



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD AT PAYNES FIND
20 JUNE 2013
AT 11.00am

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Unconfirmed Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Paynes Find Community Centre, Paynes Find,
on Thursday 20 June 2013, commencing at 11.00 am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President, Terry Iturbide declared the Ordinary Meeting open at 11.15am.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Terry K Iturbide, Shire President Cr M Raul Valenzuela, Deputy Shire President Cr Laurence Hodder Cr Stanley Willock
STAFF	Sharon Daishe, Chief Executive Officer Heather Boyd, Deputy CEO Ron Adams, Project Executive Pip Parsonson, Community Youth Development Officer Diane Hodder, Administration Officer
GUESTS	Mount Gibson Mining (MGM) General Manger, George Hewitt HSEC Manager, Steve Churchill
OBSERVERS	Leah Bell Ashley Bell Lisa Schmidt Gail Pilmoor Dave Rocke
LEAVE OF ABSENCE	
APOLOGIES	Cr Neil A Grinham Cr Robert Grinham

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting

- Cr M Raul Valenzuela – Item 11.2.2 Page 18 – Financial Interest

4. PUBLIC QUESTION TIME

Members of the public were invited to register written questions prior to the meeting. Members of the Paynes Find community registered a number of questions and asked further questions from the floor.

The President asked the CEO to respond to the operational areas concerned and a number of questions were taken on notice.

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

Ms Lisa Schmidt:

Q: What is the progress of the purchasing of the truck bay in front of the Road House?

A: The CEO advised that the area concerned cannot be sold until a zoning issue is resolved. This could take a considerable period of time (up to 3 years due to other Government Department timeframes) for Council to attend to the matter in good faith with expediency in recognition of the importance of economic development.

Firstly the land is zoned "Residential" and so must be re-zoned before sale can be affected as it will require a "commercial" zoning to allow for the development Mr Taylor is seeking.

Secondly, the land is a Reserve and will need to be made freehold in order to sell it to any person. This will require negotiations between the Shire and the Minister for Lands.

Thirdly, the land sale will need to be advertised in accordance with the Local Government Act 1995 requirements.

Ms Gail Pilmoor on behalf of Don Anderson:

Q: What process can be followed so the Paynes Find Airstrip is registered, so that reporting can be official for both RFDS and the general public?

A: The CEO advised that the process would be to identify a source of funding to carry out an analysis and develop a business case to determine the need for a change in status from an ALA (aircraft landing area), then identify costs and resources required that would include extra qualified staff, housing etc., then develop the relevant plans and carry out the necessary processes to apply for registration and if approved, resource the complex licensing requirements of an official strip. Council does not have the technical, human and physical resources to achieve this at Yalgoo, or Paynes Find.

Ms Gail Pilmoor:

Q: Is the Shire looking to having Registered Emergencies numbers for properties in the Shire of Yalgoo.

A: The Shire currently has a database with the contact details for all stations. Reminders are sent to stations regularly to ensure information is up to date.

Medical information is kept by Medicare and available to health professionals in an emergency. A new ehealth scheme has recently been established by Medicare whereby anyone can register their choice of medical details and who they would like to have access to them. This is especially relevant to people living in remote areas, pastoralists etc as it can be accessed by RFDS and other health professionals in times of emergency.

The details for registering are:

www.medicareforall.health.gov.au

www.ehealth.gov.au

Ph: 1800 723 471

The number shown on the rates notice which is not the assessment number is a system generated number and not a street address. If station owners provide their GPS co ordinates to the Shire, these will be recorded on our contacts database.

Ms Gail Pilmoor:

Q: What can be done at the current moment with the containment of the rubbish and clean up?

A The Yalgoo Shire staff has presented to Council a draft budget item for the 2013-14 budget to upgrade the facilities available at the Paynes Find Tip.

The upgrade will include a ramp and two covered waste bins which will be replaced when full. The tarpaulin covering is designed to minimise waste blowing around the tip site.

4.2 QUESTIONS WITHOUT NOTICE

Ms Lisa Schmidt:

Q: Can work be done without purchase orders?

A: No.

Mr Ashley Bell:

Q: When will the road to Yalgoo be graded?

A: Graders are on the Yalgoo Ninghan Road now heading south from Yalgoo to the Great Northern Highway. They will then head north on the Paynes Find Thundelarra Road to complete the loop and the program then includes grading the side roads.

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.1 PRESIDENT

Date	Details	Attended with whom
11 June 2013	Murchison Regional Vermin Council Meeting	Cr Laurence Hodder

7.2 COUNCILLORS

Date	Details	Councillors
11 June 2013	Murchison Regional Vermin Council Meeting	Cr Laurence Hodder

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

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0601 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 23 May 2013 be confirmed.

Moved: Cr MR Valenzuela

Seconded: Cr S Willock

Motion put and carried 4/0

8.2 SPECIAL COUNCIL MEETING

9. MINUTES OF COMMITTEE MEETINGS

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

10.0 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).

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

Nil

11.1 WORKS AND SERVICES

11.1.1 Water in Diesel – Authorise Provisional Budget

File:	ADM259
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	6 June 2013
Attachments	P1 Lease agreement between Shire and Geraldton Fuel (yellow)

Matter for Consideration

To consider making a provisional budget allowance to enable an immediate response, if investigation deems prudent, to repair the leaking fuel tank at the Yalgoo Fuel Station.

Background

The Shire leased the Yalgoo Fuel Station to Geraldton Fuel Company on 1 February 2008 with a term of five years to 1 February 2013, and a further term of five years to 1 February 2018.

Geraldton Fuel is responsible for routine maintenance and damage that they cause. The Shire of Yalgoo owns the underground infrastructure and is responsible for ‘fair wear and tear’ or damage not caused by Geraldton Fuel.

There is a developing history of water contamination of fuel following rain events.

In the most recent rain event Geraldton Fuel received numerous complaints from motorists, and nearly all Shire machinery was affected by water contamination in diesel fuel.

Statutory Environment

The following is an extract from the lease agreement showing the implications of any, ‘proposals that alter the appearance of the Land or Premises or require alterations or fixtures’.

Heritage Issues

11.1 The Lessee acknowledges that:

- (a) The Land has a permanent entry in the Register of Heritage Places compiled pursuant to section 48 of the *Heritage of Western Australia Act 1990* (“HWA”).
- (b) Any proposals that alter the appearance of the Land or Premises or require alterations or fixtures to be made must have the written approval of both the Heritage Council of Western Australia (“HCWA”) and the Lessor before the commencement of work.
- (c) In the event that the Lessee proposes any works contemplated by clause 11.1(b) then prior to commencement of such work:
 - (i) the Lessee must enter into a Heritage Agreement with the HCWA in relation to the Premises in terms to the satisfaction of HCWA ; and
 - (ii) the Lessee agrees to undertake and complete a conservation plan in relation to the Premises (“Conservation Plan”) in terms to the satisfaction of HCWA, and will be responsible for all costs involved in the preparation and implementation of that Conservation Plan.

11.2 For avoidance of all doubt the Lessee hereby indemnifies and will keep indemnified from and against all actions, claims, costs, proceedings, suits and demands whatsoever which may at any time be brought, maintained or made against the Lessor by the HCWA, under the HCA or in relation to any Agreement entered into or required to be entered into in relation to the Premises or the preparation or implementation of any Conservation Plan relating to the Premises.

Strategic Implications

Economic services and tourism.

Policy Implications

Nil.

Financial Implications

The cost of water in fuel in Shire plant from the rain event in May 2013 is estimated at \$25,000. Executive staff are investigating how much of this can be recouped through insurance.

Time lost through machinery downtime has not been costed; but is significant.

The cause of the problem needs to be investigated before solution/s can be proposed and costed. Funds may need to be available at short notice should the investigation process determine that there is an immediate repair that can be done while the ground is already disturbed.

Financial statements at the end of May show that the Shire will reach end of year with an overall underspend against its non restricted operational budget therefore it is recommended that a new provisional capital budget of up to \$15,000 be funded from municipal funds.

Consultation

- Ian Burrows, Geraldton Fuel
- Ron Adams, Project Executive

Comment

Geraldton Fuel has agreed to fund the cost of engaging Fuel Fix to carry out a diagnostic investigation to determine the possible cause of water contamination of diesel fuel at the Yalgoo Fuel Station following the rain event in May 2013. The Shire will share the cost of this exercise within our budget by repairing the bitumen that needs to be disturbed to access the tank.

The investigation may reveal that there is an immediate repair that can be made to fix the problem. If this is the case, staff will need to be able to authorise expenditure immediately. It is recommended that Council make a provisional budget allocation in the interest of expediency.

If there is no immediate fix then an alternative solution may need to be costed and proposed. Replacement of the underground tank is a major capital investment. Installation of an above ground tank may be an alternative solution however heritage matters will need to be considered. The Shire cannot do any such work without a written agreement with the Heritage Council of WA.

The Fuel Station is an extremely important service to our community, to industry and to the travelling public. Geraldton Fuel will not risk their reputation by continuing to operate a facility that has a known risk of water contamination.

The Shire is responsible for the infrastructure and it is recommended that Council commits funds to enable staff to make decisions in the short term to address the issue if possible.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0602 Provisional Budget Amendment to Address Water in Diesel Fuel at Yalgoo Fuel Station

That Council:

- 1. Authorises a provisional capital budget of up to \$15,000 funded from municipal funds to address the issue of water contamination in the diesel fuel tank at the Yalgoo Fuel Station; and**
- 2. Notes that additional works may need to be costed and proposed pending the outcome of the diagnostic investigation; and**
- 3. Notes the need to comply with the heritage restrictions that are imposed on the land under the Heritage of Western Australia Act.**

Moved: Cr MR Valenzuela Seconded: Cr S Willock Motion put and carried by absolute majority 4/0

**11.1.2 Emergency Services Review –
Option to Transfer Local Bush Fire Brigades Impact Assessment**

File:	ADM215
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	10 June 2013
Attachments (yellow)	P42 Letter from DFES rcvd 29 May requesting response by 10 June 2013 re Emergency Services Review – Option to Transfer Local Bush Fire Brigades Impact Assessment

Matter for Consideration

To consider a response to the question, *‘If future legislation provided the option for local governments to transfer the responsibility for bush fire brigade operations and administration to DFES, would your local government be likely to retain or transfer the responsibility?’*

Background

The Department of Fire and Emergency Services (DFES) is currently conducting a review of the Emergency Services Legislation.

Local governments currently have responsibility for the administration and operation of bush fire brigades. Local governments are being asked whether if given the option, they would retain or transfer the operation and administration of their brigades.

DFES requested a response by 10 June 2013. A response was prepared indicating the recommendation that it would made to Council and clarifying that it is not possible to provide Council’s position until Council has met and resolved a position.

The Shire of Yalgoo currently has responsibility for the Yalgoo Bush Fire Brigade and the Paynes Find Bush Fire Brigade. There are few volunteer fire fighters in Yalgoo therefore Yalgoo staff makes up most of the membership of the brigade. The Paynes Find Brigade on the other hand is made up entirely of volunteers however the Shire is responsible for their operation and administration.

Council must appoint a Chief Bush Fire Control Officer and often will appoint a CEO, irrespective of the skills, experience and qualification of the CEO. The CEO or other executive staff member then holds responsibility for incident control, and for administration of the bush fire brigade.

The Shire is also responsible for the maintenance and operation of three fire appliances, one of which is housed at the remote location of Paynes Find.

The Shire bears all costs of the brigades and claims the cost back from DFES through a complicated levy and annual claim process. DFES do not always approve the amount that the Shire claims. This occurred in the most recent claim where DFES reduced the amount that the Shire claimed. This becomes an annual exercise of checking through the general ledger, estimating costs, making sure all costs have been correctly allocated in the general ledger etc.

Statutory Environment

Emergency services legislation is currently under review with the intention of amalgamating a number of legislative instruments.

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

Nil

Policy Implications

Nil

Financial Implications

Potential reduction of cost burden, particularly hidden costs, on the local government should DFES take responsibility for operation and administration of bush fire brigade.

Consultation

Ron Adams, Chief Bush Fire Control Officer

Comment

For the following reasons it is recommended that Council advises DFES that if given the opportunity, Council would transfer the responsibility for bush fire brigade operations and administration to DFES:

- Currently the bush fire brigade in Yalgoo is made up of Shire staff and this impacts significantly on Shire core business.
- With staff changeover the brigade and its assets have from time to time become neglected which is an unacceptable risk.
- The Shire CEO is generally made Chief Bush Fire Control Officer by default irrespective of the qualifications and experience of the person. This places the local government at high risk.
- Emergency response is not core business of the local government.
- Under the current legislation the Shire of Yalgoo is responsible for a Bush Fire Brigade at a remote location over 150 kilometres from the Shire office. Shire staff cannot effectively control the assets or personnel safely and effectively at this distance (without employing additional staff). Currently the brigade operates fairly independently and generally seeks response clearance direct from DFES.
- In my personal experience during extensive bushfires in the Yalgoo Shire it was obvious that the incident controller and their team need to be experienced professionals. DFES (not the local government) has the capacity to provide this.
- The local government is often placed in situations of conflict of interest where local landholders, who in some cases are also Shire councillors, make decisions during a fire response that are contrary to the instructions of the incident control team. DFES have the appropriate level of separation to manage situations like this, which if handled by the local government can place staff and landholders in a compromising position.
- Transfer of the brigade to DFES will not compromise the capacity of the local government to remain involved and assist during bushfire response; however it will increase the likelihood of a more consistent standard of training and operation of the brigade.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0603 Emergency Services Review – Option to Transfer Local Bush Fire Brigades Impact Assessment

That Council advises the Department of Fire and Emergency Services (DFES) that if given the opportunity, Council would transfer the responsibility for bush fire brigade operations and administration to DFES.

Moved: Cr MR Valenzuela

Seconded: Cr L Hodder

Motion put and carried 4/0

11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

11.2.1 Request to Purchase and Develop Piesse and Campbell Streets

File:	Ass512,511,593
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	12 June 2012
Attachments (yellow)	P44 Letter from Western Bros Earthmoving and Haulage P45 Report of Bill Atyeo, Environmental Health and Building Officer P47-49 Maps x 3 (MapsAss519 of the blocks and map showing zoning)

Matter for Consideration

To consider the offer of Western Bros Earthmoving and Haulage to purchase and develop Lots 37 and 39 Piesse Street and 3 Campbell Street Yalgoo.

Background

Western Bros Earthmoving and Haulage have written to the Shire with an offer to purchase Lots 37 and 39 Piesse Street, and Lot 3 Campbell Street, for the consideration of \$5,000 per block and for the purpose of development as described in the attached letter.

These three blocks are all zoned Industrial under the Shire of Yalgoo Local Planning Scheme.

The Shire’s building officer, Bill Atyeo, has prepared a report regarding the proposed development.

I met with Ross Western on 23 May 2013 to discuss the offer and the proposed development. The land is currently completely undeveloped. There are no services connected, the block is not fenced, and there is no access/egress for vehicles. Before any development occurs the purchaser would need to raise the block to address drainage issues, create vehicle access via Campbell Street for long vehicles, install fencing, power, water and septics, all of which constitutes a significant capital investment.

Currently Western Bros are on the preferred supplier panel to the Shire of Yalgoo. In order to reduce the cost of travelling Western Bros have set up a camp at the Shire’s Caravan Park. Whilst this reduces costs to the Shire and assists with efficient provision of services, it has an impact on the visual amenity of the Caravan Park and is not an acceptable long term solution.

Development and sale of land in the town of Yalgoo is rare. The Shire let a tender for sale of land in approximately 2007 but the successful tenderer failed to develop the land within the two year timeframe and forfeited the deposit. Two blocks were again tendered in 2010. There were no tenders received for one of the blocks, and one tender of \$7,500 received for the other block. The successful tenderer was given an extension of time to develop the block. An agenda item to the June 2013 meeting of Council deals with this development. A mining company (Ferrowest) has made two separate approaches to the Shire to enter into an option deed to purchase land in Stanley Street (equivalent to 20 house blocks for a consideration of \$80,000). The Shire agreed and carried out the necessary legal process however Ferrowest withdrew on both occasions.

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.

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.

Note that the legislative extract above was downloaded from the State Law Publisher on 12 April 2012.

Strategic Implications

Economic Development.

Policy Implications

Nil

Financial Implications

Western Bros have offered the Shire a total of \$15,000 for the land (\$5,000 for each of 3 blocks).

The Shire will incur costs including valuation of the land (quote received from Landgate \$1,025 for desktop valuation), advertising, legal advice and conveyancing. These costs may amount to approximately \$5,000 funded within the operational budget for 2012-13.

Consultation

- Bill Atyeo, Environmental Health and Building Officer
- Ross Western

Comment

Council are in a position to stimulate development in Yalgoo by giving favourable consideration to the offer of Western Bros.

Council has three options for disposal of property:

1. Public auction (LGA s3.58 (2) (a))
2. Public tender (LGA s 3.58 (2) (b))
3. Giving local public notice and inviting public submissions (LGA s 3.58 (3))

It is recommended that Council indicates in principle support for the offer and authorises the CEO to obtain a valuation of land for presentation to Council for approval to commence the process for advertising that Council intends to dispose of the land under s 3.58 (3). Council should impose a condition of sale that mandates development.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0604 Offer to Purchase and Develop Lots 37 and 39 Piesse and 3 Campbell Streets, Western Bros Earthmoving and Haulage

That Council

1. Indicates intention in principle to dispose of Lots 37 and 39 Piesse Street and 3 Campbell Street Yalgoo to Western Bros Earthmoving; and
2. 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.

Moved: Cr L Hodder

Seconded: Cr MR Valenzuela

Motion put and carried 4/0

ATTENDANCE: 11.55am Ron Adams joined the meeting

NEW MOTION/COUNCIL DECISION

C2013-0605 Offer to Purchase and Develop Lots 37 and 39 Piesse and 3 Campbell Streets, Western Bros Earthmoving and Haulage

That Council

Accepts in principle \$5,000 per block from Western Bros Earthmoving and Haulage

Moved: Cr S Willock

Seconded: Cr L Hodder

Motion put and carried 4/0

ATTENDANCE: 11:56 am Deputy President R Valenzuela left the meeting

11.2.2 Sale of Lot 73 Gibbons Street

File:	Ass519
Author:	Heather Boyd, Deputy CEO
Interest Declared:	No interest to disclose
Date:	7 June 2013
Attachments (yellow)	P50 Letter from Mr Raul Valenzuela dated 12 April 2013

Matter for Consideration

To approve the sale of Lot 73 Gibbons Street to M R & I Valenzuela (Chanelle Enterprises Pty Ltd) for \$7,500. (Refer Tender 2010-03 and Council Resolution C2010-0408) and authorise the president and CEO to affix the Common Seal of the Shire to the transfer of land document once proceeds of the sale have been received.

Background

Refer Tender 2010-03 sale of Lot 73 and 74 Gibbons Street.

Council, at an ordinary meeting held 22 April 2010 considered tenders received for T2010-03, Sale of Land. One tender was received for 73 Gibbons Street and Council resolved as follows, in accordance with the conditions of the tender:

C2010-0408 Tender for Sale of Land

That Council resolve:-

1. to sell Lot 73 Gibbons Street, Yalgoo to M R & I Valenzuela (Chanelle Enterprises Pty Ltd) for \$7,500 on the conditions that:
 - a) title in the land will not be transferred until satisfactory proof of development is produced;
 - b) development of the Lot must commence within two years, or other such timeframe as agreed by Council at time of acceptance of tender; and
 - c) on acceptance of tender a non-refundable deposit of 10% of the accepted tender price is due within 14 days, or other arrangement as accepted by Council;
2. that subject to all the conditions above being met, each party will pay its own settlement costs; and

The deposit was paid accordingly with the two year development period described under 1.b) expiring on 22 April 2012. At the ordinary Council meeting held 15 March 2012, Council resolved C2012-0304 to allow an extension of time for Mr Valenzuela to complete the redevelopment.

Mr R Valenzuela has, by way of letter to the CEO dated 12 April 2013 (included in the attachments), and advised that a substantial proportion of the work had been completed. On 17 April 2013 the Shire Building Surveyor reviewed the work and reported that it had been completed satisfactorily.

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 intent of the condition attached to sale was to facilitate development in Yalgoo.

Policy Implications

Nil

Financial Implications

The Shire accepted the tender of \$7,500 for the sale of the land.

Income to the Shire will be either \$7,500 (less conveyancing costs) at the time that the land sale proceeds, or \$750 if the land sale does not proceed (being the deposit, which is currently held in trust).

Consultation

Mr Raul Valenzuela

CEO Sharon Daishe

Building Surveyor William Atyeo

Comment

The intent of Council’s condition on the sale of land is to achieve development in Yalgoo and Mr Valenzuela, who owns a commercial business adjacent to Lot 73 Gibbons Street.

There are currently five blocks of land on the market in Yalgoo and these have been on the market for the duration of the three year period of the agreement. It is unlikely that demand for land will exceed availability in the next twelve months.

Mr Valenzuela had advised the CEO that he intended to fence and level the block of land and apply for approval for development within the twelve month extension.

The extension has been assessed by Building Surveyor William Atyeo as having been undertaken as per the agreement.

Voting Requirements

Simple Majority

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

OFFICER RECOMMENDATION/COUNCIL DECISION#1

C2013-0606 Approve the Sale of 73 Gibbons Street to M R & I Valenzuela (Chanelle Enterprises Pty Ltd)

That with reference to Tender 2010-03 and 1.b of Council decision C2010-0408, Council approves the sale of L73 Gibbons St to M R & I Valenzuela (Chanelle Enterprises Pty Ltd).

Moved: Cr S Willock

Seconded: Cr L Hodder

Motion put and carried 3/0

OFFICER RECOMMENDATION/COUNCIL DECISION #2

C2013-0607 Use of Common Seal – Transfer of L73 Gibbons St to M R & I Valenzuela (Chanelle Enterprises Pty Ltd)

That Council authorises the President and CEO to affix the Common Seal of the Shire to Form T2, Western Australia Transfer of Land Act 1983, to transfer the land to M R & I Valenzuela (Chanelle Enterprises Pty Ltd) upon receipt of the proceeds of sale.

Moved: Cr S Willock

Seconded: Cr L Hodder

Motion put and carried 3/0

ADJOURNMENT: Lunch 12.00pm to 1.25pm.

The meeting adjourned for lunch at 12.00pm and resumed at 1.25pm, with all who were in attendance including Cr Valenzuela before the adjournment being present at the resumption.

11.2.3 Budget Request – Resurface of Tennis Court at Covered Sports Facility

File:	ADM382
Author:	Ron Adams, PE
Interest Declared:	No interest to disclose
Date:	11 June 2013
Attachments (yellow)	Nil

Matter for Consideration

Resurfacing of the Tennis Court – budget request.

Background

A major development of the tennis court area has commenced including a new undercover facility, water park, playground, rage cage, BMX and skate park.

With the installation of all these new features the whole facility has been transformed into a major community facility.

An unforeseen circumstance has emerged from this development relating to the tennis court area.

In the original development plan, the retention of the existing tennis court at full size and specifications was called for. The surface was assessed at the time and deemed in a state of disrepair that required some remedial work and painting to match the rest of the facility an estimated cost of \$26,000.

Fencing of this tennis court was not in the original scope of works and has been funded from the contingency part of the new development.

With the new development and existing issues with the old levels the tennis court has a drainage issue and the fall runs into the rage cage skate park area.

The tennis court requires a change in level direct from west east to east west. The court will be hot mix pavement to adjust the level and bring the water back to Gibbons street where it can be dealt with in another project as planned in the future. The asset management of the whole facility can be managed as one rather than separately

Once the re sheeting has occurred then the painting as per the original contract will proceed to completion.

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

Nil

Policy Implications

Nil

Financial Implications

The cost of around \$28,000 will be required to complete this task. This could be funded from the Sports Reserve for this type of development. This will not form part of the overall project but a separate project in the financial year.

Consultation

Sharon Daishe, CEO

Comment

Although unfortunate in nature that this has occurred, the long term gain both financially and asset renewal is sound, considering the investment the community has made in this facility.

To complete the tennis court refurbishment to a higher standard and deal with drainage is a benefit in the long term.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0608 Budget Request – Capital Expenditure to Resurface the Tennis Court to be Funded from Sports Complex Reserve

- That:**
- 1. Council approve the resurfacing of the tennis court**
 - 2. Funding of \$28,000 be sourced from Sports Complex Reserve**
 - 3. The CEO is approved to make the required amendments in the required budget year**

Moved: Cr S Willock Seconded: Cr MR Valenzuela Motion put and carried by absolute majority 4/0

11.2.4 Paynes Find Tip

File:	Adm144
Author:	Ron Adams, PE
Interest Declared:	No interest to disclose
Date:	10 June 2013
Attachments (yellow)	Nil

Matter for Consideration

To consider strategy for waste management in Paynes Find

Background

Council operates a refuse site in the locality of Paynes Find. The site is located slightly north of the Paynes Find Tavern.

The site is currently managed by the shire. The site is a hole dug in the ground and the community dump refuse in the hole. The shire from time to time covers the site and extends the hole when required.

Current shire records suggest managing this site just the operational side is in the region of \$10,000 per annum.

The site is managed on an ad hoc basis which has no long term sustainability for this type of operation.

The shires Environmental Health Officer have recently inspected the facility.

The site has some fundamental compliance issues with regards to management of putrescible rubbish.

Paynes Find has an established Tavern /Roadhouse and a number of small mining activities and a number of pastoral stations in close proximity of the refuse site.

Any major development on mining industry that requires use of this site will need to go through the normal development process to access and use the site on a commercial basis.

The shire utilises Veolia Environmental Services to deal with refuse in the town of Yalgoo. All rubbish is carted from the Yalgoo site to Meru in Geraldton.

The operational cost per annum to operate a bin system and disposal of refuse from Paynes Find will be around \$22,000 pa.

The current site at Paynes Find will require rehabilitation of the current site, installation of a ramp to the bins, and new perimeter fencing.

The Shires' newly adopted Workforce Plan indicates that a part time employee in the Paynes Find district will be engaged to manage shire works and services. Part of this role will include site management of the refuse site.

The transition of the refuse site to a waste management system will be staged over two financial years and is to be included in the Forward Capital Works and Long Term Financial Management Plans

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

Nil

Policy Implications

Nil

Financial Implications

The implications of operational costs will be determined in the Shires’ annual budget that is currently being developed.

The long term strategy of repairing and or replacing existing infrastructure will form part of the Forward Capital Works

Consultation

Bill Atyeo, Environmental Health Officer

Sharon Daishe, CEO

Greg Scott, Veolia Environmental Services

Comment

It is recommended that Council adopts a budget and strategy for the waste site at Paynes Find

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0609 Paynes Find Waste Disposal Facility

That Council:

- 1. Acknowledge that the refuse site at Paynes Find requires development**
- 2. Make an allowance in the Forward Capital Works in 2013-14 an amount of \$60,000 for construction of ramp facility at Paynes Find**
- 3. Make an allowance in the Forward Capital Works in the 2014-15 year an amount of \$30,000 for installation of a new perimeter fence at the Paynes Find refuse site**
- 4. Include in the 2013-14 year a draft allowance of \$20,000 for refuse site rehabilitation**
- 5. Include in the 2013-14 years a draft allowance of \$25,000 for refuse site operations**

Moved: Cr MR Valenzuela

Seconded: Cr S Willock

Motion put and carried 4/0

11.3 FINANCE

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

File:	
Author:	Heather Boyd, Deputy CEO
Interest Declared:	No interest to disclose
Date:	9 June 2013
Attachments	P1 Financial Activity Statements - R34 (1)
(White)	P27 Major Project Progress Report - C2012-0320
	P28 Schedule of Payments - R13(1)

Matter for Consideration

Adoption of the monthly financial statements, major project progress report and schedule of payments for April 2013.

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#1
C2013-0610 R34 (1) - Financial Activity Statements for the Month of April 2013
That Council adopts the financial activity statements for the period ending 30 April 2013, as attached.
Moved: Cr MR Valenzuela Seconded: Cr S Willock Motion put and carried 4/0

OFFICER RECOMMENDATION/COUNCIL DECISION#2
C2013-0611 R13 (1) - List of Accounts Paid for the Month of April 2013
That Council receives the Schedule of Payments for accounts paid in the month of April 2013.
Moved: Cr MR Valenzuela Seconded: Cr S Willock Motion put and carried 4/0

11.3.2 Financial Management Review

File:	
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	13 June 2013
Attachments	P30 Financial Management Review April 2013 RSM Bird Cameron (white)

Matter for Consideration

To receive the financial management review report prepared by RSM Bird Cameron.

Background

The CEO is required by legislation to review the Shire’s financial management systems at least once every four years.

Improvements to the financial systems and processes are an ongoing cycle of continuous improvement.

The CEO generally commissions the Shire auditor to carry out the review to ensure probity. The last review was carried out in 2009. Since that time the Shire experienced a period of severe short staffing and high staff turnover. The current team of staff has been in place since January 2012 (with one exception) and systems are being continually reviewed and improved.

The investigation carried out and reported by RSM Bird Cameron in 2013 does not show any material matters, however there are a number of areas where small improvements are required.

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.

Local Government (Financial Management) Regulations 1996

- 5. Financial management duties of the CEO
 - (2) The CEO is to —
 - (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

Strategic Implications

Long term financial plan.

Policy Implications

Nil

Financial Implications

Cost of professional services to undertake the review to be confirmed.

Consultation

- Finance staff
- Travis Bate, auditor, RSM Bird Cameron

Comment

The Shire’s finance team, under the leadership of the Deputy CEO/ EMC, will implement the recommendations raised in the FMR. Implementation will be included as a key performance indicator for the Executive Manager Corporate.

The Shire’s auditor will be asked to audit implementation during the annual audit visit and report to the CEO.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0612 Financial Management Review 2013 Regulation 5 (2) (c)

That Council receives the statutory Financial Management Review prepared by RSM Bird Cameron and notes the actions that the CEO will take to ensure that the recommendations are implemented.

Moved: Cr MR Valenzuela

Seconded: Cr S Willock

Motion put and carried 4/0

11.3.3 Draft Budget 2013-14 Fees and Charges

File:	
Author:	Heather Boyd, Deputy CEO
Interest Declared:	No interest to disclose
Date:	6 June 2013
Attachments	P40 Draft Schedule of Fees and Charges 2013-14 (white)

Matter for Consideration

To consider the draft schedule of fees and charges for the 2013-14 budget.

Background

Council considers fees and charges in preparation of the draft budget. However, fees and charges are not formally adopted until the budget is formally adopted.

Statutory Environment

Local Government Act 1995

6.2. Requires a local government to prepare an annual budget for adoption before 31 August each financial year.

Subdivision 2 — Fees and charges

Section 6.16 of the Local Government Act 1995 states in part that a local government may impose and recover a fee or charge for any goods or services it provides or proposes to provide; and that fees and charges are to be imposed when adopting the annual budget (absolute majority required).

Section 6.17 Setting of Level of Fees & Charges determines that the Local Government must have regard to the cost of providing the goods or services, importance to the community and price at which the service or goods could be provided by an alternative provider. This section also refers to fees that are set or limited by legislation.

Section 53 (2) Cemeteries Act 1986 states that a fee or charge set by resolution under subsection (1) shall not come into effect until not less than 14 days notice of the fee or charge has been given in the Gazette.

Strategic Implications

Setting fees and charges before adoption of the formal budget allows estimates to be prepared.

Policy Implications

7.6 Annual Budget Preparation timetable.

Financial Implications

The rate of fees and charges are used when calculating estimated revenue in the budget.

Consultation

- CEO Sharon Daishe
- Project Executive Ron Adams
- Regional Shires

- EHO Officer William Atyeo

Comment

- Suggested increases in relevant fees and charges (other than those set by legislation) have generally been set using the following reasons
 - Increase by CPI with rounding
 - Commercial comparisons
 - Reflection of increased costs for services
- Allowance has been made for new facilities to be built at the caravan park. A reduction of the fees to be charged for the hire of the donga accommodation has been made to encourage use of the accommodation.
- Cemetery grave preparation fees have been maintained at a similar value to avoid additional strain on families in time of stress. Inclusion has been made for the internment of ashes in the niche wall using a comparison with other regional shires.
- Charges for Health and Building are as per advice from the Shire’s Environmental Health Officer Bill Atyeo.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0613 Schedule of Fees and Charges for Draft Budget 2013-14

That Council approve the 2013-14 proposed fees and charges as outlined in the attached schedule for inclusion in the draft 2013-14 budget.

Moved: Cr MR Valenzuela

Seconded: Cr L Hodder

Motion put and carried 4/0

11.3.4 Forward Capital Works Plan (FCWP) for 2013-2014 Budget

File:	Budget 2013-14
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	09 June 2012
Attachments (white)	P49 Capital Works spreadsheet

Matter for Consideration

To consider the draft forward capital works program for inclusion in the draft 2013-14 detailed budget.

Background

Council considers the draft forward capital works program, with or without amendment, for inclusion in the draft annual detailed budget. The forward capital works schedule is not formally adopted until the annual detailed budget is adopted by absolute majority.

The attached draft budget for capital works has been prepared based on:

- The Shire’s Forward Capital Works Plan (FCWP);
- Funding received or applied for under various programs including Country Local Government Fund; and
- Emerging new projects that have been identified. These projects will be recommended for inclusion in the FCWP.

In future years once Council has completed the integrated planning process the forward capital works program and budget will also be linked to the Asset Management Plan and the Long Term Financial Plan.

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.

6.2. Local government to prepare annual budget

Strategic Implications

To improve the amenities provided by the Shire while building on the performances of the past in accordance with the Plan for the Future/ Strategic Community Plan.

Policy Implications

7.6 Annual Budget Preparation Timetable

Financial Implications

As per attached spreadsheet.

Consultation

Staff, councillors and community in accordance with policy 7.6.

Comment

The attached worksheet summarises forward capital works for 2013-14.

There are no new projects are recommended for inclusion in the Forward Capital Works Plan however the plan should be amended to reflect the following details of existing projects:

- WM001 Waste Management – rehabilitation of tip at Yalgoo and Paynes Find
- BD0012 Depot Precinct – add VESTOC concept (Volunteer Emergency Services and Training Centre) as previously approved.

Notes and comments for each project are included in the attachment.

There is a separate agenda item detailing the proposed work at the Paynes Find waste facility.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0614 Forward Capital Works Plan

That Council:

- 1. Endorses the capital works as presented in the attached spreadsheet for inclusion in the draft 2013-2014 budget; and**
- 2. Authorises the CEO to update the Forward Capital Works Plan with the minor amendments shown within to the scope of WM001 Waste Management (rehabilitation of waste facilities) and BD012 Depot Precinct (VESTOC).**

Moved: Cr MR Valenzuela

Seconded: Cr S Willock

Motion put and carried 4/0

11.4 ADMINISTRATION

11.4.1 Registration of Voting Delegates – WALGA 2013 AGM

File:	ADM432
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	10 June 2013
Attachments (yellow)	P53 Letter and form from WALGA

Matter for Consideration

Nomination of delegates to vote on matters at the Western Australian Local Government Association Annual General Meeting 2013.

Background

Refer Attachments.

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

Ensure that the Shire of Yalgoo participates in voting on matters that affect Local Governments in Western Australia.

Policy Implications

Nil

Financial Implications

Nil

Consultation

Nil

Comment

The CEO must advise WALGA of Council’s nominated delegates by 12 July 2013.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0615 Registration of Voting Delegates – WALGA 2013 AGM

1. That Council nominates the following 2 Councillors as registered voting delegates:

- **Cr Terry Iturbide**
- **Cr Raul Valenzuela**

2. That Council nominates the following 2 Councillors as proxy delegates:

- **Cr Stan Willock**
- **Cr Robert Grinham**

Moved: Cr S Willock

Seconded: Cr L Hodder

Motion put and carried 4/0

11.4.2 Election 2013 – Postal or In Person

File:	ADM488
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	10 June 2013
Attachments	P55 Election Timetable 2013

Matter for Consideration

Council to decide whether to conduct the 2013 Elections as a postal election using the services of the electoral commissioner; or as an in-person election and confirm the appointment of the CEO as the returning officer.

Background

The Local Government Act 1995 (the Act) provides that an election can be conducted as a postal election or a voting in person election. The Act also requires that a postal election must be conducted by the Electoral Commissioner.

Council may therefore decide whether to conduct the 2013 election as a postal or in person election.

Council has historically conducted the election as an in-person election.

Statutory Environment

Local Government Act 1995

4.20. CEO to be returning officer unless other arrangements are made

- (1) Subject to this section the CEO is the returning officer of a local government for each election.
- (2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —
 - (a) an election; or
 - (b) all elections held while the appointment of the person subsists.

** Absolute majority required.*

- (3) An appointment under subsection (2) —
 - (a) is to specify the term of the person's appointment; and
 - (b) has no effect if it is made after the 80th day before an election day.
- (4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

** Absolute majority required.*

[Section 4.20 amended by No. 64 of 1998 s. 19(1); No. 49 of 2004 s. 16(4) and 32(1)-(4).]

4.61. Choice of methods of conducting election

(1) The election can be conducted as a —

postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide* to conduct the election as a postal election.

* *Absolute majority required.*

(3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.

(5) A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.

(6) For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.

(7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.

[Section 4.61 amended by No. 64 of 1998 s. 25; No. 49 of 2004 s. 16(4) and 32(5).]

Strategic Implications

Postal Election – Major Benefits:

- Potential for greater voter participation from non Yalgoo town residents
- Time saving – some election tasks, including the role of Returning Officer are outsourced – thereby reducing the time burden on existing staff.

Postal Election – Major Disadvantages:

- Potential for lower voter participation from Yalgoo town residents
- Cost – postal elections are relatively expensive.
- Potential for mistakes to be made due to communication problems between an offsite Returning Officer and local election staff.

Policy Implications

Nil

Financial Implications

Potential cost to engage the Electoral Commissioner to conduct Postal Election. Estimated cost \$7,000 (quote not yet obtained, pending Council's preference for in person versus postal election).

Consultation

Information provided from historical decisions of Council.

Comment

Should Council resolve to conduct this year’s election by postal vote the process will be as follows:

1. Council (now) resolves to consider conducting the 2013 ordinary election as a postal election (by the Electoral Commissioner)
2. Staff obtain the agreement, approval and a quote from the Electoral Commissioner
3. At the July 2013 Council meeting Council then appoints and declares the Electoral Commissioner to be responsible for the conduct of the 2013 Ordinary Election and also resolves that the ordinary 2013 election be conducted as a postal election.

The decision/declaration to conduct a postal election and appoint the Electoral Commissioner must be made by 31 July 2013. (the July 2013 Council meeting is scheduled for 18 July 2013).

It is recommended that Council conducts the 2013 Ordinary Election as a voting in person election as per previous years.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0616 Elections 2013 – Obtain Quote to Conduct Postal Election

That Council conduct the 2013 Ordinary Yalgoo Council election as a “voting in person election” and confirm the appointment of the CEO as the Returning Officer.

Moved: Cr MR Valenzuela

Seconded: Cr T Iturbide

Motion put and carried 4/0

11.4.3 Integrated Planning Timeline

File:	ADM020
Author:	Sharon Daishe, CEO
Interest Declared:	No interest to disclose
Date:	13 June 2013
Attachments (yellow)	P56 Integrated Planning Timeline

Matter for Consideration

To consider adopting a timeline to finalise the Shire of Yalgoo's integrated plans, and establish dates for workshops for councillors to participate in the development and finalisation of the plans and associated policies.

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).

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.

Councils that participated in regional collaborative groups or transition to amalgamation groups received government funding to undertake the extensive process. The Shire of Yalgoo attempted to facilitate a regional collaborative group (refer decision of the March 2010 Ordinary Meeting and subsequent actions).

However, other Councils in the region reacted with such adversarial negativity that action ceased in the interest of retaining the excellent existing regional relationships.

The Murchison Executive Group made several unsuccessful attempts to gain funding for the integrated planning process.

Council made a nominal budget allocation in 2011-12 with the premise that there would be matching funds available. This did not eventuate and in 2012-13 the CEO sought quotes from strategically selected suppliers. Council approved a budget of \$100,000. The CEO engaged a team of consultants each of whom have an established relationship with the local government in the relevant areas of expertise plus corporate knowledge of our business.

Consultants commenced preparing the long term financial plan and asset management plan in late 2012. The CEO engaged AVP to undertake fair valuation of assets and this occurred in early 2013.

The workforce planning process commenced around 18 months ago. Extensive consultation and workshops with individuals and staff groups has resulted not only in a well informed draft workforce plan, but a range of changes to the workforce structure that has already improved our performance and consolidated the staff team. This is a significant result considering the difficulty in attracting and retaining staff in a rural, remote, disadvantaged outback location.

Community consultation has occurred extensively from March to May 2013. This process was delayed as the consultant who I engaged resigned from their job just before the agreed workshop dates. The Shire's new community & youth development coordinator indicated a preference to take over this task. This necessarily slowed the process as the consultation needed to be planned within his existing work plan.

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

As disclosed in the annual budget for 12-13 and draft budget for 13-14.

Consultation

- Executive staff
- Marg Hemsley, Risk ID (Community, Corporate and Workforce Plans)
- Michael Keane, Greenfield's Technical Services (roads component of Asset Management Plan)
- Paul Breman, UHY Haines Norton (Long Term Financial and Asset Management Plans)

Comment

Due to the constraints of funding as well as the staff shortages and natural disasters that interfered severely with core business from 2010 to 2012, the plans will not be ready in time to comply with the Local Government Act.

Staff have made a conscious decision that quality of the planning process and outcomes (which takes time) is more important than rushing to have documents ready to get a compliance tick on 30 June (which would also have placed an unreasonable burden of hours of work on executive staff who are already working long hours).

I am aware that there are local governments that have outsourced the process to consultants and the resulting plans have had very little input from Council and executive staff. I recommend against this course of action as it tends to result in plans that are less reflective of reality and are likely to sit on a shelf rather than be used for the purpose that they are intended.

It is recommended that the Council embraces integrated planning. Further, that each councillor makes a personal commitment to participate in the development of a quality suite of plans that will guide the direction of the local government to achieve the aspirations of the community within the available resources.

The attached proposed timeline has been carefully developed to finalise effective consultation with all stakeholders and achieve quality plans.

Councillors will need to determine whether the proposed dates will suit their forward plans, or require further discussion.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Timeline for Integrated Planning

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 2013, 10am-3pm: Corporate Plan

Moved: Cr MR Valenzuela

Seconded: Cr L Hodder

AMENDMENT

C2013-0617 Timeline for Integrated Planning – Amendment Date

That the recommended date of Tuesday 27 August be changed to Wednesday 21 August 2013, 10am-3pm: Corporate Plan.

Moved: Cr T Iturbide

Seconded: Cr S Willock

Amendment was Put and Carried 4/0

ORIGINAL MOTION AS AMENDED

C2013-0618 Timeline for Integrated Planning

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
- Wednesday 21 August 10am-3pm: Corporate Plan

Moved: Cr MR Valenzuela

Seconded: Cr L Hodder

Original Motion Put and Carried as amended 4/0

**11.4.5 Proposal to Run ‘Yalgoo Almighty’ (Working Title) -
A Two Day Civic and Cultural Event to be held 6 - 7 September 2013**

File:	ADM489
Author:	Pip Parsonson CYDC
Interest Declared:	No interest to disclose
Date:	09 June 2013
Attachments	Nil

Matter for Consideration

To consider approving the program and budget for the proposed ‘Yalgoo Almighty’ (Working Title), a two day civic and cultural event on the 6 and 7 September that includes the Yalgoo Emu Cup and numerous project openings.

Background

The concept of running Yalgoo Almighty arose at a recent Executive meeting where the suggestion was made that the proposed Yalgoo Emu Cup, (A modest but successful family, novelty race ‘fun’ day run in 2005 and 2006 to be relaunched in 2013) be tied to the upcoming official opening of the Rage Cage precinct.

Both events were tentatively scheduled for September and it was agreed by the Executive that they would ‘value add’ to each other if run on consecutive days. Additionally it was realised that there are a number of other completed projects in Yalgoo that have never had official openings.

Accordingly it was agreed that these could also be added to an event that would already be attracting the presence of dignitaries, funders and other interested parties.

The table below sets out the basic components and draft scheduling of the proposed ‘Yalgoo Almighty’ event.

When	Activity	Comments
Friday 6 10.30 am	Opening of Covered Sports facility	Dignitaries, invited guests and community members assemble at Rage Cage for formalities and official opening of the covered sports facility Captain Rage Cage runs demonstration sports activities in the Rage Cage
11.30 am	Town tour	Other facilities/developments to be part of the town tour and officially opened include, <ol style="list-style-type: none"> 1. Water park 2. Health centre 3. Toilets at hall 4. Executive house 5. Caravan Park (house and drive through bays) 6. Depot crib room 7. ADSL 8. Solar lighting at entrance statements 9. Yalgoo airstrip (lighting, ambulance transfer, sheds) 10. Cemetery 11. Waterwise reticulation.
11.30 am	Children/Youth Activities	Held concurrently with the town tour the following activities will be happening, <ol style="list-style-type: none"> 1. Captain Rage Cage running sports

		2. Skate Board riding clinic 3. Emu Cup Costume making workshops These activities will be running through the entire day
12.30pm	Lunch in Community Park	Dignitaries and community to share a BBQ lunch in Community Park
1.30 – 6.30pm	Informal Time Camp Fire	Informal space created around camp fire in town. A place for yarning and music jamming
6.30 – 10.30pm	Concert	Bands performing on the oval at the race track. Includes catering and licensed bar.
Saturday 7 9.00 am	Costume workshops	Costume workshops continue throughout the morning
11.00 am	DJ Rev	DJ Rev sets up, starts background music
12.00 noon	Lunch	Lunch becomes available
1.00 – 4.00 pm	EMU CUP	Series of novelty races occurring on the racetrack primarily for children and young people but some open races also held
4.00 pm	Prize presentations	Presentations for race winners and best dressed
4.20 – 6.00 pm	Trivia Night / DJ Rev	An Emu themed trivia night for the die-hard remaining guests
6.00 – 8.00 pm	BBQ / DJ Rev	Dancing / BBQ
8.00 pm	Finish	

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 proposed Yalgoo Almighty program and budget indicates consistency with the Shire of Yalgoo ‘Plan for the Future’ 2007 – 2011, particularly as they relate to Section 1. Economic Prosperity, Section 3. Social Equity and Section 4, Community Wellbeing.

Although not completed the scope of activities and accompanying budget has been developed cognisant of the outcomes envisaged in the Shire’s upcoming Strategic Community Plan, of which the community consultation is currently proceeding.

Policy Implications

All activities planned that involve the participation of children fall under the State Government's Child Protection Statutory requirements. Most significantly this means that all adults participating in children's activities must have a current Working with Children Check. Exemptions exist for parents whose child/children are participating in the activity, (except in the case of overnight camps where parents also must have a valid Working with Children Check). This should therefore be accurately referenced in any Shire policies or operating procedures relating to programs involving the participation of children.

Financial Implications

The financial capacity to run an expanded, high-profile event in Yalgoo has been aided by a recent decision by Centacare Geraldton not to invoice the Shire for their 2013/14 MMG Community Benefit Fund program funding. This decision was made due to a significant underspend in their Indigenous Family Program budget in the current financial year. It is recommended that the \$32,000 not being paid to Centacare could be used to significantly enhance Yalgoo Almighty. The "up scaling" of the event will deliver substantial benefit to the Shire and its community by positively showcasing the Shire and its progress to a significant number of people and also by delivering a high-quality cultural event for our residents.

It should be noted that MMG's Community Liaison Officer, Brooke Creemers has been consulted in relation to the Community Benefit Fund allocation to Centacare being redirected to Yalgoo Almighty. Brooke was satisfied that community benefit was still being leveraged by running the proposed event.

A budget of up to \$55,000 is estimated to run the proposed Yalgoo Almighty. This is comprised of \$8,000 from the CYDC Emu Cup budget, (refer agenda item 11.3.5), \$32,000 unexpended Centacare funds and an additional \$15,000 for marketing/event coordination expenses, as per the attached budget.

Consultation

- CEO, Sharon Daishe
- Centacare, Aboriginal Parenting Coordinator, Mata TeHiini
- Projects Coordinator, Ron Adams
- MMG, Community Liaison Officer, Brooke Creemers
- Yalgoo Parents/Community members, Tamisha Hodder, Percy Lawson

Comment

The proposed Yalgoo Almighty event provides an opportunity to positively showcase Yalgoo to dignitaries, funders and our near neighbours. The Friday night concert, along with fireworks and the Saturday program which includes the Emu Cup and DJ Rev will provide a highlight on the Mid West's calendar of cultural events. Residents of Yalgoo and our near neighbours will have the rare opportunity to gather and enjoy themselves at a multi-faceted and well-resourced community event.

Proposed Yalgoo Almighty Budget

Site	Estimated
Equipment	\$1,000.00
Tables and chairs	\$0.00
Toilets	\$1,600.00
Showers	\$600.00
Tents	\$2,000.00
Staging	\$1,000.00
Lighting	\$1,000.00
Total	\$7,200.00
Decorations	Estimated
Flowers	\$200.00
Total	\$200.00
Publicity	Estimated
Graphics work	\$200.00
Photocopying/Printing	\$200.00
Postage	\$200.00
Advertising	\$2,400.00
Total	\$3,000.00
Miscellaneous	Estimated
Marketing/Coordination	\$7,000.00
Transport	\$3,000.00
Photography	\$700.00
Art Materials	\$300.00
Total	\$10,000.00
Refreshments	Estimated
Catering	\$7,000.00
Drinks	\$500.00
Plates, cutlery etc	\$200.00
Total	\$7,700.00
Program	Estimated
DJ Rev	\$3,500.00
Main Act	\$9,000.00
Band 2	\$1,000.00
Band 3	\$1,000.00
Drawing Boards	\$2,000.00
Arts X	\$3,500.00
Fireworks	\$6,000.00
Other	\$500.00
Total	\$26,500.00
Prizes	Estimated
Ribbons/Plaques/Trophies	\$400.00
Gifts	\$0.00
Total	\$400.00
Total Expenses	Estimated
	\$55,000.00

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0619 Yalgoo Almighty Proposed Program and Budget

- 1. That Council approve the draft program and dates for Yalgoo Almighty.**
- 2. That Council approve the proposed budget of \$55,000 for Yalgoo Almighty**

Moved: Cr MR Valenzuela

Seconded: Cr L Hodder

Motion put and carried 4/0

11.4.6 Community and Youth Development Coordination Draft Budget 2013/14

File:	ADM389
Author:	Pip Parsonson CYDC
Interest Declared:	No interest to disclose
Date:	03 June 2013
Attachments (yellow)	P57 Letter from MEITA to Shire President P59 Email from MEITA to CYDC

Matter for Consideration

To consider approving the Draft Community and Youth Development Coordination (CYDC) Scope of Activities and 2013/14 budget.

Background

The scope and cost of CYDC activities planned for the 2013/14 financial year have been drafted and are presented to Council in this Agenda Item.

The scope includes a wide array of community development, educational and cultural activities that have the potential to involve and provide benefit to all members of our diverse community.

The following table groups the proposed activities into a small number of basic categories, Healthy Community Project initiatives; Celebrations; the Emu Cup, Banners in the Terrace and the Morawa Education, Industry and Training Alliance (MEITA).

Category of Activity	Comments
HCP: Community Development & Education Activities	<p>This category includes activities for children, youth and adults that encompass either community development or education programs. Included is, art materials, sports equipment, film nights, two youth discos and community cooking programs.</p> <p>This section also covers the cost of buying in the expertise of consultants or specialist organisations to run programs and activities that contribute to the skills development or wellbeing of individuals.</p> <p>Additionally a small amount is set aside for a rewards program for when the 'children/youth points system for good/bad behaviour', is reintroduced in the coming weeks.</p>
HCP: Camps & day Trips	<p>Due to the relative isolation of Yalgoo and high cost of holidaying on the coast, many Yalgoo families and young people have few opportunities to take breaks away and experience new places and activities. It is proposed that up to four camps away take place in 2013/14. One camp will be for babies, infants and small children, from 0 to 7 years of age along with their parents. Another camp will be for 8 to 12 year olds and another for 13 to 18 year olds.</p> <p>A fourth camp is a contingency option for any young people who find themselves ineligible to go on a camp due to poor behaviour. In the event that some Yalgoo young people are not allowed to attend any of the other camps, it is envisaged that a special camp is held for them so that they don't miss out, risking further alienation, but also so that special attention can be given to their disruptive or anti-social behaviour. Camps are relatively high cost activities and it is possible that to satisfy adequate</p>

	<p>staffing requirements labour may have to brokered in.</p> <p>Also in this category is provision for approximately six day trips, where, on a more spontaneous basis Yalgoo’s community can leave town for the day to go exploring in the local countryside. It is anticipated that members of our Badimaya and Yamitji community with traditional bush knowledge and experience will participate in the day trips exposing Yalgoo’s young people to significant sites and traditional ways in our local area.</p>
<p>HCP Sponsored Activities</p>	<p>This item is subject to successful grant applications to MMG (and possibly other funders). It is hoped that with funding, a small video production project is run that has a number of positive outcomes for Yalgoo. The program, which is yet to be defined, would teach willing participants the basic skills in video production whilst the final result will be used as a marketing tool to showcase Yalgoo.</p>
<p>Celebrations</p>	<p>This budget item includes the costs for running events in 2013/14 for, Reconciliation Week, NAIDOC Week , Australia Day, ANZAC Day and Remembrance Day along with special events, for example the opening of the rage cage precinct later this year. It should be noted that there are also plans to fund and provide assistance through the CYDC position for events/activities at Paynes Find which has traditionally missed out on cultural development investment.</p>
<p>Yalgoo Emu Cup</p>	<p>The Emu Cup has been run in Yalgoo on at least two occasions in 2005 and 2006, reputedly with great success. The event, to be held on Saturday 7 September, is essentially a family fun day with a wide range of novelty races themed to emus, much in the same way as the Henley on Todd Regatta in Alice Springs is themed to water sports, that is, with irreverence and a sharp sense of humour.</p> <p>It is envisaged that schools from neighbouring towns will participate by bussing in their students to compete in the array of races that will be held. The event will be publicized widely with the aim of also attracting tourists visiting the area for the wild flowers.</p>
<p>Banners in the Terrace</p>	<p>Banners in the Terrace is a high profile cultural activity that takes place annually where regional LGAs design, prepare and have displayed large banners that showcase their respective area in St Georges Terrace, Perth.</p> <p>This is a valuable exercise that not only promotes Yalgoo and other regional areas of WA but also contributes to the cultural development and contemporary sense of history within the Shire through the collaborative and creative efforts of community members.</p>
<p>Morawa Education Industry and Training Alliance (MEITA)</p>	<p>MEITA first commenced operations in 2004 and has expanded in recent years. MEITA now formally, through letters recently sent to the Presidents of adjoining LGAs, seeks to expand its partner base by have new members join the alliance.</p> <p>MEITA seeks an unspecified financial contribution to assist with the cost of staff, an Executive Officer and a Development Officer, both part-time.</p> <p>Preliminary research suggests that MEITA is a proactive organisation that is well represented (Peter Browne, a previous Director General of Education in WA is the current Chairperson), and appears to have developed strong networks and successful initiatives, some of which have a capacity to play an important role in the education, training and vocation of Yalgoo’s young people. Notably, MEITA indicates that it was instrumental in establishing the relationship between the Morawa Ag College Boarding House with Yalgoo’s high school children. Given current circumstances this is an invaluable relationship for our high school aged children and others that will follow</p>

	<p>in their path in future years.</p> <p>At this point in time, MEITA only seeks to be invited by Council to make a presentation to the Council to “discuss ways the Council may wish to be involved in, and to support, the work of MEITA”. Accordingly the budget allocation in this draft CYDC budget should be seen as provisional pending MEITA’s presentation and final clarification.</p>
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Statutory Environment

Working with Children (Criminal Record Checking) Act 2004

All activities planned that involve the participation of children fall under the State Government’s Child Protection statutory requirements. Most significantly this means that all adults participating in children’s activities must have a current Working with Children Check. Exemptions exist for parents whose child/children are participating in the activity, (except in the case of overnight camps where parents also must have a valid Working with Children Check). Operational policies and procedures relating to programs involving the participation of children will be developed in due course.

Strategic Implications

The proposed CYDC program and budget indicates consistency with the Shire of Yalgoo ‘Plan for the Future’ 2007 – 2011, particularly as they relate to Section 3. Social Equity and Section 4, Community Wellbeing.

Although not completed the scope of activities and accompanying budget has been developed relative to the outcomes envisaged in the Shire’s upcoming Strategic Community Plan, of which the community consultation is currently proceeding.

Policy Implications

All activities planned that involve the participation of children fall under the State Government’s Child Protection statutory requirements. Most significantly this means that all adults participating in children’s activities must have a current Working with Children Check. Exemptions exist for parents whose child/children are participating in the activity, (except in the case of overnight camps where parents also must have a valid Working with Children Check). This should therefore be accurately referenced in any Shire policies or operating procedures relating to programs involving the participation of children.

Financial Implications

As per proposed budget.

Consultation

- CEO, Sharon Daishe
- Centacare, Aboriginal Parenting Coordinator, Mata TeHiini
- MMG, Community Liaison Officer, Brooke Creemers
- Yalgoo Parents/Community members, Tamisha Hodder, Anthea Simpson, Narelle Hodder, Percy Lawson
- Yalgoo School Principal, Tom Hall and teachers
- MEITA Development Officer, Maryanne Milloy-Rakich, and
- Many of the children and young people of Yalgoo

Comment

Account	GL Code	Comment	Proposed 2013/14 Budget Allocation	Funded by
HCP Community Development & Education Activities	E132118	<ul style="list-style-type: none"> ▪ Adult community programs ▪ Youth leadership opportunities ▪ General activities (film nights, cooking, discos) ▪ Facilitators for designated activities ▪ Materials (arts, sport & rec) ▪ Small rewards (point) system 	20,000	MGM Community Benefit Agreement
HCP Camps & Day Trips	E132131	4 x camps away (different age sets), 6 x day trips	20,000	MGM Community Benefit Agreement
HCP Sponsored Activities	E132132	e.g.: video production project to apply to MMG	5,000	To apply for funding
Celebrations	E116110	<ul style="list-style-type: none"> ▪ Reconciliation Week event ▪ NAIDOC Week event ▪ Australia Day ▪ ANZAC Day ▪ Remembrance Day ▪ Paynes Find ▪ Event Project openings 	20,000	Shire
Emu Cup	E132026	Re launching the Yalgoo Emu Cup	8,000	Shire
Banners in the Terrace	E132031	Costs associated with the production of the banner for the annual Banners in the Terrace competition	2,000	Shire
Education scholarship - MEITA	E061010	Contribution to gain partner status within the Morawa Education, Industry and Training Alliance (MEITA)	6,000	Shire

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0620 Draft CYDC Scope of Activities and Draft 2013/14 Budget

That the Council approve the scope of activities and draft CYDC budget for 2013/14 as outlined in this agenda item.

Moved: Cr MR Valenzuela

Seconded: Cr L Hodder

Motion put and carried 3/1

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

13. URGENT BUSINESS

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.0 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 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.

15. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chambers in Gibbons Street on Thursday, 18 July 2013 commencing at 11.00 am.

16. MEETING CLOSURE

There being no further business, the President Terry Iturbide declared the meeting closed at 2.42pm.

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

Acronym	Detail
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)
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
DCEO	Deputy Chief Executive Officer
DCP	Department of Child Protection
DEC	Department of Environment and Conservation
DEMC	District Emergency Management Committee
DIA	Department of Indigenous Affairs
DITRDLG	Dept of Infrastructure, Transport, Regional Development & Local Government (Federal)
DLG	Dept of Local Government
DPI	Dept for Planning and Infrastructure
EA	Executive Assistant
EA	Executive Assistant
ECC	Emergency Coordination Centre
EMWA	Emergency Management Western Australia
ERM	Emergency Risk management
EWP	Elevated Work Platform
FaHCSIA	Families, Housing, Community Services & Indigenous Affairs
FAG	Financial Assistance Grant
FESA	Fire and Emergency Services Authority
HCP	Healthy Community Program
FRS	Fire and Rescue Service
GPG	General Purpose Grant
GRAMS	Geraldton Regional Aboriginal Medical Service
GTS	Greenfield Technical Services – consulting civil engineers
HCP	Healthy Community Program
HMA	Hazard Management Agency
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

Acronym	Detail
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
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
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
NRIS	National Register Inquiry System
OPR	Oakajee Port and Rail
PE	Project Executive
POC	Plant Operating Costs
PWOC	Public Works Overhead Costs
R2R	Roads to Recovery (Cmwlth)
R4R	Royalties for Regions (State)
RDA	Regional Development Australia
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
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

Acronym	Detail
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
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

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