

The submission by Council to the Midwest Development Commission has been considered by that body on Friday 28th September 2012 and unfortunately the recording Officer had a family tragedy and was unable to produce minutes or the recommendations' therefrom. The CEO has been advised verbally of some of the concerns in relation to the submission. The Commission is prepared to recommend the project subject to satisfying those concerns. The CEO has been addressing those concerns and has produced another spread sheet which gives a more realistic projection into the future. There will be a continuing contribution by Council until at least the 10th year in a 15 year projection.

Background:

The Council is seeking \$600,000.00 from the Midwest Investment Plan, this funding is by way of the Royalties for Regions Country Local Government Regional Funding.

Statutory Environment: Nil**Policy Implications:** Nil**Financial Implications:**

Capital Expenditure 2012/13

2012/13	CLGF (local)	\$105,000.00
	CLGF (regional)	\$400,000.00
	Shire of PJ	\$145,000.00

Which is the part capital required in the \$1.8m mix to fund the building of the PECC.

The other contributions will be MWIP \$600,000.00, Mt Gibson Public Benefit Fund \$200,000.00, Karara Community Health and Education \$50,000.00 and Lottery West (no news at this point of time) \$300,000.00.

The CEO refers Council to the spread sheets indicating what the estimated operating contribution that will be required over the next 15 years:-

2012/13	Nil	(construction)
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2013/14	Nil	(sufficient other subsidy to meet the operating in that year)
2014/15	\$41,293.02	
2015/16	\$70,896,.01	
2016/17	\$15,771.01	
2017/18	\$15,771.01	
2018/19	\$15,771.01	
2019/20	\$15,771.01	
2020/21	\$15,771.01	
2021/22	\$15,771.01	
2022/29	Nil	(estimated placements will increase sufficiently to meet operating costs)

Consultation:

Progress Economics (WA), Left of Centre Concepts

Comment:

This project will need to be very tightly managed as its viability hinges on the attracting the maximum (19) placements as soon as possible. The concept is not just a Child Minding Centre which is very attractive to working mums and single parents, but an early childhood education experience prior to entering Kindergarten.

According to the report commissioned by the Shire of Perenjori from Jill Cameron and Associates in July 2011 the project with the early childhood education included meets the criteria by the Australian Government of reducing the fragmentation of early childhood education and child minding centres.

It would be extremely prudent for Council to ensure for the next 15 years to make a budget provision policy of \$100,000.00 per annum specifically to ensure there is financial support available to ensure the project does not falter.

The CEO suggests that it be a policy introduced as a current Council cannot commit a future Council to future budget allocations however by adopting a policy for Council the matter will need to be reviewed in the course of policy reviews by future Councils.

Once fully recommended by MWDC it progresses to the Director Generals Reference Group for consideration by that august group and if it gets the nod of approval it then goes to Cabinet for signing off. The next DG's meeting is on the 8th November 2012. Meanwhile Council must hope that Parliament is not prorogued prematurely because that would really put the cat amongst the pigeons!

Voting Requirements:

Absolute Majority

Officers Recommendation:

That it be Council policy to allocate each financial year from within its normal operating budget an amount of \$100,000.00 for the operational support to the Perenjori Early Childhood Centre and such support as required up to \$100,000.00 in any one year be set aside for such purpose be continued until 2028/2029 or an earlier date as decided by a Council.

COUNCIL RESOLUTION

Moved: Cr Cunningham

Seconded: CR Butler

That it be Council policy to allocate each financial year from within its normal operating budget an amount of \$100,000.00 for the operational support to the Perenjori Early Childhood Centre and such support as required up to \$100,000.00 in any one year be set aside for such purpose be continued until 2028/2029 or an earlier date as decided by a Council.

Carried: 6/0

12105.3 WIN DIGITAL TRANSMISSION PROPOSAL/MT GIBSON TELECOM

APPLICANT:	SHIRE OF PERENJORI			
FILE:	0			
DISCLOSURE INTEREST:	OF	0		
AUTHOR:	Barrye	Thompson	ACTING	CEO
RESPONSIBLE OFFICER	Barrye	Thompson	ACTING	CEO
REPORT DATE:	12th October 2012			
ATTACHMENTS	WIN TV digital transmission proposal			

Executive Summary:

The purpose of this report is to seek Council approval to adopt the WIN TV proposal

Applicants Submission:

The CEO is hopeful that this proposal will bring to a conclusion the problematic Mt Gibson Antenna and at the same time introduce a land based digital TV signal for the Perenjori townsite and surrounds.

Background:

This matter was raised in February 2012 with Mt Gibson seeking the clearing or pruning of some trees which were obscuring the line of sight communication between Perenjori and Mt Gibson. The proposal by WIN TV appears to effect a good conclusion to the Mt Gibson communication problem as well as introducing a digital TV signal into Perenjori. This would mean townsite residents and those landholders close to town will be able to receive a digital signal by the use of a set top box as opposed to requiring a satellite dish.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

The strategic significance is that it will introduce another popular service into the Perenjori repertoire of town advantages. .

Consultation:

WIN TV, Mt Gibson

Comment:**Voting Requirements:**

Simple Majority

Officers Recommendation:

That Council accept the proposal by WIN TV to supply and construct a new TV tower and Mt Gibson transmit service and require a land lease with Council utilising a WIN standard License agreement.

COUNCIL RESOLUTION

Moved: Cr Waterhouse

Seconded: CR Reid

That Council accept the proposal by WIN TV to supply and construct a new TV tower and Mt Gibson transmit service and require a land lease with Council utilising a WIN standard License agreement ensuring that there is no interference with ambulance movements

Carried: 6/0

Amendment made to resolution due to council wanting to ensure that the ambulance has full access to the property

Strategic Implications:

Enhancement of a historic site.

Consultation:

Nil.

Officer Recommendation:

That Auricup Resources be given permission to mine over the Old Mine Managers House, however to commemorate the site the Company erect a suitable plaque with a couple photos of the Manager's House (earlier ones if possible) and the open cut and portal etched on the plaque with a short history of Rothsay and located away from possible mining activity.

Voting Requirements:

Simple Majority

COUNCIL RESOLUTION

Moved: Cr Wass

Seconded: CR Reid

That Auricup Resources be given permission to mine over the Old Mine Managers House, however to commemorate the site the Company erect a suitable plaque with a couple photos of the Manager's House (earlier ones if possible) and the open cut and portal etched on the plaque with a short history of Rothsay and located away from possible mining activity. That the remains of the residence be relocated to the old townsite to a site to be identified by council.

Carried: 6/0

Amendment made to resolution due to council deciding that the remains needs to be preserved for historic reasons.

12105.5 DRAFT ESTABLISHMENT AGREEMENT MWRC

APPLICANT: SHIRE OF PERENJORI
FILE: 0
DISCLOSURE OF INTEREST: 0
AUTHOR: Barrye Thompson ACTING CEO
RESPONSIBLE OFFICER: Barrye Thompson ACTING CEO
REPORT DATE: 12th October 2012

ATTACHMENTS; The draft Midwest Regional Council Establishment Agreement

Executive Summary:

Attached to this agenda is the clean and marked new Establishment Agreement for the MWRC for adoption by Council

Applicants Submission:

The matter of the Establishment Agreement was raised at the last MWRC meeting and it was promised to be circulated to Councils to allow Councils to formally adopt it.

Background:

A new Establishment Agreement was proceeded with to recognise the new boundaries of the Regional Council with the merger of Mullewa with the City of Greater Geraldton and departure from the MWRC.

Statutory Environment:

Section 3.61 of the Local Government Act 1995 – Establishing a regional local government

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications:

Redrafting the Midwest Regional Council Establishment Agreement

Consultation: Nil

Officer Recommendation:

That Council resolves to adopt and sign the new Midwest Regional Council Establishment Agreement

Voting Requirements:

Simple Majority

COUNCIL RESOLUTION

Moved: Cr Cunningham

Seconded: CR Butler

That Council resolves to adopt and sign the new Midwest Regional Council Establishment Agreement

Carried: 6/0

12106 OTHER BUSINESS

12106.1 INFORMATION BULLETIN – TABLED IN THE COUNCIL CHAMBERS

- LGMA Annual State Conference 2012
- Correspondence Mid West Chamber of Commerce and Industry
- Invite to Mid West Chamber of Commerce and Industry Business After Hours Tuesday 23/10/12 at Geraldton
- WALGA – Managing Conflict Flyer
- Correspondence Department of Environment and Conservation
- Department of Regional Development and Lands – Royalties for Regions CLGF Review
- Mid West Regional Council Minutes Ordinary Council Meeting 2 August 2012
- Mid West Regional Council Unconfirmed Minutes Ordinary Council Meeting 2 October 2012
- Mid West Regional Council CDS
- WALGA – Local Government News 37.12 and 38.12
- WALGA Communications Workshop
- WALGA Organisational Reports
- WALGA Info Page
 - Corruption and Crime Commission Amendment Bill 2012
 - Draft Forest Management Plan
 - Endorsement of Planning Improvement Program Action Plan
 - Regional Subsidiaries

12106.2 MOTIONS OF WHICH DUE NOTICE HAVE BEEN GIVEN

12106.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12106.4 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Motion: Cr Cunningham

Seconded: Cr Wass

That council accept items 12106.5.1 Bowling Green Contract, 12106.5.2 North Midlands Regional General Practice and 12106.5.3 Miscellaneous Contracts Tender as Urgent Business.

Carried: 6/0

12106.4.1 BOWLING GREEN CONTRACT

APPLICANT:	SHIRE OF PERENJORI
FILE:	0
DISCLOSURE OF INTEREST:	0
AUTHOR:	Barrye Thompson CEO
RESPONSIBLE OFFICER	Barrye Thompson CEO
REPORT DATE:	16 October 2012
ATTACHMENTS	Nil

Executive Summary:

Urgent approval is sought for an unbudgeted expense of \$22 000.

Applicants Submission:

The 2012/13 Budget included expenditure of \$180 000 expenditure on a new bowling green for the Perenjori Bowling Club, however it has become evident that this contracted amount did not make provision for walkways and surrounds to the bowling green. The Contractor is due to return to site to complete the contract, however will not do so until the walkways and surrounds have been completed.

Background:

The Contract for the building of the bowling green was completed in the 2011/12 financial year in an amount of \$244,200, with a deposit of 20% being paid.

Statutory Environment:

Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Policy Implications:

Nil

Financial Implications:

The cost of the project will increase by \$22,000 and will be covered by savings generated.

Consultation:

Craig Morris – Contractor

Perenjori Bowling Club

DCEO

Comment:

As this was not included in the original tender, the contractor is unwilling to proceed with finalising the project until the walkways and surrounds are completed.

Any undue delays at this stage will seriously impact on the completion date and will affect the Bowling Club's ability to meet its commitments in the coming season.

Voting Requirements: Absolute Majority

Officers Recommendation:

That Council increase its allocation for "Sporting Facilities –Bowling Green" from \$180 000 to \$202,000.

COUNCIL RESOLUTION

Moved: Cr Wass

Seconded: CR Reid

That Council increase its allocation for “Sporting Facilities –Bowling Green” from \$180 000 to \$202,000.

Carried: 6/0

12106.4.2 NORTH MIDLANDS REGIONAL GENERAL PRACTICE

APPLICANT:	SHIRE OF PERENJORI
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FILE:	0
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DISCLOSURE OF INTEREST:	0
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AUTHOR:	Barrye Thompson CEO
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RESPONSIBLE OFFICER	Barrye Thompson CEO
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REPORT DATE:	18 October 2012
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ATTACHMENTS	Nil
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Executive Summary:

Draft North Midlands Regional General Practice MOU between the Shires in the North Midlands of Western Australia.

Applicants Submission:**Background:**

Shires in the North Midlands of Western Australia have agreed to collectively provide a package of benefits to attract a single medical service provider to the region.

The package of benefits has been structured to lower barriers to entry and ongoing operating costs to a regional medical service provider.

In return for the benefits provided by the North Midlands Shires, a regional medical practice will be required to provide comprehensive general practice services to all communities in the North Midlands to an agreed range and volume of service.

This Memorandum of Understanding describes the arrangements under which the North Midlands Shires have agreed to collectively provide the package of benefits

.Statutory Environment:

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Policy Implications:

Nil

Financial Implications:**Consultation:****Comment:**

Voting Requirements: Simple Majority

Officers Recommendation:

COUNCIL RESOLUTION

Moved: Cr Butler

Seconded: Cr Cunningham

That council seek further information on the Business Model and Implications on current processes, which will prevent decision by council at this stage.

Carried: 6/0

3.29pm Cr Cunningham declared a Financial Interest in item 12106.4.1 Miscellaneous Contracts Tender and left the chambers

12106.4.3 MISCELLANEOUS CONTRACTS TENDER

COUNCIL RESOLUTION

Moved: Cr Butler

Seconded: Cr Wass

Council to readvertise for the miscellaneous contractors tender. Preferred contractors to be contacted to invite to tender. To be advertised in the local and regional press. The retender has been called because council believes previous tender process did not attract sufficient local interest.

Carried: 5/0

3.32pm Cr Cunningham returned to the chambers

12106.5 MATTERS BEHIND CLOSED DOORS

2.39 Council went behind closed doors for discussion and Kimberley Wheeler left the Chambers.

3.02pm Council returned from behind closed doors and Kimberley Wheeler Returned to the Chambers

Council reviewed the Mid West Regional Councils Unconfirmed Minutes from the 2nd October 2012.

3.23pm Cr Reid left the chambers

3.25pm Cr Reid returned to the Chambers

3.29pm Item 12106.4.3 Miscellaneous Contract Tender resolved.

12106.6 DATE OF NEXT MEETING / MEETINGS

The next Ordinary Council Meeting will be held on the 15th November 2012 at 7.00pm.

12106.7 CLOSURE

With no further business the meeting was closed at 3.34pm.