

2018



MINUTES

Shire of Koorda

21/11/2018

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SHIRE OF KOORDA MINUTES

FOR THE ORDINARY MEETING OF COUNCIL
Held in the Council Chambers, Allenby Street,
Koorda, Wednesday 21 November 2018 at 6.00pm

1 DECLARATION OF OPENING

The Presiding Person declared the meeting open at 6.00pm

2 ANNOUNCEMENT OF VISITORS

Corinne Graham - HACC Coordinator

3 RECORD OF ATTENDANCE

3.1 Record of Attendance:

CR FJ Storer	President
CR PL McWha	Deputy President
CR BG Cooper	Councillor
CR LC Smith	Councillor
CR JM Stratford	Councillor
CR GW Greaves	Councillor
CR RDG Storer	Councillor
David Burton	CEO
Charli West	Exec Assistant/CSO

3.2 Apologies:

3.3 Approved Leave of Absence:

PRESIDENT TO DRAW THE DISCLAIMER TO THE PUBLIC'S ATTENTION

4 QUESTION TIME FOR THE PUBLIC

4.1 Response to Previous Public Questions Taken on Notice

4.2 Public Question Time Open

4.3 Public Question Time Closed

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 DECLARATIONS OF INTEREST

7 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

CR PL McWha: Attended the Seniors Luncheon. The food and the live music was great. All appreciated the effort that was put into making the lunch possible.

CR BG Cooper: Attended the Annual Electors Meeting.

CR LC Smith: Attended the Annual Electors Meeting. There was nothing urgent or pressing that come of the meeting.

CR JM Stratford: Attended the Seniors Luncheon, Remembrance Day Service and Annual Electors Meeting. Also attended the Community Resource Centre AGM which was well attended with no changes to the committee. The Annual report has been circulated.

CR GW Greaves: Attended the Remembrance Day Service. Apologised for not attending Annual Electors Meeting.

CR G Storer: Attended the CEACA Meeting with David. Will go into more detail when that item is discussed at Council.

Corinne Graham - HACC Coordinator: As of 1st July 18 HACC funded services for older people will be funded by the Commonwealth Home Support Programme that allows for other service providers. The process includes registering, having an assessment to determine what level the senior is, a letter will be sent out and then being put onto a waitlist. Funds for this are held by Centrelink rather than being paid out by the Pensioner. Corinne encouraged people to get in contact with herself or the CRC for assistance with the processes. Concern was raised about ensuring people access services.

8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 ORDINARY MEETING HELD 17 October 2018

COUNCIL DECISION Officer Recommendation

Moved CR GW Greaves

Seconded CR JM Stratford

That the Minutes of the Koorda Shire Council Ordinary Meeting held on the 17 October 2018, as circulated be confirmed and certified as a true and accurate record.

**PUT & CARRIED: 7/0
RESOLUTION NO: 011118**

9 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Reiterate what was said about the Remembrance Day Service, well done to all who organised it. Thank you to Llewyn Green for playing the bagpipes throughout and after the service.

Thank you to Cr McWha and Cr Stratford for attending the Seniors Luncheon.

Thank you to Cr Storer for attending the CEACA meeting.

Condolences to Megan Brooks, Helen Sutton and their families on the passing of Loretta.

10 REPORTS OF COMMITTEES

11 CHIEF EXECUTIVE OFFICERS REPORT

11.1 Governance and Administration

**11.1.1 NEWROC COUNCIL MEETING
23 October 2018 at Bencubbin**

Section 5.23 – Applicability

Location:

NEWROC Regions

Portfolio:

Governance, Administration and Finance

File Reference:

Cr JM Stratford

Disclosure of Interest:

ADM 0105

Author:

No Interest declared by CEO

Signature of CEO

David N Burton, Chief Executive Officer



Attachment:

Minutes (Attachments page 2-23)

Background:

Minutes of the NEWROC Council Meeting held on 23 October 2018 at Bencubbin.

Comment:

The following issues were discussed:

- Item 4.1 Minutes
- Item 4.2 Minutes Executive Committee
- Item 5.1 List of Income and Expenditure
- Item 5.2 NEWROC Audit – Minor corrections
- Item 5.3 NEWROC Term Deposit – Information
- Item 6.1 NEWROC Strategic Planning – Submission to Standing Committee enquiry into micro grids.
- Item 6.2 Telecommunication Project – Promotion of Service, possible extension with funding.
- Item 6.3 NEWTravel – Information Update.
- Item 6.4 Regional Economic Development Grant - support for any Shires with funding.
- Item 8 Local Government Act Review, GECZ video conferencing if possible.

Consultation

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

C 1.6 - Develop successful and collaborative partnerships

C 2.3 - Facilitate resource sharing on a regional basis

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR BG Cooper

Seconded CR JM Stratford

That Council note and endorse the recommendations of the NEWROC Council meeting held at Bencubbin on 23rd October 2018.

**PUT & CARRIED:7/0
RESOLUTION NO: 021118**

CONFIRMED

11.1.2

NEWTRAVEL AGM / GENERAL MEETING **25 October 2018 at Trayning**

Section 5.23 – Applicability	
Location:	NEWTRAVEL Regions
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0142
Disclosure of Interest:	No Interest declared by CEO
Author:	David N Burton, Chief Executive Officer
Signature of CEO	
Attachment:	Minutes (Attachments page 24-52)

Background:

Minutes of the NEWTRAVEL Meetings held on 25 October 2018 at Trayning.

Comment:

The AGM was held first with the election of Office Bearers. Kim Storer from the Koorda CRC was elected back into the position of Chair for NEWTravel and Tony Clarke elected as Deputy Chair.

NEWTravel adopted a new Constitution to comply with the new Incorporations Act and it was discussed about trying to engage more businesses to NEWTravel.

The following issues were discussed at the ordinary meeting:

- Item 1 Previous Minutes
- Item 2 Correspondence
- Item 3.1 Financial Report
- Item 3.2 Marketing Plan Budget
- Item 4 Tourism Officer Report
- Item 4.1 Quarterly Report
- Item 5.1 Tourism Officer Report – Additional funds for Officer from Westonia and Dowerin NEWTravel to develop contract with Tourism Officer.
- Item 5.2 NEWTravel Strategic Plan – Workshop to be held to develop future plan.
- Item 5.2 Funding Opportunities
- Item 5.3 Wheatbelt Way Brochure – Update of information.
- Item 5.4 Wheatbelt Way App - Updates and changes.
- Item 5.4 Wheatbelt Way guidebooks and CDs – consideration of a further print run.
- Item 5.4 Guide Training Workshop
- Item 6.1 Member Shire Reports
- Item 6.0 Other Items – Chair thanked those in attendance of Meg Coffey information sessions.

Consultation

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

C 1.6 - Develop successful and collaborative partnerships

C 2.3 - Facilitate resource sharing on a regional basis

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

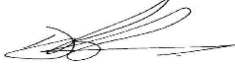
Moved CR G Storer

Seconded CR PL McWha

That Council note and endorse the recommendations of the NEWTravel meetings held at Traying on 25th October 2018.

**PUT & CARRIED:7/0
RESOLUTION NO: 031118**

11.1.3 SHIRE OF KOORDA LOGO

Section 5.23 – Applicability	
Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance
	Cr JM Stratford
File Reference:	ADM 0236
Disclosure of Interest:	No Interest declared by CEO
Author:	David N Burton, Chief Executive Officer
Signature of CEO	
Attachment:	Sample Logos, Count Sheet, submissions (Attachments page 53-55)

Background:

Earlier this year, staff raised concern about the Shire of Koorda Logo that is being used and that the age and quality of the logo was such that it could not be used for many applications. It was requested to get several draft logos drawn for comments to revamp the corporate logo and make it something that could be used.

Several draft logos were presented to Council Forum for consideration of a final 4 which was put out for comment to the public.

Comment:

The Corn Dolly Logo has been used for the Shire since 1974 and was always considered by the residents as a logo of distinction. The current electronic copy of the emblem used by the Shire has been in use for several years and would appear to be a copy of a copy, with some in single colours or the two tone logo that we see more common.

Unfortunately, the logo is of poor quality and many times that we have tried to use it for promotional purposes, we have been advised that it is not of a high enough quality. This prompted staff to see about getting a new logo drawn that would be accepted as a new logo, while still retaining the “Corn Dolly” symbol.

From the four shortlisted logos, the following information was gathered from the public.



This logo attracted the most 1st votes with 17 votes and a total of 37 votes



This logo was the second favourite with 16, 1st preference votes and a total of 34 votes.

There were some negative comments made about the logos, that the additional spikes should be removed, the braiding at the bottom looked too much like rope and was not the correct two strands, the wheat should be offset to be correct.

Other comments were also received, some concerned that the original logo was not given as an option (it was explained in the material that the original logo was not accepted due to poor quality), or that the logo should be modernised to be more representative of the town.

A lot of comments came forward about having the “Corn Dolly Country” Slogan removed or changed.

Comments that came with the voting slips included:

Comments
I respect the history of the corndolly, however I believe the compete and be in the same league of professionalism as surrounding Shires, Koorda <u>NEED</u> to modernise the logo or get the entire publics opinion with a modern design included.
Can we please modernise.
Think of another slogan too outdated.
Get rid of 'Corn Dolly Country'.
Modern please.
Get rid of 'Corn Dolly Country'.
Retain original.
Take off 'Corn Dolly Country'.
Minus 'Corn Dolly Country'.
Ged rid of 'Corn Dolly Country'.
Remove 'Corn Dolly Country'.
But the Corn Dolly <u>must</u> be changed to the <u>original design</u> which was on Lodges design. It must be able to be drawn

Based on the general comments about the logo, a further sample was drafted to try and better match the original design of the Farmers Favour of the logo. This was the drawing that was received:



This is the resulting logo.

While the wheat is more acceptable and it does have the two strands in the detail, the fact that they have tried to copy the sample a little too closely, does make it look a little awkward. The main concern is that every time we draft a new logo, it is more cost.

The Corn Dolly Country slogan has also been removed. The lettering has gone back to basic block, but the lettering of the preferred option could be used.

The final design is most likely the closest to the possible actual item that we are likely to get drawn, it may just be preferential to get the stalk weave details the same size and a small gap on the right side to make it more of a loop, it is more likely to be acceptable by the general public. The cost of getting this change will only be minimal, about \$300.00.

While the detail of the braid of the logo still looks like rope, it certainly has more clarity than the original logo and it is unlikely that we can get a graphic design to match the folded wheat stalks.

The recommendation is that we use the lettering from the preferred first designs, with the logo of the final design with the suggested changes. This will become the new Shire of Koorda logo.

Another concern that was raised by the General Public was that will we be changing the signs around town to match the new logo? As the design is the same Farmers Favour Corn Dolly, it is recommended that the new logo only be put into place on signs and other items including stationery, badges, shirts and other items as they are replaced to reduce the cost of implementing the new logo.

While there is a lot of pride in the Corn Dolly as a symbol for the Shire, it should also be noted that the logo is considered by many to be outdated and no longer relevant (based on some comments from the public). It can also be difficult to market for the Shire as many get confused by the logo and wheat being referred to as corn is not a modern term. In the future, Council may consider a complete rehash of the logo to have a design that is more relevant to the community and its aspirations.

Consultation

General Public
Staff
Councillors

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

2.2.2 Provide relevant tourist information and marketing services

4.1.3 Engage the community in decision making and a shared responsibility to achieve our goals

4.2.1 Promote a culture of continuous improvement processes

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR GW Greaves

Seconded CR G Storer

That the Chief Executive Officer make the recommended changes to the draft logo which will become the new Shire of Koorda Logo

AMENDMENT MOTION:

Moved CR P McWha

Seconded CR L Smith

That “make the recommended changes to the draft logo which will become the new Shire of Koorda Logo” be replaced with “advertise the modified logo as the possible solution for public comment.”

**PUT & CARRIED: 6/1
RESOLUTION NO: 041118
Cr G Greaves voted against the motion.**

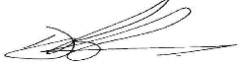
The Amendment became the substantive motion:

SUBSTANTIVE MOTION:

That the Chief Executive Officer advertise the modified logo as the possible solution for public comment.

**PUT & CARRIED: 6/1
RESOLUTION NO: 051118
Cr G Greaves voted against the motion**

11.1.4 CEO LEAVE – ACTING CEO

Section 5.23 – Applicability	
Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	Personal Files
Disclosure of Interest:	No Interest declared by CEO
Author:	David N Burton, Chief Executive Officer
Signature of CEO	
Attachment:	Nil

Background:

The Chief Executive Officer (CEO) has requested leave from 17th December 2018 (returning 19/20 December for Council Matters) until finishing at the Shire of Koorda as of 1st January 2019 to facilitate shifting to a new position.

As the Shire will be re-advertising for the position of Chief Executive Officer in late January, an Acting CEO will need to be appointed for the interim until a Chief Executive Officer can be employed.

Comment:

As the December/January period is relatively quiet and the CEO would be on leave normally, consideration may be given for the Manager of Finance and Administration to cover the position for the majority of this time as the Administration Office will be closed from Friday 21st December to Wednesday 2nd January 2019 and the office will be fairly quiet for the remainder of January.

After January, the workloads of the admin centre increases as the residents return to town. This time also includes the Budget Review which is a considerable amount of work for the Manager of Finance and Administration.

It is therefore recommended that for the period 17th December 2018 to 20th/26th January 2019, the Manager of Finance and Administration be elevated to the position of Acting CEO, and that the current CEO and Shire President engage a consulting Acting CEO for the period of 21st 27th January 2019 until the new CEO is appointed. This would allow the Manager of Finance and Administration to gain valuable experience of the CEO role while also providing Council with some cost savings.

As per the requirements of the Local Government Act 1995, the Shire must appoint a person to the position of Acting Chief Executive Officer for a period not exceeding 12 months.

Consultation

Lana Foote – Manager of Finance and Administration.

Statutory Environment:

Local Government Act 1995 – appointment of CEO.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

4.3.4 Recruit, retain and develop suitably qualified, experienced and skilled staff

4.3.5 Provide flexible and attractive work conditions in a supportive work environment

Voting Requirement:

Simple majority

COUNCIL DECISION
Officer Recommendation

Moved CR JM Stratford

Seconded CR BG Cooper

That:

- a) **The Chief Executive Officer's leave be noted from 17th December 2018, to 1st January 2019 (termination of contract);**
- b) **The Manager of Finance and Administration be appointed to the role of Acting Chief Executive Officer for the period 17th December 2018 to 20th January 2019 and remunerated accordingly; and**
- c) **That Pascoe Durtanovich be appointed as Acting Chief Executive Officer from 21st January until a new Chief Executive Officer is appointed subject to confirmation.**

PUT & CARRIED:7/0
RESOLUTION NO: 061118

11.1.5 ANNUAL ELECTORS MEETING

Section 5.23 – Applicability


Location: Shire of Koorda
Portfolio: Governance, Administration and Finance
Cr JM Stratford

File Reference: ADM 0023

Disclosure Of Interest: No interest declared by the CEO

Author: David N Burton Chief Executive Officer

Signature of CEO



Attachment: Minutes of Annual Electors Meeting 2018 (Attachments page 56-59)

Background:

Minutes of the Annual Meeting of Electors held on Monday 12th November 2018 at the Shire Council Chambers.

Comment:

The Annual Electors Meeting was attended by 6 Members, 4 staff and 5 members of the public.

All reports included in the Annual Report for 2017/2018 were accepted.

During General Business, several questions were raised by the Public. These were answered at the time or will be considered as part of processes in the future.

No matters required a decision of Council.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 – Section 5.33

1. *All decisions made in Electors Meetings are to be considered at the next Ordinary Meeting of Council, or; if that is not practicable;*
 - a) *At the first Ordinary Meeting after that meeting or;*
 - b) *Have a special meeting called for that purpose, whichever happens first.*
2. *If at a meeting of the Council, the Local Government makes a decision in response to a decision made at an Electors Meeting, the reason for the decision is to be recorded in the minutes of the Council Meeting.*

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

C 1.1 - Enhance open and interactive communication between Council and the community (ongoing)

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR G Storer

Seconded CR BG Cooper

That Council note and accept the Minutes of the 2018 Annual Electors Meeting.

**PUT & CARRIED:7/0
RESOLUTION NO: 071118**

CONFIDENTIAL

11.2 Finance

**11.2.1 MONTHLY FINANCIAL STATEMENTS
As at 31 October 2018**

Section 5.23 – Applicability

Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0448
Disclosure Of Interest:	No interest declared by CEO
Author:	David Burton, Chief Executive Officer
Signature of CEO	
Attachment:	Monthly Financial Statement (Attachments page 60-79)

Background:

Submission of monthly Financial Statements for period ended 31 October 2018.

Comment:

Monthly Financial Statements for the period ended 31 October 2018 for Council's information and acceptance. The explanations for variances of \$10,000 and 10% or more are in Note 11 of the Financial Monthly Report.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996 34.1(2) as amended 2005

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

Voting Requirement:

Simple majority

COUNCIL DECISION
Officer Recommendation

Moved CR G Storer

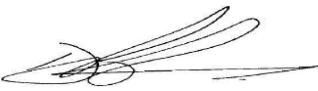
Seconded CR BG Cooper

That the monthly Financial Statements for the period ended 31 October 2018, as presented, be received and adopted.

PUT & CARRIED:7/0
RESOLUTION NO: 081118

CONFIRMED

11.2.2 **ACCOUNTS PAID AS LISTED**
As at 14 November 2018

Section 5.23 – Applicability	
Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0448
Disclosure Of Interest:	No interest declared by CEO
Author:	David Burton, Chief Executive Officer
Signature of CEO	
Attachment:	Monthly Report List (Attachments page 80-81)

Background:

Regulatory requirement to advise Council of payments made, since the previous meeting.

Comment:

The payments on the attached schedule have been made for the period 12 October 2018 to 14 November 2018 and are generally within budget guidelines and are of an operational nature.

V252	Northam Carpet Court	\$3,239.00
V270	Martins Painting Service	\$24,673.00
V272	Northam Carpet Court	\$3,414.00
V284	Ability Building Services	\$2,645.01
V286	Arena Clauson Engineering Group	\$2,541.00
V291	KTY Electrical Services	\$15,460.28
V292	MW Grant	\$9,226.25
V294	Solargain	\$7,235.20
V298	Drinnan Family Trust	\$18,403.00
V301	Avon Valley Nissan/Isuzu Northam	\$28,800.00
V310	KTY Electrical Services	\$22,000.00

Consultation:

Nil

Statutory Environment:

Local Government Act 1995, Section 5.42

Local Government (Financial Management) Regulations 1996 12(1) (a), 13(1), 13(3).

Policy Implications:

Nil

Financial Implications:

Budget guidelines and constraints

Need to authorise unbudgeted expenditure (if any)

Strategic Implications:

Shire of Koorda Strategic Community Plan

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR JM Stratford

Seconded CR GW Greaves

That accounts as listed being for period 12 October 2018 to 14 November 2018.

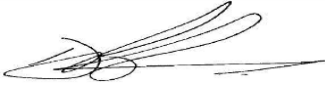
Municipal Vouchers No's V251 to V316	Totalling	\$451,642.49
Bendigo Credit Card Voucher	Totalling	\$1,393.16
	Total	\$453,035.65

To be endorsed or passed for payment

**PUT & CARRIED: 7/0
RESOLUTION NO: 091118**

11.2.3 **MONTHLY FINANCIAL POSITION** As at 15 November 2018

Section 5.23 – Applicability

Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0448
Disclosure Of Interest:	No interest declared by the CEO
Author:	David Burton, Chief Executive Officer
Signature of CEO	
Attachment:	Financial Position (Attachments page 82)

Background:

Current Monthly Financial position as at 15 November 2018 on the various accounts.

Comment:

The Municipal Account's financial position as at 15 November 2018 indicated at this time.

Monthly Financial Position	Municipal Account	\$1,465,694.80
	Reserve Account	\$5,588,215.08
	Trust Account	\$44,942.70

Consultation:

Monthly advice

Statutory Environment:

Local Government Act 1995, Section 6.4

Policy Implications:

Regulation

Financial Implications:

Shows current financial position

Strategic Implications:

Shire of Koorda Strategic Community Plan

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

Voting Requirement: Simple majority

COUNCIL DECISION
Officer Recommendation

Moved CR G Storer

Seconded CR LC Smith

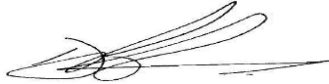
That the Financial Position, as at 15 November 2018, as presented, be noted, received and adopted.

PUT & CARRIED: 7/0
RESOLUTION NO: 101118

CONFIRMED

11.2.4 **TRANSFER FROM BUILDING RESERVE FOR L282 PEARMAN CAPITAL UPGRADES**

Section 5.23 – Applicability

Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	L282 Pearman
Disclosure Of Interest:	No interest declared by the CEO
Author:	Lana Foote, Manager of Finance & Administration
Signature of CEO	
Attachment:	Nil

Background:

As part of the 2018/19 budget, provisions for capital upgrades on L282 Pearman street were not included. It was discussed during the budget process that works are needed on the house, however the current tenant saw it unnecessary with younger children in the house therefore funds have been transferred into reserve when funds had been budgeted.

Comment:

To freshen the house up for the next tenant, a full interior paint and new carpets are needed. Quotes have been sought for both jobs and the budget allocation has taken these into account. If approved by council, work will be completed in mid/late January and early February to ensure the house is ready for the new tenant to move in as soon as the house is required.

Consultation:

Nil

Policy Implications:

Nil

Financial Implications:

In order to allow for capital upgrades, an additional budget allocation of \$25,000 from the Building Reserve is required.

Strategic Implications:

Shire of Koorda Strategic Community Plan 2018

3.2.1 Facilitate and integrate housing options, local services, employment and recreational spaces

3.2.5 Develop and maintain sustainable assets and infrastructure

4.2.1 Promote a culture of continuous improvement processes

Voting Requirement:

Absolute majority

COUNCIL DECISION
Officer Recommendation

Moved CR GW Greaves

Seconded CR PL McWha

That \$25,000 be transferred from the Building Reserve for the capital upgrades at L282 Pearman Street.

PUT & CARRIED:7/0
RESOLUTION NO: 111118

CONFIRMED

11.3	Law, Order & Public Safety
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No items this month

11.4	Health and Building
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No items this month

11.5	Education & Welfare
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No items this month

CONFIRMED

11.6 Housing

11.6.1 TENDER FOR SALE OF HOUSE

Section 5.23 – Applicability

Location:

Portfolio:

Education, Welfare and Property

LC Smith

File Reference:

L98 Greenham

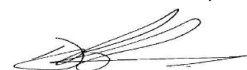
Disclosure of Interest:

No Interest declared by CEO

Author:

David N Burton, Chief Executive Officer

Signature of CEO



Attachment:

Nil

Background:

The tender for sale of the property at Lot 98 (32) Greenham Street has been considered in 2013 and was included in previous budgets, however was not advertised for tender. The property is currently vacant and staff are looking at fence repairs to the South side fence. Once this is complete it is recommended that Council consider tendering for the sale of the property as is.

Comment:

There are several methods that can be used for the sale of property. These are:

Sale through public auction;

Sale through tender; or

Sale through notice.

For the sale of the property through public auction, it would need to be advertised for a specific date and for prospective buyers to attend the auction. As the number of buyers is likely to be limited, the sale of the property would likely be for a lower amount due to lack of interest. A reserve would need to be set, but this may not be reached making the process a waste of time. This process does allow for some competitive bidding which may improve the sale price.

For the properties to be sold through sale by Tender, it needs to be advertised, with tender prices coming back to Council. There is no obligation for any tender to be accepted if the tenders are too low. This process does not allow for any competition between bidders as tenders remain sealed until after the closing. Due to the tenders remaining sealed, the purchase price may be inflated if a purchaser wants to try and guarantee the sale.

Sale through public notice can be done if an offer is received on the properties. Public notice is given disclosing all the details of the sale including the purchaser and sale price. Due to the public disclosure of the details, this process is off putting for prospective purchasers. It also allows people to object to the sale which could lead to other issues.

Statutory Environment:

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan 2018

3.2.1 Facilitate and integrate housing options, local services, employment and recreational spaces

3.2.5 Develop and maintain sustainable assets and infrastructure

4.2.1 Promote a culture of continuous improvement processes

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR PL McWha

Seconded CR JM Stratford

That the Chief Executive Officer call for Tenders for the Sale of Lot 98 (32) Greenham Street

**PUT & CARRIED:7/0
RESOLUTION NO: 121118**

11.7 Community Amenities

No items this month

11.8 Recreation and Culture

No items this month

11.9 Transport

No items this month

11.10 Economic Services

No items this month

11.11 Other Property & Services

No items this month

11.12 Reserves

No items this month

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED

Nil

14 MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

15 DATE OF NEXT MEETING

Wednesday 19th December 2018 @ 6.00pm

16 CLOSURE

The President thanked Councillors for the participation and closed the meeting at 7.11pm

Signed

Presiding person at the meeting at which the minutes were confirmed

Date: 19 December 2018