

**UNCONFIRMED**

At the time of printing, these Minutes have yet to be confirmed as a true record of proceedings



**SHIRE OF LAVERTON**

**MINUTES**

**OF THE SPECIAL MEETING OF COUNCIL  
HELD ON**

**THURSDAY 25 JANUARY 2018**

**COMMENCING AT 5:00PM IN THE  
SHIRE COUNCIL CHAMBERS  
9 MACPHERSON PLACE, LAVERTON**

**SPECIAL MEETING OF COUNCIL  
Held at 5:35pm on 25 January 2018  
in the Shire Council Chambers  
9 MacPherson Place, Laverton**

The purpose of the meeting was to consider the following items of business:

1. Laverton Community Hub Project – Correspondence received from Minister for Regional Development (File Ref: 948)
2. Contract of Sale for Lot 567 on Deposited Plan 405749 – Shire of Laverton (File Ref: 949)

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**ATTACHMENTS**

ATTACHMENT NO	DESCRIPTION	PAGE NO
SMC180125-4.1.A	Letter from Minister MacTiernan dated 16 Jan 2018 re Laverton Hospital and Community Hub	Appended
SMC180125-4.2.A	Letter from Dept of Planning, Lands and Heritage 27 Sept 2017 re Contract of Sale for Lot 567 on Deposited Plan 405749 – Shire of Laverton	Appended

## **MINUTES OF THE SPECIAL MEETING OF COUNCIL held in the Shire of Laverton Council Chambers, 9 MacPherson Street, Laverton on 25 January 2018**

### **1. DECLARATION OF OPENING**

The Shire President, Cr Patrick Hill, opened the meeting at 5:35pm.

### **2. RECORD OF ATTENDANCE**

#### **2.1 PRESENT**

Cr P Hill	President
Cr S Prentice	Deputy PresidentCouncillor
Cr D Ross	Councillor
Cr R Street	Councillor
Mr P Naylor	Chief Executive Officer
Ms R Smith	Acting Executive Manager Corporate & Community Services
Mr L Vidovich	Executive Manager Technical Services

#### **2.2 APOLOGIES**

Cr R Ryles	Councillor
Cr R Prentice	Councillor
Cr R Weldon	Councillor
Mr L Vidovich	Executive Manager Technical Services

#### **2.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

### **3. PUBLIC QUESTION TIME**

There were no questions in Public Question Time.

#### **4. SPECIAL MEETING BUSINESS**

<b>4.1 LAVERTON COMMUNITY HUB PROJECT (FILE REF: 948)</b>
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<b>SUBMISSION TO:</b>	Special Meeting of Council, 25 January 2018
<b>DISCLOSURE OF INTEREST:</b>	The author has no financial interest in this matter
<b>OWNER/APPLICANT:</b>	Shire of Laverton
<b>AUTHOR:</b>	Peter Naylor, Chief Executive Officer
<b>SENIOR OFFICER:</b>	Not applicable
<b>PREVIOUS MEETING REFERENCE:</b>	Minute OMC171123.11 and Minute OMC171123.12 of Ordinary Meeting of Council held 23 November 2017.

#### **MATTER FOR CONSIDERATION**

Council to consider correspondence from the Minister for Regional Development, Hon Alannah MacTiernan MLC, in relation to the redirection of Royalties for Regions funding from the Laverton Community Hub project to the development of a new Hospital in Laverton.

#### **ATTACHMENTS**

SMC180125-4.1.A Letter from Minister MacTiernan dated 16 Jan 2018 re Laverton Hospital and Community Hub

#### **APPLICANT'S SUBMISSION**

The Minister is proposing that \$4M of the \$8M funding originally allocated by the State Government under the Royalties for Regions funding program for the Laverton Community Hub project be redirected and reallocated towards the development of a new Hospital in Laverton.

#### **BACKGROUND**

The Laverton Community Hub Project is a major project of which the Shire was seeking \$8M from Royalties for Regions (R4R). The balance of the project was being met by Lotterywest (\$678,272), the Department of Sport and Recreation (\$850,000) and the Shire (\$3.3M). The Department for Regional Development funding application was approved in June 2016, with the Financial Assistance Agreement (FAA) being signed off by the Shire and State Government on 28 June 2016.

In May 2015, the then Minister for Regional Development, Terry Redmond, announced funding of \$19.5m through the R4R program to fund the development of a new Hospital in Laverton.

## VOTING REQUIREMENTS

Simple majority decision of Council required.

### SMC180125.01 COUNCIL DECISION/OFFICER RECOMMENDATION

MOVED: Cr S Weldon      SECONDED: Cr D Ross

That Council:

1. **Receives the letter from the Minister for Regional Development, the Hon Alannah MacTiernan MLC, dated 16 January 2018 (Attachment SMC180125-4.1.A).**
2. **Endorses the proposed recommendation and agrees to accept the Minister's offer for redirection of \$4M from the Laverton Community Hub Project to the Laverton Hospital Project as detailed in the letter.**
3. **Acknowledges that a proposed way forward is to stage the Community Hub Project, with Stage 1 including the Aquatic Pool and Buildings, and with works at the Town Hall incorporating the Youth Services component.**
4. **Considers that the Town Hall works and components of the Aquatic Centre will address the requirements of the LotteryWest funding for Youth Services, and requests the Goldfields Esperance Development Commission (GEDC) and the Department of Primary Industries and Regional Development (DPIRD) to support Council in discussions with LotteryWest on this.**
5. **Authorises the DPIRD to progress a variation of the current financial agreement to reflect the aforementioned.**
6. **Authorises the Shire President and Chief Executive Officer to:**
  - (a) **Execute, on behalf of Council, the variation to the financial agreement.**
  - (b) **Progress Stage 1 of the Project.**
  - (c) **Duly execute, on behalf of Council, other documentation that requires signing and placement of the Shire's Common Seal as part of the process.**
7. **Authorises the CEO to work with the GEDC to seek funding for future development of aged accommodation independent living units through the State Government's \$22.7M Regional Aged Accommodation Funding program.**

SIMPLE MAJORITY	<input checked="" type="checkbox"/>	VOTES FOR	<b>4</b>	VOTES AGAINST	<b>0</b>
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**Point 7 added to address the recommendation made for this in the Minister's letter.**

**4.2 CONTRACT OF SALE FOR LOT 567 ON DEPOSITED PLAN 405749 – SHIRE OF LAVERTON (FILE REF: 949)**

**SUBMISSION TO:** Special Meeting of Council, 25 January 2018  
**DISCLOSURE OF INTEREST:** The author has no financial interest in this matter  
**OWNER/APPLICANT:** Department of Planning, Lands and Heritage  
**AUTHOR:** Peter Naylor, Chief Executive Officer  
**SENIOR OFFICER:** Not applicable  
**PREVIOUS MEETING REFERENCE:** Minute OMC151616 of Ordinary Meeting of Council held 18 June 2015

**MATTER FOR CONSIDERATION**

To consider and endorse an offer from the Department of Planning, Lands and Heritage for Council to purchase Unallocated Crown Land, being Lot 567, which is adjacent to the existing television rebroadcast site on the western side of town.

**ATTACHMENTS**

SMC180125-4.2.A Letter from Dept of Planning, Lands and Heritage 27 Sept 2017 re Contract of Sale for Lot 567 on Deposited Plan 405749 – Shire of Laverton

**APPLICANT'S SUBMISSION**

Not applicable.

**BACKGROUND**

Council considered this matter at the Ordinary Meeting held on 18 June 2015.

At the meeting Council resolved (OMC150606):

**That Council:**

1. Agrees in principle to 'acquiring' a parcel of land in Hawks Place as outlined above, and will continue to re-assess the proposal as further information comes to hand during the process;
2. Endorses the actions of the CEO in making application to the Department of Lands for the excision of an appropriate area of UCL in Hawks Place, to be transferred to the Shire for the GVROC Solar PV Project and the TV and Radio Retransmission Facility, and
3. Indemnifies the Minister against any and all costs associated with the compulsory acquisition of rights and interests over the subject land, including but not limited to advertising, survey, negotiation and Aboriginal heritage survey and all compensation payable.

## **STATUTORY ENVIRONMENT**

### ***Local Government Act 1995***

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies;

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

### ***Land Administration Act 1997***

Section 74 – Minister's powers as to sale of Crown land.

## **POLICY IMPLICATIONS**

The recommendation of this report has no Policy implications for Council.

## **FINANCIAL IMPLICATIONS**

2017/18 Budget Provision.

## **STRATEGIC IMPLICATIONS**

Securing the land for the TV Retransmission Facility and the GVROC Solar PV Project with the appropriate land tenure will enable the Shire to appropriately manage these facilities into the future.

## **CONSULTATION**

Department of Planning, Lands and Heritage.

## **COMMENT**

As a result of Council Resolution OMC150606 and subsequent correspondence to the Department of Lands (as it was then known), Council received correspondence dated 27 September 2017, from the Department of Planning, Lands and Heritage offering for Council to purchase the land for price of \$1,000 plus GST, and associated fees and charges of \$515.70, at a total cost of \$1,615.70 (GST inclusive).

Council has included budget provision of \$20,000 for purchase of the land and associated costs, therefore the amount being requested is well under the budgeted provision.

This seems a good opportunity for Council to purchase land for the future expansion of the TV Rebroadcast Site, or other purposes as may deem appropriate, for an extremely reasonable price

## VOTING REQUIREMENTS

Simple majority decision of Council required.

### SMC180125.02 COUNCIL DECISION/OFFICER RECOMMENDATION

That Council:

MOVED: Cr D Ross      SECONDED: Cr R Street

1. **Accepts the offer from the Department of Planning, Lands and Heritage (Attachment SMC180125-4.2.A) and proceeds with the purchase of Lot 567 Laverton for the price of \$1,615.70 (GST inclusive).**
2. **Authorises the Shire President and Chief Executive Officer to duly execute the property sale and transfer of land documents on behalf of the Shire.**

SIMPLE MAJORITY	<input checked="" type="checkbox"/>	VOTES FOR	<input type="text" value="4"/>	VOTES AGAINST	<input type="text" value="0"/>
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### 5. CLOSURE OF MEETING

The President declared the meeting closed at 6:05pm.

### 6. NEXT MEETING

The next Ordinary Meeting of Council will be held at 5:00pm on Thursday 22 February 2018.

### 7. CERTIFICATION OF MINUTES

I, Patrick Hill, hereby certify that the Minutes of the Special Meeting of Council held on 25 January 2018 are confirmed as a true and correct record, as per the Council resolution of the Ordinary Meeting of Council held on 22 February 2018.

**SIGNED:** \_\_\_\_\_ **DATED:** **22 FEBRUARY 2018**





**Hon Alannah MacTiernan MLC**  
**Minister for Regional Development; Agriculture and Food;**  
**Minister Assisting the Minister for State Development; Jobs and Trade**

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Our ref: 64-05300

Cr Patrick Hill  
President  
Shire of Laverton  
PO Box 42  
LAVERTON WA 6440

Dear Cr Hill

**LAVERTON HOSPITAL AND COMMUNITY HUB**

Thank you for hosting the Deputy Premier and I in Laverton on 13 December 2017. The visit was a valuable opportunity to see and hear about development priorities for the town.

It is clear the hospital is an essential asset for the town and surrounds but is an ageing facility that needs replacement. The State does not have the capacity to fund the complete project in the short term. I therefore propose the following approach to enable the project to progress.

Royalties for Regions funding of \$4 million will be redirected from the Community Hub project towards the redevelopment of the hospital. I suggest the priority for the Community Hub project should be replacement of the swimming pool and a scaled back indoor recreation space.

I also believe careful consideration must be given to how the Shire will meet the ongoing operating and maintenance costs of the new facilities.

While I know you will be disappointed not to be able to deliver the full Community Hub project as planned, I hope you understand the challenging budget situation the State faces. I would also encourage you to seek leverage funding from the Commonwealth Government.

The mining industry in the Goldfields needs to consider its infrastructure contribution to local communities. I have asked the Chamber of Minerals and Energy and the Association of Mining and Exploration Companies to approach their members in the region to consider a financial contribution to the new hospital.

As we discussed, the State Budget includes a \$22.7 million allocation for a Regional Aged Accommodation program. I encourage the Shire to work with the Goldfields Esperance Development Commission to seek funding through this program for the proposed Independent Living Units that are to be co-located with the new hospital.

I have asked the Goldfields-Esperance Development Commission to work with you to review the Community Hub project and identify opportunities for cost savings.

Yours sincerely



**HON ALANNAH MACTIERNAN MLC  
MINISTER FOR REGIONAL DEVELOPMENT; AGRICULTURE AND FOOD;  
MINISTER ASSISTING THE MINISTER FOR STATE DEVELOPMENT,  
JOBS AND TRADE**

16 JAN 2018



Department of Planning,  
Lands and Heritage

Lands Division

Your ref:  
Our ref: 00254-2015, Job No. 150728  
Enquiries: Ph: (08) 6552 4653  
Fax: (08) 6552 4417  
ruth.deridder@lands.wa.gov.au

27 September 2017

Chief Executive Officer  
Shire of Laverton  
PO Box 42  
LAVERTON WA 6440

FILE REF	1230
CEO	✓
05 OCT 2017	
EMTS	
EMCCS	

Dear Mr Deckert

**CONTRACT OF SALE FOR LOT 567 ON DEPOSITED PLAN 405749 – SHIRE OF LAVERTON**

I refer to previous correspondence regarding the purchase of the abovementioned land, subject to the terms of conditions of sale.

Accordingly, approval has been given to make Lot 567 on Deposited Plan 405749 (Land) available for sale to you for the purchase price of \$1000.00 plus GST pursuant to Section 74 of the *Land Administration Act 1997* (LAA).

If you wish to purchase the Land, the enclosed Contract of Sale must be signed (executed) by the Shire's duly authorised persons under common seal and then forward to this Office with payment of \$1615.70, comprising purchase price of \$1000.00 plus GST, document preparation fee of \$347.00 and document registration fee of \$168.70. Please note that these fees increased on 1 July 2017 are current as of the date of this letter.

Payment can be made by direct credit payment into the Department of Planning, Lands and Heritage's (Department) account:

Account: Department of Planning, Lands and Heritage  
Bank: Commonwealth Bank of Australia  
BSB: 066 040  
Account No: 1990 3039

Alternatively, payment can be made by cheque payable to the "Department of Planning, Lands and Heritage" and returned with the Contract.

Please ensure that when making payment of the above amount that the 'Shire of Laverton' and our reference (file) number '00254-2015' is included. Please send remittance advice for payment by email to [LandsEFT@lands.wa.gov.au](mailto:LandsEFT@lands.wa.gov.au) or fax to (08) 6552 4417 quoting 'Shire of Laverton' and our reference (file) number '00254-2015'.

The bottom of the back page of the contract must be signed and dated. This acknowledges that you have read the attached Conditions of Sale and will abide by them.

Please note that by the terms of the Conditions of sale, you are obliged to pay any GST applicable to this transaction. Please refer to the first page of the Contract of Sale, which mentions the GST, as well as Clause 16 of the Conditions of Sale.

Upon return of the Contract of Sale it will be submitted for signing on behalf of the Minister for Lands under delegated authority pursuant to Section 9 of the *Land Administration Act 1997*. The Department will then prepare a Transfer of Land document (at the City's expense; payment requested above) and forward this (along with the signed Contract) to the City for execution and assessment of stamp duty. Once executed and stamped, the Transfer will need to be returned to this office to arrange lodgement with associated documentation at Landgate.

Please note that this offer will remain valid for three months from the date of this letter, after which it may be subject to a review.

Should you have any enquires about this matter, please do not hesitate to contact Ruth de Ridder on any of the details above.

Yours sincerely

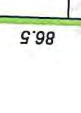
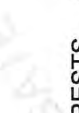



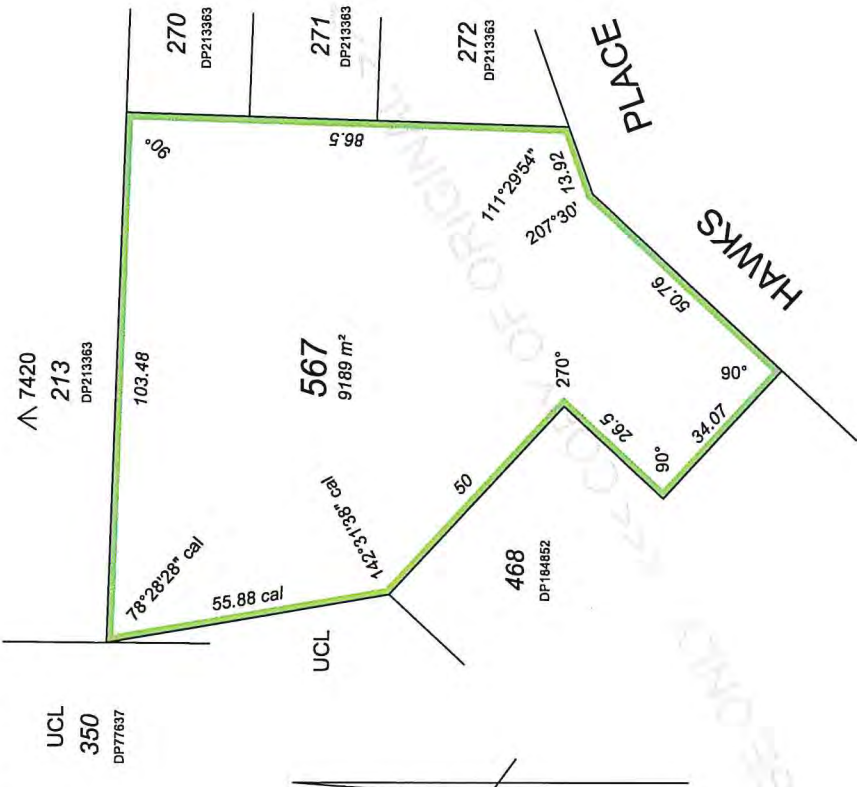
Carmen Watts

Assistant Manager, Case Delivery

Position No: 33513249

Enc: Deposited Plan 405749  
Contract of Sale  
Conditions for the Sale of Crown Land

TYPE	CROWN	S.S.A. NO
PURPOSE	SUBDIVISION	
PLAN OF	LOT 567	
FORMER TENURE	UCL	
LOCAL AUTHORITY	SHIRE OF LAVERTON	
LOCALITY	LAVERTON	
D.O.L. FILE	254-2015	
FIELD RECORD	COMPILED	
SURVEYOR'S CERTIFICATE - COMPILED		
I, RUSSELL E. HAIGH, do hereby certify that the compiled plan - (a) represents the survey; (b) is in accordance with the relevant law in relation to which it is lodged.		
 russellhaigh@aero.com.au 1149233 408007		
LICENSED SURVEYOR	DATE	
LOGGED	30-Sep-15	18152220
DATE	FEE PAID	ASSESS No.
U.S.C.	EXAMINED	30-10-2015
FILE	WESTERN AUSTRALIAN PLANNING COMMISSION	
EXEMPT		
Delegated under S.16 FAD Act 2005		
IN ORDER FOR DEALINGS		
SUBJECT TO	DATE	
FOR INSPECTOR OF PLANS AND SURVEYS		
APPROVED	DATE	
 18-7-2016		
INSPECTOR OF PLANS AND SURVEYS (S.18 License Surveyor Act 1989)		
 DEPOSITED PLAN <b>405749</b> SHEET 1 OF 1 SHEET VERSION 1		

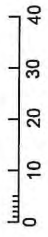


COMPILED FROM DP213363 & DP184852  
 CALCULATED DIMENSIONS DERIVED  
 IN ACCORDANCE WITH SURVEY  
 REGISTRATION MINUTE 1/98.

INTERESTS AND NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS

SCALE 1 : 1000 @ A3



HELD BY LANDGATE IN DIGITAL FORMAT ONLY



Department of **Planning,  
Lands and Heritage**

GOVERNMENT OF  
WESTERN AUSTRALIA

## DEPARTMENT OF PLANNING, LANDS AND HERITAGE (Department) CONTRACT OF SALE

The Purchaser offers to purchase the Land for an estate in fee simple at the Purchase Price and on the other terms set out in the particulars below and subject to the conditions set out below.

### PARTICULARS

#### Description of Land

DISTRICT/TOWNSITE Laverton	LOT/LOC No. 567	CLT LR	VOLUME 3026-153	FOLIO
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#### Street Address (If applicable)

NUMBER AND STREET Hawks Place	TOWN/CITY Laverton	POSTCODE 6440
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#### Purchaser's Details

FULL NAME (including ABN if applicable)

\* **Shire of Laverton**

ADDRESS:

\* 9 MacPherson Place, Laverton WA 6440

If more than one purchaser:  joint tenants  tenants in common (in equal shares unless otherwise stated).

#### Vendor's Agent (If not Department)

#### Purchase Price

\$ 1000.00

#### GST

\$ 100.00

#### Total

\$ 1100.00

#### Deposit

\$ 1100.00

GST payable is: (Please tick appropriate box)

- calculated under the Margin Scheme (if this box is selected the Purchaser and the Vendor agree that for the purposes of the GST Act, the supply of the Land is made under the Margin Scheme);
- calculated at 10% of the Purchase Price; or
- not applicable.

#### Purchaser's Conveyancer

\* NAME

\* ADDRESS

\* TELEPHONE NO.

FACSIMILE NO.

## CONDITIONS

1. Acceptance of this offer will be sufficiently communicated to the Purchaser if verbal or written notification is given by the Department to the Purchaser that the acceptance has been signed by, or on behalf of, the Vendor.
2. The Department of Planning, Lands and Heritage Conditions for the Sale of Crown Land (the "Conditions") annexed to this Contract shall be incorporated into and form part this Contract to the extent that the Conditions are not varied by or inconsistent with the express conditions below.
3. For the purposes of clause 15.1(a)(i) of the Conditions the party to whom notices for the Vendor should be given is: Manager Case Delivery, Lands Division and the fax number is: (08) 6552 4417.
4. At the date of this contract, the Department is the Department of Planning, Lands and Heritage of level 2, 140 William Street, Perth WA 6000.

For express conditions varying the Conditions please see Schedule 1 attached to this Contract.

.....  
**SIGNED** by the Purchaser using its Common Seal and Sealing Clause

*sealing clause*

*Common Seal*

The Minister for Lands acting for and on behalf of the State of Western Australia accepts the above offer in accordance with the Conditions.

**SIGNED** by an authorised officer for and on behalf of the Minister for Lands by delegated authority under section 9 of the *Land Administration Act 1997*.

\_\_\_\_\_  
Officer Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Officer Name

\_\_\_\_\_  
Witness Name


\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

\_\_\_\_\_  
Insert Position Must be Level 6 or above

\_\_\_\_\_  
Position No.

A copy of the Conditions has been received by the Purchaser/s.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Date \_\_\_\_/\_\_\_\_/\_\_\_\_

## **SCHEDULE 1**

1. The sale of the Land is pursuant to section 74 of the Land Administration Act 1997;
2. This Contract is subject to the registration of a Taking Order over Lot 567 on Deposited Plan 405749 (the Land) that supports the transfer of the Land in fee simple to the Shire of Laverton pursuant to section 74 of the Land Administration Act 1997.