



UNCONFIRMED MINUTES  
OF THE ORDINARY MEETING  
OF COUNCIL  
HELD ON  
18 JULY 2013  
AT 11.00am

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Unconfirmed Minutes of the Ordinary Meeting of the Yalgoo Shire Council,  
held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on Thursday 18 July 2013, commencing at 11.00 am.

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

At 11:00am, there being a quorum of councillors present in the chambers, President Terry Iturbide advised that the meeting would not commence until after lunch. This decision was made to allow councillors to hear information from Brendon Flanagan (Project Manager – Murchison), Mid West Development Commission, regarding a matter of significant concern regarding a Liquor Accord proposal.

The Shire President Terry Iturbide declared the Ordinary Meeting open at 1.05pm.

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

MEMBERS	Cr Terry K Iturbide, Shire President Cr M Raul Valenzuela, Deputy Shire President Cr Stanley Willock
STAFF	Sharon Daishe, Chief Executive Officer Heather Boyd, EMC Ron Adams, EMWI Karen Malloch, ACEA
GUESTS	
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	Cr Neil A Grinham

**3. DISCLOSURE OF INTERESTS**

Disclosures of interest made before the Meeting

**4. PUBLIC QUESTION TIME**

**4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

**4.2 QUESTIONS WITHOUT NOTICE**

**5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Item 14.1.1 Consideration of a matter in regard to legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting LGA s.5.23 (2) (d).

Item 14.1.2 Consideration of a matter affecting an employee LGA s.5.23 (2) (a).

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

**7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**7.1 PRESIDENT**

Date	Details	Attended with whom
5 July 2013	Visit from Troy Pickard & Wayne Scheggia (WALGA)	Acting CEO Samantha Tarling, Cr Valenzuela, Ron Adams EMWI
27 July 2013	WALGA Focus Group - Geraldton	Acting CEO Samantha Tarling

**COUNCILLORS**

Date	Details	Councillors

## 8. CONFIRMATION OF MINUTES

### 8.1 ORDINARY COUNCIL MEETING

#### Background

Minutes of the Ordinary Meeting of Council have previously been circulated to all Councillors.

#### Voting Requirements

Simple majority

Before the motion was put, the CEO drew attention to an error on page 4 of the minutes as circulated being:

- Page 4, item 4.1, second paragraph of the answer to the first question – should be “Recreation” not “Residential”.

#### OFFICER RECOMMENDATION

##### Minutes of the Ordinary Meeting

**That the Minutes of the Ordinary Council Meeting held on 20 June 2013 be confirmed.**

**Moved: Cr MR Valenzuela**

**Seconded: Cr S Willock**

**AMENDED**

- The original recommendation was moved and seconded.
- An amendment to recognise the correction was then moved and seconded.
- The amendment was put and carried.
- The original recommendation, as amended, was put and carried as the substantive motion.

#### AMENDMENT

##### **C2013-0701 Correction to the Minutes of the Ordinary Meeting Held on 20 June 2013**

**That the following correction be made to the Minutes, as circulated, of the Ordinary Council Meeting held on 20 June 2013:**

- **Page 4, item 4.1, second paragraph of the answer to the first question; change “Residential” to “Recreation”.**

**Moved: Cr TK Iturbide**

**Seconded: Cr M Raul Valenzuela**

**Amendment put and carried 3/0**

#### ORIGINAL MOTION AS AMENDED

##### **C2013-0702 Minutes of the Ordinary Meeting (as corrected)**

**That the Minutes of the Ordinary Council Meeting held on 20 June 2013, as circulated, be confirmed with the following correction:**

- **Page 4, item 4.1, second paragraph of the answer to the first question; change “Residential” to “Recreation”.**

**Moved: Cr MR Valenzuela**

**Seconded: Cr S Willock**

**Put and carried as Amended 3/0**

## SPECIAL COUNCIL MEETING

### Background

Minutes of the Special Meeting of Council have previously been circulated to all Councillors.

### Voting Requirements

Simple majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0703 Minutes of the Special Meeting

That the Minutes of the Special Council Meeting held on 1 July 2013 be confirmed.

Moved: Cr MR Valenzuela

Seconded: Cr S Willock

Motion put and carried 3/0

## 9. MINUTES OF COMMITTEE MEETINGS

## 10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters

### INFORMATION ITEMS

Sharing of operational information on items that are not confidential, do not require a decision and do not meet the definition of matters for which the meeting may be closed under section 5.23 of the Local Government Act (eg: matters affecting employee/s or the personal affairs of any person).

ATTENDANCE: 1:24pm EMC Heather Boyd left the meeting.

ATTENDANCE: 1:26pm EMC Heather Boyd rejoined the meeting.

## 11. MATTERS FOR DECISION

### MATTERS BROUGHT FORWARD

### WORKS AND SERVICES

### DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH



## FINANCE

### 11.3.1 Financial Activity Statements and Accounts Paid for the Month of May 2013.

File:	
Author:	Heather Boyd, Executive Manager Corporate
Interest Declared:	No interest to disclose
Date:	27 June 2013
Attachments (White)	P1 Financial Activity Statements - R34 (1) P28 Major Project Progress Reports - C2012-0320 P29 Schedule of Payments - R13(1)

#### Matter for Consideration

Adoption of the monthly financial statements, major project progress report and schedule of payments.

#### Background

1. The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed and require the Chief Executive Officer to prepare a list of accounts paid.
2. Council, at the ordinary meeting held in March 2012, requested that a status report for major projects be included in the monthly financial reports (decision C2012-0320). Where relevant this additional report is included in the attachments for the information of council.

Council can expect to receive status reports for the following major 2012/13 projects commencing from the accounting period ended 31 October 2012:

- RC003 Yalgoo Community Hub: Covered Sports Facility

#### Statutory Environment

##### *Local Government Act 1995*

Section 6.4—Specifies that a local government is to prepare such other financial reports as are prescribed.

##### *Local Government (Financial Management) Regulations 1996*

Reg 13(1)—Requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

Regulation 34 states:

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
- (b) budget estimates to the end of month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
- (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5 and 6 prescribe further details of information to be included in the monthly statement of financial activity.

**Strategic Implications**

Provision of timely accounting information to inform Council of the financial status and financial affairs of the local government.

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue and overall results against budget targets.

**Policy Implications**

- 2.1 Capitalisation of Assets
- 2.4 Material Variance

**Financial Implications**

Payments from Council’s Municipal Account as disclosed in the budget or subsequently approved.

**Consultation**

Shire accountants UHY Haines Norton.

**Comment**

The Shire utilises the services of accountants UHY Haines Norton to prepare the monthly financial statements in the statutory format and provide general accountancy support and advice.

A copy of the Statement of Financial Performance is included in the financial attachments with the investment register and schedule of payments.

The areas where material variances have been experienced (10% or \$10,000 above or below budget) are commented on in the material variance attachment.

**Voting Requirements**

Simple Majority

The officer recommendations to this item were moved and put en bloc.

**OFFICER RECOMMENDATION/COUNCIL DECISION**  
**C2013-0704    R34 (1) - Financial Activity Statements for the Month of May 2013**  
**That Council adopts the financial activity statements for the period ending 31 May 2013, as attached.**  
**Moved: Cr MR Valenzuela                      Seconded: Cr TK Iturbide                      Motion put and carried 3/0**

**OFFICER RECOMMENDATION/COUNCIL DECISION**  
**C2013-0705    R13 (1) - List of Accounts Paid for the Month of May 2013**  
**That Council receives the Schedule of Payments for accounts paid in the month of May 2013.**  
**Moved: Cr MR Valenzuela                      Seconded: Cr TK Iturbide                      Motion put and carried 3/0**

### 11.3.2 Draft Budget Elected Members Fees and Allowances 2013/14

File:	
Author:	Heather Boyd, Executive Manager Corporate
Interest Declared:	No interest to disclose
Date:	24 June 2013
Attachments (yellow)	P32 SAT Determination P71 PSA Motor Vehicle allowances

#### Matter for Consideration

To determine the following elected members allowances and fees for inclusion in the 2013/14 draft budget:

- Per meeting attendance fee for President, Deputy President and councillors
- President's allowance
- Deputy President's allowance
- Monthly telecommunications allowance

All fees and allowances are to be paid monthly in arrears.

#### Background

The Local government Act 1995 requires council to determine the fees and allowances payable to Elected Members each year. The 2012/13 fees and allowances were adopted by Council at its meeting on 19 April 2012 (Refer Council Minute C2012-0415) and were included in the 2012/2013 Budget.

In prior years the schedule of allowances was laid out in the Local Government (Administration) Regulations of 1996. From the financial year 2013/14 the allowances will be subject to Section 7(B) of the Salaries and Allowances Act 1975 as per the determination by the Salaries and Allowances Tribunal on local government elected council members.

#### Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that each year a local government prepare and adopt an annual budget.

Meeting Attendance Fees – Sections 5.98 and 5.99 of the Local Government Act 1995 and Section 7(B) Regulation 2.2 of the Salaries and Allowances Act 1975.

President's Allowance – Section 5.98 of the Local Government Act 1995 and Section 7(B) Regulation 3.2 of the Salaries and Allowances Act 1975.

Deputy President's Allowance - Section 5.98A of the Local Government Act 1995 and Section 7(B) Regulation 3.3 of the Salaries and Allowances Act 1975.

Telecommunications Allowance – Section 5.99A of the Local Government Act 1995 and Section 7(B) Regulation 5.2 of the Salaries and Allowances Act 1975.

Section 7(B) of the Salaries and Allowances Act 1975 prescribe the maximum annual allowances payable and these are:

- Regulation 3.2 specifies the maximum annual allowance for a mayor or president is \$19,000 or 0.002 of the local government's operating revenue, whichever is less;
- Regulation 3.3 specifies the maximum annual allowance for a deputy is 25% of the mayor or president;
- Regulation 2.2 specifies the minimum attendance fee for elected members is \$88 per meeting with the maximum \$225 per meeting.

- Regulation 2.2 specifies the minimum annual attendance fee for a mayor or president is \$3,500 and the maximum \$18,500; and
- Regulation 34A specifies the maximum annual telecommunications allowance is \$2,400.

**Strategic Implications**

Nil

**Policy Implications**

7.6 Annual Budget Preparation timetable.

**Financial Implications**

Any allowances and fees approved by Council will be included in the 2013/2014 draft budget.

**Consultation**

CEO, Sharon Daishe

**Comment**

Fees and allowances payable to elected members in accordance with the Local Government Act 1995 are either entitlements or discretionary.

Entitlements

Entitlements are fees, expenses and allowances that an elected member must receive should they request to receive them. Generally, Council can determine the amount to be paid within minimum and maximum parameters specified by legislation. Examples are elected members' attendance fees, the President's allowance (in recognition of the additional duties required) and reimbursement of telecommunication equipment, rental charges for a phone line and a fax line.

Discretionary

Discretionary fees, expenses and allowances are those that Council has the right to determine whether they should be provided, and if so, their amount. Examples include the Deputy President's allowance and annual telecommunications allowance. Should Council decide to continue to pay a Deputy President's allowance, the maximum amount of the allowance is 25% of the President's allowance. Council has previously determined that elected members will be provided a telecommunications allowance rather than reimbursement of telecommunication equipment rental charges.

Suggested Fees for 2013/2014

A comparison of fees and allowances for the current financial year and the fees and allowances proposed for 2013/2014 are shown in the following table. The proposed allowances (president, deputy president and telecommunications) are based on the 2012/2013 allowances plus an increase by the Local Government Cost Index forecast to June 2013 of 2.5% and then rounded to the nearest \$5. The Local Government Cost Index for the year to March 2013 is 2.5%.

Councillors are currently receiving a travel allowance above the Public Service Award 1992 rate for the South West Land Division. It is therefore proposed to bring the travel allowance back to the maximum set in the Public Service Award of \$0.91 cents per kilometre. To offset the reduction in the kilometre rate an additional \$20 has also been added to the sitting fees.

	Salaries and Allowances Act 1975	Regulation Minimum \$	Regulation Maximum \$	Adopted 2012/2013 \$	Proposed 2013/2014 \$
<b>PRESIDENT</b>					
- Council and Special Meeting Attendance Fee	r.2.2(1)	88	463	230	<b>255</b>
- Committee Meeting Attendance Fee	r.2.3(1)	44	113	70	<b>75</b>
- President’s Allowance per annum	r.3.2(1)	500	19,000	6,720	<b>6890</b>
- Telecommunications Allowance (per month)	r.5.2(2)	41.67	291.67	80	<b>85</b>
- Travel Allowance (cents per km) *	*			1	<b>.91</b>
<b>DEPUTY PRESIDENT</b>					
- Council and Special Meeting Attendance Fee	r.2.2 (1)	88	225	140	<b>165</b>
- Committee Meeting Attendance Fee	r.2.3(1)	44	113	70	<b>75</b>
- Deputy President’s Allowance	r.3.3(1)	125	4,750	1,140	<b>1170</b>
- Telecommunications Allowance (per month)	r.5.2(2)	41.67	291.67	70	<b>75</b>
- Travel Allowance (cents per km) *	*			1	<b>.91</b>
<b>COUNCILLOR</b>					
- Council and Special Meeting Attendance	r.2.2 (1)	88	225	140	<b>165</b>
- Committee Meeting Attendance Fee	r.2.3(1)	44	113	70	<b>75</b>
- Telecommunications Allowance (per month)	r.34A	41.67	291.67	65	<b>70</b>
- Travel Allowance (cents per km) *	*			1	<b>.91</b>

\* Public Service Award 1992

**Voting Requirements**

Absolute Majority

**OFFICER RECOMMENDATION/AMENDED**

**Elected Members Fees and Allowances 2013/14**

That Council –

1. Set a per meeting attendance fee for elected members of Council for Ordinary and Special Council meetings of \$165.00 for 2013/2014 and that this be paid monthly in arrears;
2. Set a per meeting attendance fee for the President for Ordinary and Special Council meetings of \$255.00 for 2013/2014 and that this be paid monthly in arrears;
3. Set the President’s Allowance be \$6,890 for 2013/2014 and that this be paid monthly in arrears;
4. Set the Deputy President’s Allowance be \$1,170.00 for 2013/2014 and that this be paid monthly in arrears;
5. Set a per meeting attendance fee for Committee meetings of \$75.00 for 2013/2014 and that this be paid monthly in arrears;
6. Set a telecommunications allowance be paid in arrears to elected members of \$70.00 per month; \$75 per month for Deputy President and \$85 per month for President;
7. Set a travel allowance rate of \$0.91 per km for 2013/2014.

Moved: Cr S Willock

Seconded: Cr MR Valenzuela

Motion Lay on the table

Lays the matter on the table until the report is provided

**NEW MOTION/COUNCIL DECISION**

**C2013-0706    Elected Members Fees and Allowances 2013/14**

**That Council requires more information before a decision can be made, therefore the officer recommendations be laid on the table.**

**Moved: Cr S Willock**

**Seconded: Cr MR Valenzuela**

**Motion put and carried 3/0**

## ADMINISTRATION

### 11.4.1 Computer Upgrade

File:	ADM095	
Author:	Heather Boyd, Executive Manager, Corporate	
Interest Declared:	No interest to disclose	
Date:	5 July 2013	
Attachments	P2	Matrix of Strengths and Weaknesses
(yellow)	P3	Extract from LGMA State Wide Newsletter on Cloud Computing

#### Matter for Consideration

For Council to approve the proposed upgrade of the Shire’s computers to Cloud Computing and for Council to approve the budget of \$45,000 for the upgrade of the computers.

#### Background

The Shire of Yalgoo currently operates a computer system using a single server located in the office. The computers are now scheduled for replacement and consideration has been given to upgrading the computers using cloud computing to replace the server. It is recommended that all computer hardware is upgraded every 36 months.

An assessment has been done of current and future needs of council and how our computer systems can be optimised. Currently staff can only access the system when they are in the main shire office unless they can VPN (virtual private network) into the server, linking to a computer inside the office that has access to the server. This requires a number of office computers to be turned on and not used by office staff. Currently the main users of the VPN system are the Consultant Accountant Christine Harvey, who logs on through the chambers computer, and UHY Haines Norton who log on through the Environmental Health Officers computer. CEO, Sharon Daishe logs on through the CEO computer when offsite. When consultants or the Environmental Health Officer, Bill Atyeo, are in the office it becomes difficult to arrange for everyone to access computers at the same time.

Staff based at either the shire hall, depot or the caravan park currently cannot access the server and therefore save documents on their standalone computers or laptops. There is a risk that this information is not being captured correctly and in the event of a disaster, e.g. fire, theft etc, the records may be lost. Virus protection has been added to these stand alone computers but it is reliant on staff to remember to undertake the update regularly.

When senior staff members are away from Yalgoo on work commitments, they will be able to access the cloud based applications to continue with priority work. All senior staff will be issued with laptops.

With the plans for the new depot/workshop in progress, the Cloud allows for the expansion of the offices in that area where staff being able to access all files. The server based system currently in use will not allow for expansion and any new staff will require either VPN access or will be unable to access all data. To allow for additional VPN access the shire office will need to have more computers set up for the purposes of dial in for staff. The other alternative here would be a costly exercise of running cables from the office to the hall, depot and Caravan Park or a wireless equivalent system.

Back-ups for the server are conducted once a week and taken offsite to one of the Shire houses for storage. This system is reliant on staff remembering that a back up needs to be done and taken home. With a limited number of staff available, if the person who does the regular back-up is away it may be forgotten. On the cloud the back-ups are automated and can be scheduled for a time to reduce disruption to staff. With cloud computing a local backup will be available for any documents that are being worked on in the

event of failure of the ADSL line. Back-ups for offsite computers are not completed regularly as they are also reliant on staff to remember to complete them. There is a high risk of loss of data if a problem occurs with one of these computers.

Consideration has been given to the use of computers during power cuts and loss of the ADSL. In power cuts, particularly on key days such as for payroll, with the cloud, staff will be able to go to Mt Magnet or Geraldton with laptops to continue processing. With a server, if there is a power cut then there will be no access on or offsite to the financial software to be able to complete pays while the loss of ADSL will still require key management staff to go offsite to transmit the file and approvals to the bank.

At a time of disaster, such as the loss of the operations at the Shire office through fire or flood, the data will still be available for access offsite and the loss would be restricted to time only. A similar loss with a server would require a new server to be built and the software restored before access could be gained. With the isolation of Yalgoo the time this could take could be weeks rather than days.

Trials have been undertaken by one user and speed improvements have been made in as far as there is no difference between the cloud versus server. Speed trials are continuing where all staff will be required to do work online at the same time to test the ADSL capacity. Upgrade to cloud will be dependent on these trials.

At present the Councillors cannot access data directly through the server. This means that information is either emailed or printed and mailed to Councillors. This presents a problem where there is only one mail delivery per week to the stations. With the cloud, there may be a secure area set up where Councillors will be able to access information directly. This will benefit the Shire in a saving of printing and mail as well as getting information to Councillors in a more timely fashion.

In 2012/13 a budget allowance was made of \$45,000 for the replacement of the computers and server. Due to the research into the requirements of council this money was not spent and it is now proposed to carry this budget allowance into the 2013/14 financial year. The cost for the replacement of the computer hardware is approx \$17,000 and then they require an additional \$7,000 for the reconfiguration by UHY Haines Norton. Cloud computing will require a one off payment of \$12,000, while the cost of the server is approximately \$4,000 with additional cost from UHY to configure. It is proposed that the \$45,000 from 2012/13 be carried into the 2013/14 financial year.

## **Statutory Environment**

### *Local Government Act 1995*

- s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

## **Strategic Implications**

The accessibility of Council information by staff and Councillors.

## **Policy Implications**

Nil

## **Financial Implications**

Budget consideration has previously been made in 2012-13 and will be carried forward to 2013-14 budget.

## **Consultation**

CEO, Sharon Daishe



Computer Support, UHY Haines Norton, Paolo Franzoni  
 Acting CEO, Sam Tarling

*ATTENDANCE: 2:04pm Cr Raul Valenzuela left the meeting.*

*ATTENDANCE: 2:06pm Cr Raul Valenzuela rejoined the meeting.*

**Comment**

The use of cloud computing by the Shire is desirable as it allows accessibility to all staff members and is not just restricted to office staff or staff using VPN to access the Shire software. This will ensure that the data being stored is current and useable by all staff. This assists with the hiring of new staff who may be housed away from the office, particularly when the depot is upgraded.

The current server use is not easily expanded to other areas of the office and consideration would have been given to using a wireless feed which would have a limited range and still exclude the hall, depot and caravan park. Cabling to those areas is not cost affective.

Other applications that may become available is an area for Councillors to login to access information relevant to them which will also allow for up to date information for Council meetings.

A risk matrix has been included which highlights events that could potentially create a problem with any computer system, indicates the likelihood of the event occurring and the consequences if the event does happen.

All the current computers will be taken away and scrubbed clean before being returned to the Shire for use in the community computer room at the shire hall.

*ATTENDANCE: 2:44pm ACEA Karen Malloch left the meeting.*

*ATTENDANCE: 2:45pm ACEA Karen Malloch rejoined the meeting.*

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION #1**  
**C2013-0707    Cloud Computer**  
**That Council approve the proposed upgrade of the computer system to cloud computing pending successful trials of the application.**  
**Moved: Cr MR Valenzuela                      Seconded: Cr TK Iturbide                      Motion put and carried 3/0**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION #2**  
**C2013-0708    Computer Upgrade Draft Budget**  
**That Council approve the proposed draft budget for 2013/14 of \$45,000 for the upgrade of the office computers.**  
**Moved: Cr MR Valenzuela                      Seconded: Cr S Willock                      Motion put and carried 3/0**

**11.4.2 Northern Planning Program – Local Government Assistance Program Agreement– Shire of Yalgoo Strategic Infrastructure Plan**

File:	ADM092
Author:	Samantha Tarling, Acting CEO
Interest Declared:	No interest to disclose
Date:	10 July 2013
Attachments	P6 Shire of Yalgoo Strategic Infrastructure Plan (yellow)

**Matter for Consideration**

For Council to receive and endorse the final Shire of Yalgoo Strategic Infrastructure Plan prepared by Porter Consulting Engineers. Council’s endorsement will result in the final milestone of the Northern Planning Program, Local Government Assistance Program (LGAP) Agreement – Shire of Yalgoo Strategic Infrastructure Plan being achieved and enable the CEO to acquit the grant.

**Background**

At the April 2012 OCM Council resolved:

*That Council authorises the CEO to prepare a specification and call for tenders in accordance with Functions and General Regulation 11, and accept a complying tender, in order to apply for funding from the Northern Planning Program to carry out planning for the sewerage, drainage and underground power component of the Yalgoo Town Revitalisation Project.*

Porter Consulting Engineers were engaged and in conjunction with Shire staff finalised the Shire of Yalgoo Strategic Infrastructure Plan. It is submitted for Council’s consideration and endorsement.

**Statutory Environment**

*Local Government Act 1995*

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

**Strategic Implications**

The Mid West Investment Plan have indicated keen desire to fund the Shire’s urgent and critical project to convert failing septic to a sewerage system that will have the added environmental and cost benefit of returning clean water to the Shire’s parks and gardens. However, they will not progress the Shire’s application until the Shire carries out the requisite complex planning and preparation.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Consultation**

Executive Manager Works and Infrastructure

**Comment**

The Shire of Yalgoo Strategic Infrastructure Plan is a high end document with the benefit of being able to be utilised in leveraging critical funding in the future to undertake the projects within the Plan. The methodology described within each category of the Plan is open to discussion and different methodologies may be applied to fit the environment and resources in Yalgoo according to available resources in the future.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2013-0709     Northern Planning Program – LGAP Agreement – Strategic Infrastructure Plan**

**That Council:**

- 1.     Receive and endorse the attached Shire of Yalgoo Strategic Infrastructure Plan prepared by Porter Consulting Engineers; and**
- 2.     Request the CEO submit an Acquittal Report to Department of Planning by 31 August 2013 for the NPP – LGAP Grant Agreement 2011-12 – ‘Agreement to facilitate the provision of funds to the Shire of Yalgoo as a contribution towards the development of the Yalgoo Strategic Infrastructure Plan’.**

**Moved: Cr MR Valenzuela**

**Seconded: Cr TK Iturbide**

**Motion put and carried 3/0**

*ATTENDANCE:     2:44pm ACEA Karen Malloch left the meeting.*

### 11.4.3 Advertising Proposed Sale of Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo

File:	ASS
Author:	Samantha Tarling, Acting CEO
Interest Declared:	No interest to disclose
Date:	8 July 2013
Attachments (yellow)	Nil

#### Matter for Consideration

Council to authorise the CEO to advertise the proposed disposal of Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo to Western Bros Earthmoving in accordance with s.3.58 (3) LGA 1995.

#### Background

At the June 2013 OCM Council resolved:

*That Council*

- *Indicates intention in principle to dispose of Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo to Western Bros Earthmoving; and*
- *Requests the CEO to:*
- *Purchase a valuation of the land; and*
- *Purchase and present to Council legal advice regarding imposition of a condition of sale that will require the buyer to develop the block within two years; and*
- ***Present a further recommendation to Council for the necessary advertising of disposal of the land under s 3.58 (3) of the Local Government Act.***
- *Include a figure of \$10,000 in the draft 2013-14 budget for vacant land development to facilitate future development enquiries in the interest of economic development.*

#### Statutory Environment

*Local Government Act 1995*

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

s.3.58 Disposing of Property

(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.

**Strategic Implications**

Economic Development

**Policy Implications**

Nil

**Financial Implications**

Nil

**Consultation**

Landgate – Desktop Unimproved Market Valuations

**Comment**

The legal advice regarding imposition of a condition of sale that will require the buyer to develop the block within two years has been received from the Shire’s solicitor and is presented in Confidential Items of this Agenda.

## Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

**C2013-0710 Advertising Proposed Disposal of Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo to Western Bros Earthmoving**

**That Council:**

1. Request the CEO to give local public notice of the proposed disposition in accordance with section 3.58 (3) of the Local Government Act 1995 as follows:
  - (a) Local public notice to be by way of advertisement in the Shire of Yalgoo Bulldust and the Geraldton Guardian on or before Tuesday 13 August 2013 inviting submissions to the Local Government by close of business Friday, 30 August 2013;
  - (b) The names of the parties concerned are the Shire of Yalgoo and Western Bros Earthmoving;
  - (c) The consideration to be received by the local government for the disposition is \$15,000 *inclusive* of GST;
  - (d) The market value of the disposition, as ascertained by a valuation carried out by Landgate on 9 July 2013, is \$13,750 *inclusive* of GST;
  - (e) The Local Government will consider any submissions received at the Ordinary Council Meeting to be held on 19 September 2013; and
2. Pending the outcome of any submissions received, and final agreement between the Shire and Western Bros Earthmoving on the terms of the Sale, Council will make the necessary arrangements to enter into the Sale on or before 1 November 2013.

Moved: Cr MR Valenzuela

Seconded: Cr S Willock

Motion put and carried 3/0

#### 11.4.4 Advertising Draft Strategic Community Plan 2013-2023

File:	ADM020
Author:	Samantha Tarling, Acting CEO
Interest Declared:	No interest to disclose
Date:	10 July 2013
Attachments (yellow)	P70 Draft Strategic Community Plan 2013-2023

#### Matter for Consideration

To consider endorsing the Draft Strategic Community Plan 2013-2023 and advertising for community comment.

#### Background

Legislation gazetted in 2011 required local governments to adopt a Community Strategic Plan and Corporate Plan by 30 June 2013, which require a suite of integrated resourcing plans (asset management, long term financial and workforce).

At the June 2013 OCM Council resolved:

*That Council adopts the attached timeline as proposed to finalise the integrated planning process by September 2013, and each councillor commits to attending the following workshops at Yalgoo:*

- *Tuesday 20 August 9am to 4pm: Asset Management (morning) and Long Term Financial (afternoon) Plans*
- *Tuesday 27 August 10am-3pm: Corporate Plan*

Consultation with community for the Community Strategic Plan commenced in 2011 with workshops in Yalgoo and Paynes Find, and a survey conducted by a Curtin University scholar.

Community consultation has been conducted intensively between March to May 2013 by the Shire's new community & youth development coordinator.

#### Statutory Environment

##### *Local Government Act 1995*

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Division 3 — Planning for the future

[Heading inserted in Gazette 26 Aug 2011 p. 3483.]

19C. Strategic community plans, requirements for (Act s. 5.56)

(1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.

- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.

\*Absolute majority required.

- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.



- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.

\*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

19DB. Transitional provisions for plans for the future until 30 June 2013

- (1) In this regulation —
  - former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under subregulation (2);
  - former regulation 19D means regulation 19D as in force immediately before 26 August 2011;
  - plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.
- (2) Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under subregulation (7).
- (3) A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.
- (4) A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.
- (5) If, for the purposes of complying with subregulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.
- (6) If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with subregulation (3) or otherwise —
  - (a) the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and
  - (b) local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.
- (7) This regulation expires at the end of 30 June 2013.

[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
  - (a) notification that —
    - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and

- (ii) details of where and when the plan may be inspected;
- or
- (b) where a strategic community plan for the district has been modified —
  - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
  - (ii) details of where and when the modified plan may be inspected.

### **Strategic Implications**

Establishment of a community vision for the Shire of Yalgoo, with a plan of action to achieve the vision within the constraints of the available resources.

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Consultation**

Executive staff

Councillor Workshop

### **Comment**

On 1 July, 2013 Councillors workshopped the draft Strategic Community Plan 2013-2023 and amendments were made and included in the draft presented.

Given the importance of this document being the guidelines that will be used by Council and staff in delivering services over the next ten years, it is proposed that the invitation for submissions from the community be advertised in the Geraldton Guardian as a public notice and the August edition of the Yalgoo Bulldust. The August Yalgoo Bulldust edition to contain the draft Strategic Community Plan and a brief explanation of the Integrated Planning and Reporting Framework and the desired outcomes it will achieve, together with a message to ensure the community are fully advised of the importance of partaking in providing feedback on the content and what they see as priorities to be included in the 2013-2017 Corporate Business Plan. Written submissions to be received by Friday, 30 August 2013, 4.00pm to enable officers to present reports to the September 2013 OCM to meet the Integrated Planning and Reporting Framework timelines determined by Council at the June 2013 OCM.

## Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

#### **C2013-0711     Advertising Draft Strategic Community Plan 2013-2023**

That Council

1.     **Endorse the draft Strategic Community Plan 2013-2023;**
2.     **Request the CEO to advertise in a public notice in the Geraldton Guardian on or before 6 August 2013, that the draft Strategic Community Plan 2013-2023 is available for viewing and invite community feedback via written submissions to be received by Friday, 30 August 2013, 4.00pm;**
3.     **Request the CEO to advertise in the Yalgoo Bulldust the draft Strategic Community Plan and an invitation for community feedback via written submission to be received by Friday, 30 August 2013, 4.00pm;**
4.     **Request the CEO to include with the advertisement and copy of the draft Strategic Community Plan 2013-2023 in the August 2013 edition of the Yalgoo Bulldust, a brief explanation of the Integrated Planning and Reporting Framework and the importance of the community partaking in providing feedback on the draft Strategic Community Plan and what they see as priority strategies for Council to consider to be included in the 2013-2017 Corporate Business Plan.**
5.     **Request the CEO to make arrangements to ensure the August edition of the Yalgoo Bulldust is distributed to all households in the Shire of Yalgoo on or before 13 August 2013; and**
6.     **The CEO to present a report to Council at the September 2013 OCM detailing the written submissions received.**

**Moved: Cr MR Valenzuela**

**Seconded: Cr TK Iturbide**

**Motion put and carried 3/0**

*ATTENDANCE:        2:50pm Cr MR Valenzuela left the meeting.*

*ATTENDANCE:        2:51pm Cr MR Valenzuela rejoined the meeting.*

### 11.4.5 Request for Financial Support from Northern Districts Community Support Group Inc

File:	ADM012
Author:	Pip Parsonson, CYDC
Interest Declared:	No interest to disclose
Date:	10 July 2013
Attachments (yellow)	P94 Policy 7.7 – Donations and Sponsorship

#### Matter for Consideration

To consider a request for financial support from the Northern Districts Community Support Group Inc. (NDCSG) to contribute to the cost of a vehicle to be used for outreach clinical mental health services for youth in the region.

#### Background

A letter attached addressed to the Shire President and dated 25 June 2013 from NDCSG seeks financial support for their expanded Family Counselling Service.

The support requested is for a one-off contribution of \$1,500 to assist with the purchase of a vehicle for a new staff position. Other shires that have also been asked for the same contribution are, the Shires of Carnamah, Coorow, Mingenew, Morawa, Perenjori and Three Springs.

The letter explains that the Department of Child Protection “has high regard for (the Family Counselling) service” and has offered funding to employ a second Counsellor with a youth focus.

NDCSG goes on to explain that they “would like to be able to have this Youth Counsellor offer the same outreach service as our Family Counsellor.” Accordingly they state that to do so they will need to purchase a vehicle. By outreach NDCSG means that they intend to provide services to the communities of Yalgoo and the other six shires listed above.

#### Statutory Environment

*Local Government Act 1995*

- s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### Strategic Implications

This request relates directly to the *Outcome 2.4 Improved delivery of existing or new health and support services* in the Draft Strategic Community Plan but is not backed up by a strategy that indicates direct funding or financial contributions to health services. If endorsed, the contribution would appear to positively contribute to the desired outcome but not the strategic approach to improve health services in the Shire.

#### Policy Implications

Policy 7.7 Donations and Sponsorship

#### Financial Implications

If the requested financial contribution was endorsed, amendments would be required to the draft 2013/14 Operational budget as this item does not currently exist within the draft budget.

**Consultation**

- Acting CEO, Samantha Tarling
- Executive Manager Corporate (EMC), Heather Boyd
- Executive Manager Works Infrastructure (EMWI), Ron Adams

**Comment**

It should be noted that NDCSG, through its Family Counsellor has established substantial goodwill in Yalgoo in the last six months. The Counsellor, Anne Hague has been a significant support to both the Centacare Indigenous Parenting Coordinator and to me, the Community and Youth Development Coordinator. Anne introduced us to important service providers in Geraldton when we were new to our positions, she contributes to the Yalgoo Interagency and she has provided counselling services to a Yalgoo family. This positive relationship does not nullify other factors that influence the recommendation of this report.

In general, the funding of health services is considered a state and/or federal government responsibility. Operationally, responsibility is often divested to the community sector, particularly when associated with the provision of mental health services as is evident in this case.

Local Government has never traditionally been a funder or provider of clinical mental health services. This request can therefore be seen as an example of shifting the cost burden of mental health service provision to local government. It is fair to ask that if the Department of Child Protection sees the service as so valuable that it should be expanded, then why it isn't funding the service in its entirety.

Consideration also needs to be given to the model and anticipated amount of service delivery Yalgoo might receive from the expanded NDCSG service. The letter from NDCSG does not provide details on this other than stating that it would be an outreach model, that is, the counsellor would not be based in, but rather visit Yalgoo. With services also being offered in another six shires by the one counsellor the capacity for the new counsellor to visit Yalgoo and build relationships with our young people would most likely be very limited, thereby also limiting the potential benefits that could be gained for the community of Yalgoo.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2013-0712     Request for Financial Support from Northern Districts Community Support Group Inc.**

**That Council:**

- 1.        Does not approve financial assistance being granted to Northern Districts Community Support Group Inc.**
- 2.        Requests the CEO to write to Northern Districts Community Support Group Inc. by 31 July 2013 explaining the reasons for not providing support but advising the Shire will write to the Department of Child Protection to lobby for increased funding on NDCSG's behalf.**

**Moved: Cr MR Valenzuela**

**Seconded: Cr S Willock**

**Motion put and carried 3/0**

### 11.4.6 Horizon Power Renewable Energy Forum

File:	ADM058
Author:	Samantha Tarling, A/CEO
Interest Declared:	No interest to disclose
Date:	10 July 2013
Attachments (yellow)	Nil

#### Matter for Consideration

RSVP to an invitation for councillors to attend Horizon Power Renewable Energy Forum to be held in Meekatharra, Thursday, 1 August 2013.

#### Background

The Shire has been proactive in its endeavours to respond to the use of renewable energy technology and Horizon Power has been a partner in that journey, hence the invitation.

#### Statutory Environment

*Local Government Act 1995*

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### Strategic Implications

Improved built environment achieved with sustainable renewable energy resources.

#### Policy Implications

Nil

#### Financial Implications

Nil

#### Consultation

Nil

#### Comment

The Mid West region has an abundant solar resource and high potential for renewable energy. Renewal energy can help reduce emissions and manage electricity costs and Horizon Power is working to help Shires access these opportunities.

Horizon Power invites councillors and staff to an information session aimed at providing more detail around renewable energy installations and the options available for shire properties and buildings.

The event will include information session about the renewable energy products available, as well as an introduction and Q&A session with a panel of experienced installers who are working to help Horizon Power customers access renewable energy solutions.

Date: Thursday, 1 August 2013  
Time: 11.30am – 1.30pm  
Venue: Meekatharra Shire, Council Chambers  
Refreshments: Lunch provided

RSVP by Friday, 19 July 2013.

*ATTENDANCE: 2:55pm CYDC Pip Parsonson left the meeting.*

### Voting Requirements

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

**C2013-0713 Horizon Power Renewable Energy Forum, Meekatharra**

**That Council:**

- 1. Nominates CRS Terry Iturbide, Raul Valenzuela, Stanley Willock, CEO and Executive Manager Works and Infrastructure to attend the Horizon Power Renewable Energy Forum to be held in Meekatharra, Thursday, 1 August 2013 at the Shire of Meekatharra Council Chambers; and**
- 2. Request the CEO to RSVP by Friday, 19 July 2013.**

**Moved: Cr MR Valenzuela**

**Seconded: Cr S Willock**

**Motion put and carried 3/0**

### ADJOURNMENT

The meeting adjourned at 2.55pm and resumed at 3:20pm with all who were in attendance before the adjournment being present at the resumption except EMC Heather Boyd.

## **12. NOTICE OF MOTIONS**

### **12.1 PREVIOUS NOTICE RECEIVED**

## **13. URGENT BUSINESS**

## 14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

### STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

Councillors are obliged to maintain the confidentiality of matters discussed when the meeting is closed. Fines of up to \$10,000 or two years imprisonment apply to certain offences relating to misuse of information.

The following legislative extracts were downloaded from [www.auslii.edu.au](http://www.auslii.edu.au) on 8 November 2010.

#### Local Government Act 1995

##### 5.23. Meetings generally open to the public

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971* ; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

##### 5.92. Access to information by council, committee members

- (1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.
- (2) Without limiting subsection (1), a council member can have access to —



- (a) all written contracts entered into by the local government; and
- (b) all documents relating to written contracts proposed to be entered into by the local government.

### 5.93. Improper use of information

A person who is a council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law —

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the local government or any other person.

Penalty: \$10 000 or imprisonment for 2 years.

## Local Government (Rules of Conduct) Regulations 2007

### 6. Use of information

- (1) In this regulation —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

**confidential document** means a document marked by the CEO to clearly show that the information in the document is not to be disclosed;

**non-confidential document** means a document that is not a confidential document.

- (2) A person who is a council member must not disclose —

- (a) information that the council member derived from a confidential document; or
- (b) information that the council member acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subregulation (2) does not prevent a person who is a council member from disclosing information —

- (a) at a closed meeting; or
- (b) to the extent specified by the council and subject to such other conditions as the council determines; or
- (c) that is already in the public domain; or
- (d) to an officer of the Department; or
- (e) to the Minister; or
- (f) to a legal practitioner for the purpose of obtaining legal advice; or
- (g) if the disclosure is required or permitted by law.



**14.1.1 Legal Advice Relating to Proposed Sale of Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo**

*Confidential information not available to the public was supplied to councillors under separate cover.*

*The following decision carried behind closed doors is recorded.*

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2013-0716 Legal Advice Relating to Proposed Sale of Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo**

**That Council:**

- 1. Receive the legal advice from Civic Legal regarding imposition of a condition of sale that will require the buyer to develop Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo within two years;**
- 2. Authorise the CEO to enter into discussion with Western Bros Earthmoving to discuss the options available to Council relating to the imposition of a condition of sale that will require them to develop Lots 37 and 39 Piesse Street and 3 Campbell Street, Yalgoo within two years; and**
- 3. Request the CEO to prepare a report to present to Council at the August OCM for Council to finalise the conditions of sale.**

**Moved: Cr S Willock**

**Seconded: Cr MR Valenzuela**

**Motion put and carried 3/0**

#### **14.1.2 Annual Review of Performance Chief Executive Officer**

*Confidential information not available to the public was supplied to councillors under separate cover.*

*The following decision carried behind closed doors is recorded.*

#### **Voting Requirements**

Simple Majority

#### **OFFICER RECOMMENDATION/COUNCIL DECISION**

##### **C2013-0717 Annual Review of Performance of Chief Executive Officer**

- 1. That Council endorses the annual review of performance of Sharon Daishe, Chief Executive Officer, conducted on Friday 21 June 2013 by the President Terry Iturbide and consultant Margaret Hemsley with written feedback from all councillors, and that the performance be deemed as meeting expectations and exceeding them in some areas.**
- 2. That Council approves the CEO request for eight days study leave per annum.**

**Moved: Cr S Willock**

**Seconded: Cr MR Valenzuela**

**Motion put and carried 3/0**

**15. NEXT MEETING**

The next Ordinary Meeting of Council is due to be held in the Council Chambers in Gibbons Street on Monday, 19 August 2013 commencing at 11.00 am.

**16. MEETING CLOSURE**

There being no further business, the President Terry Iturbide declared the meeting closed at 5:20pm.

**DECLARATION**

These minutes were confirmed by Council at the Ordinary Meeting held on \_\_\_\_\_.

Signed: \_\_\_\_\_  
Person presiding at the meeting at which these minutes were confirmed

## Common Acronyms

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Acronym	Detail
AA	Administration Assistant
ACEA	Admin Coordinator Executive Assistant
AGM	Annual General Meeting
ASKAP	<i>Australian Square Kilometre Array Pathfinder</i>
ATU	Aerobic Transfer Unit
BA	Broadcast Australia
BFS	Bush Fire Service
BFTA	Bush Fire Threat Analysis
CEMO	Community Emergency Management Officer
CEO	Chief Executive Officer
CLGF	Country Local Government Fund (Royalties for Regions)
CPTDM	Caravan Park & Tourism Development Manager
CRC	Community Resource Centre
CRS	Coordinator Regional Services
CSRFF	Community Sporting and Recreation Facilities Fund
DAFWA	Department of Agriculture & Food
DAIP	Disability & Access Inclusion Plan
DAP	Development Assessment Panel
DCEO	Deputy Chief Executive Officer
DCP	Department of Child Protection
DEC	Formerly Department of Environment and Conservation now divided into:
	DER          Department of Environmental Regulation
	DPW          Department of Parks and Wildlife
DEMC	District Emergency Management Committee
DIA	Department of Indigenous Affairs
DITRDLG	Dept of Infrastructure, Transport, Regional Development & Local Government (Federal)
DLGC	Dept of Local Government & Communities
DON	Director of Nursing
DPI	Dept for Planning and Infrastructure
EA	Executive Assistant
ECC	Emergency Coordination Centre
EMC	Executive Manager Corporate
EMWA	Emergency Management Western Australia
EMWI	Executive Manager Works & Infrastructure
ERM	Emergency Risk management
EWP	Elevated Work Platform
FaHCSIA	Families, Housing, Community Services & Indigenous Affairs
FAG	Financial Assistance Grant
FAO	Finance & Admin Officer
FCWP	Forward Capital Works Plan
FESA	Fire and Emergency Services Authority
FHRO	Finance & HR Officer
FRS	Fire and Rescue Service
GPG	General Purpose Grant
GRAMS	Geraldton Regional Aboriginal Medical Service

<b>Acronym</b>	<b>Detail</b>
GTS	Greenfield Technical Services – consulting civil engineers
HCP	Healthy Community Program
HMA	Hazard Management Agency
HSM	Health Services Manager
ICC	Indigenous Coordination Centre
ICV	Indigenous Community Volunteers
ILRG	Identified Local Road Grant
IMG	Incident Management Group
IPWEA	Institute of Public Works/Engineering WA
ISA	Integrated Service Arrangement – replacing MRWA TNCs in 2011 or 2012
ISG	Incident Support Group
LEC	Local Emergency Coordinator
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LGAP	Local Government Assistance Program
LGEEP	Local Government Energy Efficiency Program
LGGC	Local Government Grants Commission
LGMA	Local Government Managers' Association
LRC	Local Recovery Coordinator
LRCC	Local Recovery Coordinating Committee
MCZ	Murchison Country Zone
MEEDAC	Midwest Employment and Economic Development Aboriginal Corporation
MEG	Murchison Executive Group (CEOs)
MEITA	Morawa Education, Industry and Training Alliance
MGM	Mount Gibson Mining (Extension Hill Haematite)
MMG	Minerals and Mining Group (Golden Grove Mine)
MMGHSRMG	Murchison Mid West Gascoyne Human Services Regional Managers Group
MOU	Memorandum of Understanding
MRBA	Meekatharra Rangelands Biosecurity Association
MRVC	Murchison Regional Vermin Council
MRWA	Main Roads WA
MSC	Model Subdivision Conditions Schedule
MWAC	Municipal Waste Advisory Council
MWDC	Mid West Development Commission
MWGAAS	Mid West Group of Affiliated Agricultural Societies
MWIP	Mid West Investment Plan
MWRC	Mid West Regional Council – consisting of 7 Shires
NDES	National Digital Economy Strategy
NDCSG	Northern Districts Community Support Group
NRIS	National Register Inquiry System
OCM	Ordinary Council Meeting
OPR	Oakajee Port and Rail
PE	Project Executive
PIA	Post Incidence Analysis
POC	Plant Operating Costs
PSA	Public Service Authority
PWOC	Public Works Overhead Costs
R2R	Roads to Recovery (Commonwealth)
R4R	Royalties for Regions (State)
RDA	Regional Development Australia

<b>Acronym</b>	<b>Detail</b>
RDAF	Regional Development Australia Fund
RDAMWG	Regional Development Australia Mid West Grants
RDL	Dept of Regional Development and Lands
REVISE	Retired Educator Volunteers for Isolated Students Education
RFT	Request for Tender
RGS	Regional Grant Scheme
RLCIP	Regional and Local Community Infrastructure Program
RRG	Regional Roads Group
RRWA	Remote and Regional Western Australia
ROMAN	Road Management – software system
SAO	Senior Administration Officer
SAT	State Administrative Tribunal (Salaries & Allowances)
SEC	State Emergency Coordinator
SEMC	State Emergency Management Committee
SEMP	State Emergency Management Policy
SES	State Emergency Service
SEWS	Standard Emergency Warning Signal
SIDE	Schools In Distance Education
SLICP	<i>State Land Information Capture Program</i>
SLK	Straight line kilometres
SOP	Standard Operating Procedure
SOTA	Schools Of The Air
SWMP	(Regional) Strategic Waste Management Plan
STED	Septic Tank Effluent Disposal System
TNC	Term Network Contract – from MRWA for State roads maintenance
TQUAL	Tourism Quality Projects
TIRF	Tourism Infrastructure Regional Development Fund
VAST	Viewer Access Satellite Television
VESTOC	Volunteer Emergency Services Training & Operations Centre
VPN	Virtual Private Network
WAAA	West Australian Agriculture Authority
WACHS	WA Country Health Service
WACRN	Western Australian Community Resource Network
WARDT	Western Australian Regional Development Trust
WAERN	West Australian Emergency Response Network
WALGA	WA Local Government Association
WALGEMAG	Western Australian Local Government Emergency Management Advisory Group
WALGGC	West Australian Local Government Grants Commission
WAPC	Western Australian Planning Commission
WARDT	Western Australian Regional Development Trust
WWTP	Waste Water Treatment Plan