



SHIRE OF YALGOO

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON THURSDAY, 19 APRIL 2007 COMMENCING AT 10.00AM.

Glenn Bone
ACTING CHIEF EXECUTIVE OFFICER

Date 11 April 2007

AGENDA

Table of Contents

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3
2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4. PUBLIC QUESTION TIME	3
5. APPLICATIONS FOR LEAVE OF ABSENCE	3
6. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	3
7. CONFIRMATION OF MINUTES	3
8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSIO	3
9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	3
10. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED	3

- **THE PRESIDENT**
- **MRVC**
- **CEO**

Ordinary Council Meeting 19.04.07	2
11. REPORTS OF OFFICERS	4
11.1 HEALTHY COMMUNITY PROJECT OFFICERS	
11.1.1 Healthy Community Coordinator	4
11.1.2 Community Capacity Builder	5
11.2 WORKS FOREMAN REPORT	6
11.2.1 Roads Report	
11.3. ENVIRONMENTAL HEALTH OFFICER/PLANNING, HEALTH & BUILDING REPORT	7
11.3.1 EHO Activity Report -: Mar 2007	7
11.4 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT	9
11.4.1 Annual Budget Preparation-Draft policy	9
11.4.2 Elected Members' Allowances and Fees	12
11.4.3 Fees & Charges Schedule-Proposals for 2007/08	16
11.4.4 Member's Travelling Fee Claim	18
11.4.5 Councillor Expenses	20
11.4.6 Accounts Paid During the Month of March 2007	23
11.4.7 Financial Activity Statements for March 2007	24
11.4.8 Plant & Equipment- Draft 2007/08 Budget	26
11.4.9 Rate Calculation -Draft Policy	27
11.4.10 Staff Housing Maintenance –Lot 18a Shamrock Street	30
11.5 ACTING CHIEF EXECUTIVE OFFICER'S REPORT	32
11.5.1 Councillor Representation	32
11.5.2 Acting Chief Executive Officer	39
11.5.3 Meeting Dates	41
11.5.4 Annual Report for 2005/06	43
11.5.5 WALGA Annual General Meeting	45
11.5.6 Rabbit Proof Fence	46
11.5.7 Uanna Hill/Mt Magnet Rd-Extra Mass Application	48
12. REPORTS OF COMMITTEES	50
13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	50
14. URGENT BUSINESS	50
15. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS	50
16. MEETING CLOSURE	50

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

- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

- 4. PUBLIC QUESTION TIME**

- 5. APPLICATIONS FOR LEAVE OF ABSENCE**

- 6. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

- 7. CONFIRMATION OF MINUTES**
 - 7.1 Ordinary Council Meeting – 15.03.07
 - 7.2 Special Council Meeting – 15.03.07

- 8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

- 9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

- 10. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**
 - **THE PRESIDENT**

 - **MRVC**

 - **CEO**

11.1.1 HEALTHY COMMUNITY COORDINATOR

Author: Greg Daniel, Healthy Community Coordinator
Interest Declared: No interest to disclose
Date: 10 April 2007

Activity	Stage of proposed activity
<p>After School Sports. This program has continued to run for a minimum of two days a week. Tuesday and Thursday afternoons are the regular time slots, with choir and dance running on Monday and Wednesday. Sports have included netball, basketball, football, soccer, slippery slide, athletics, and novelty races.</p>	<p>This is designed to be a year long program that started in February and is now into the third month. Participation levels have been good.</p>
<p>Music Program including drum and guitar workshops and incorporating the choir and dance afternoons. Three workshops have been completed successfully. The children have been very much enjoying their music throughout March.</p>	<p>This program is now to also run as a year long project with three of the proposed workshops completed. Initially we were looking at a total of six workshops. That has now been extended to continue until the end of the year with up to 18 being proposed in total.</p>
<p>Raw Dance Company tour and workshops. Full day event in conjunction with the Yalgoo school including lunch provided, sports and music. School staff and community members offered assistance with this project. Very successful day enjoyed by all the children.</p>	<p>This was a one off event that ran on the 27th March 2007 and was attended by all children. This project is now 100% completed.</p>
<p>Youth Club (and movie nights held fortnightly). The Youth Club is now ready to be used as a functional centre and meeting place for all the children of Yalgoo. Equipment such as table tennis and drums and guitars, air hockey etc will be available for use by the children. Movie nights have been run (by Leanda and Ron) on a fortnightly basis, with a healthy dinner provided once a month at no cost to the children.</p>	<p>This is a project that is now ready to be implemented. The Youth Club will require adult supervision at all times and therefore is an ongoing project. The Youth Club is designed to continue to run successfully for the entirety of the Healthy Community Project.</p>
<p>Auskick. The Auskick program is proposed to begin on the Saturday 28th April. There have been jumpers, shorts, football boots, and footballs donated through various sources for use by the children throughout the Auskick program. A jumper presentation will be implemented prior to the commencement of the program, as well as recognition of those who donated the equipment and clothing. A total of 30 Auskick packs have been ordered and so far 23 registration forms have been completed and returned.</p>	<p>Auskick is commencing on Saturday 28th April 2007 and will run for the length of the football season. It is in the implementation stage.</p>

11.1.2 COMMUNITY CAPACITY BUILDER

Author: Leanda Adams, Community Capacity Builder
Interest Declared: No interest to disclose
Date: 10 April 2007

Activity	Stage of proposed activity
<p>Playgroup: Ordering of playgroup equipment. Discussion with school with student coming into help on Friday while at school. Preparation of playgroup programmes</p>	<p>Part of equipment has arrived in Yalgoo. Equipment will be placed into inventory over the holiday period. High School student will be coming to help on the Fridays that playgroup will be held. Playgroup programmes written needing some adjustments</p>
<p>Better Beginnings: Ordering of packs.</p>	<p>Packs yet to arrive in Yalgoo. Programme to be implemented with playgroup</p>
<p>Adult Sport Netball has in the past few weeks been very successful with all of both teams made up of adults. Tennis has been successful with a large range of community involvement.</p>	<p>Program almost at completion. It was asked in the last "Bulldust" publication that it be taken over by a community member.</p>
<p>Netball As the children had been filling in for netball and the adults are now taking their place there is a game for them at 7.30pm before the adult game including them in the evening.</p>	<p>This has proven to be a hit with some of the children that are involved and we have found that most of them are happy to participate and then be home before it is dark.</p>
<p>Cooking Cooking for the Movie night once a month has began with children being selected to help helping to cook the meals.</p>	<p>This has proven to be a big hit and they are coming in with recipes of what we can try. They sell the meals to the adults and at the moment we have \$55 in the kitty. The children are learning about what food to eat, what is good for them, how that they can try new foods and how to prepare the food.</p>
<p>Boarding school There has been a number of students that are looking at there options for their schooling. There have been investigations into what programmes are available for them such as the Football and Netball Academys and other options for them overall in the state</p>	<p>The information has been provide to the families involved as of yet there has been no response to what it is that the students would like to do in this matter.</p>

Activity	Stage of proposed Activity
Op Shop	There have been some donations from around the community. There will be clothes and sundries that will be picked up from Geraldton in the next few weeks after contact with various organisations.
HR Licensing	The programme is now up and running with various people coming in to find out what they have to do to gain their licence.
Counselling: Looking at various counselling options for some of Yalgoo's community members.	Options have been found, awaiting community members to contact for follow up with options.
Business proposition for community member	Have facilitated the various options the community member needs to follow. Those options need to be deal with on at their own personal level before it can be facilitated further.
Business Proposition for community member	Facilitated the various options that were needed to go forward. Community Member looked at this and decided on a different option.
Grant application for school holiday programme.	All of grant application completed and was sent off on 4 April 2007. Activities, accommodation and costing prepared as well as the selection criteria. This was prepared for the whole holiday period over the next 18 months.

11.2 WORKS FOREMAN'S REPORT

11.2.1 Roads Report

File: R11
Author: Cliff Hodder, Works Foreman
Interest Declared: No interest to disclose
Date: 10 April 2007
Attachments: Nil

Ten kilometers of seal was completed on the Yalgoo-Morawa Road 5 April 2007.

11.3. ENVIRONMENTAL HEALTH OFFICER/PLANNING, HEALTH & BUILDING REPORT

11.3.1 EHO Activity Report -: Mar 2007

9-Mar	Environmental Health	Commence assessment of Waste Water Treatment Plant application for Oxiana and discuss requirements for fencing, irrigation area, water and soil sampling, restricted chemical use. Site visit to dispose of animal.
	Town Planning	Assess lease agreement for fuel station. Respond to Barry Horsman for Café proposal. Information sent for planning approval to build in a commercial zone.
	Occupational Safety and Health	Commence workers compensation for injured worker.
	Building Control	Assess and request further information from Fleetwood Corp and Dongara Building Services. Discuss supply of electrical services with Electrician.
13-Mar	Building Control	Assess 18a Shamrock for cleanliness. The premises still needs a thorough clean and carpets renewed, and 19b Stanley (Rodney Kelly's) was in need of the same and included a broken window. Arrange for broken water main to be repaired at the Art Centre.
	Occupational Safety and Health	Completed reports for workers compensation and OSH reports from worker and liaise with LGIS. Attend fire at gun club.
20-Mar	Environmental Health	Discuss dog control with Chief Executive Officer and obtain copy of Dog Local law. Respond to inquiry for Dog Kennels in Yalgoo. Follow up on RO plant completion. Discuss amendment to contamination site, notifications with the Department of Environment. Investigate smell at Town Hall.
	Building Control	Assess progress of ablution blocks at the sports ground. Inspection of Chief Executive Officer house. New carpet being laid. Continue with assessment of Oxiana building extensions (Fee to Council \$5340).
	Town Planning	Assist in location of Victoria locations 12628 and 12627.
27-Mar	Environmental Health	Continue with WWTP assessment for Oxiana.
	Building Control	Continue assessing plans for Oxiana and

		request several changes by Fleetwood. Request same from Dongara Building Services.
3-April	Environmental Health	Site visit to Oxiana to complete assessment and submission to the Department of Health for the WWTP. Activity report to Council.
	Occupational Safety and Health	Continue with workers compensation claim
	Town Planning	Town Planning Survey sent. Discuss truck stop proposal at Cafe with Main Roads. Discuss Laundromat requirements with client.
	Building Control	Assess 18a Shamrock still requires cleaning and new carpet.

For Council's Information

11.4 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT**11.4.1 Annual Budget Preparation-Draft policy**

File: B3-1
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 28 March 2007
Attachments: Nil

Matter for Consideration

A draft policy setting timelines for the preparation of budgets.

Background

In past years difficulties have arisen in regards to members of Council and staff not being aware when various sections of the budget process are required to be completed to enable a smooth transition to the adoption of the budget. There is a need to ensure that the budget preparation and adoption procedure follows a methodical process with the opportunity being provided for input from members of Council, staff and the community.

Yalgoo has traditionally adopted budgets late and often require the Minister's approval for an extension. With staff attrition and no recorded due process to follow, the preparation of a policy in this area will give staff and members of Council a clear identification of critical dates and decisions they must meet in order to achieve timely budgets.

Statutory Environment

Local Government Act 1995.

Section 2.7(2)(b)- Enables the Council to determine the local government's policies.

Section 6.2(1)-During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

FM Reg (5)-Under general functions of the CEO provides for efficient systems and procedures to be established and to undertake reviews of the appropriateness and effectiveness of the financial management systems.

Strategic Implications

Nil

Policy Implications

None at this stage

Financial Implications

Nil

Consultation

Nil

Comment

In considering the draft policy, members need to be aware that the “proposed framework for setting a budget” has already missed some of the key dates for preparing the budget for the 2007-2008 financial year. With this in mind, staff are endeavoring to have all of these functions completed so the preparation for the annual budget can proceed.

Voting Requirements

Simple majority

Officer Recommendation

Draft Policy - Preparation of Annual Budget

Introduction

In past years difficulties have arisen in regards to members of Council and staff not being aware when various sections of the budget process are required to be completed to enable a smooth transition to the adoption of the budget. There is a need to ensure that the budget preparation and adoption process follows a methodical process with the opportunity being provided for input from members of Council, staff and the community.

Objective

1. To provide clear direction to members of Council, staff and community members on the budget adoption process to be followed, to ensure adoption of the annual budget in compliance with the Local Government Act 1995.
2. The policy relates to the need to have guidelines for the adoption of the Budget and Plan for the Future to ensure its smooth transition.

Policy Statement

1. All requests for items to be included in the draft budget must be made in writing and be submitted prior to 31 January each year.
2. Provision for ongoing commitments and fixed costs to be included in the draft budget without reference to a committee.
3. The following timetable is applicable to the Plan for the Future and Budget adoption:

STAGE	TIMING
Input from Members of Community and Council	
Written budget requests and submissions to be provided by:	
- Community	31 January
- Councillors	28 February
Budget requests considered by Council	31 March
Staffing Budgets	
Requests for staff changes, additional staff	28 February
Estimated cost of changes prepared	15 March
Staff impact considered by Council	31 March

Consideration of Acquisition/Construction of Assets	
Adoption by Council of: - road preservation program - plant replacement program - dual use path strategies Finance of expected major projects	31 March 31 March 31 March
Impact of major projects considered by Council Draft Capital Works Programme prepared Capital Works Programme adopted by Council	15 February 15 March 31 March 30 April
Other Items	
Council approval of: - Fees & Allowances for Elected Members - Donations - Fees and Charges	31 March 31 March 30 April
Plan For The Future - Adoption	
Capital Works Program including Capital Expenditure and Capital Funding possibilities and options (i.e. general revenue, grants, loans or reserve funding) Prepare Future Operating Revenue and Expenditure Collate Plan and Prepare Commentary Plan adopted by Council	30 April 30 April 31 May 30 June
Operational Budgets	
Staff requests received Consideration of additional and increases/decreases in services Draft departmental budgets completed	28 February 31 March 30 April

Draft Budget	
Draft Budget considered by Council Draft Budget revisions considered by Council Draft Budget considered by Council	15 May 31 May 15 June
Rating	
Prepare rate options for consideration by Council Rates approved for advertising by Council Advertise Differential Rates for 21 days Adoption of Rates by Council	30 April 15 June 30 June 31 July
Budget Adoption	
Consideration of submissions and adoption of Budget by	31 July

11.4.2 Elected Members' Allowances and Fees

File: B3-1
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 27 March 2007
Attachments: Nil

Matter for Consideration

To determine the following elected members allowances and fees for inclusion in the 2007/08 draft budget:

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

Background

The Local Government Act 1995 requires Council to determine the fees and allowances payable to Elected Members each year. The following fees and allowances were adopted by Council at its meeting on 22 June 2005 (refer Council Minute Items 10-13) and were included in the 2005/06 and 2006/07 Budgets:

- Attendance fee for elected members of \$120 per council and special meetings,
- Attendance fee for the President of \$200 per council and special meetings,
- Allowance for the President of \$6000 per annum,
- Allowance for the Deputy President of \$1000 per annum,
- Monthly telecommunication allowance \$50 per month for elected members,
- Travel allowance to be paid at Local Government Officers' Award, currently \$0.737 per kilometre.

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

Once this schedule has been approved Council must adopt it, however this will not occur until the annual budget is adopted.

Statutory Environment

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

Meeting Attendance Fees – Sections 5.98 and 5.99 of the Local Government Act 1995 and Regulations 30 and 34 of the Local Government (Administration) Regulations 1996.

President's Allowance – Section 5.98 of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996.

Deputy President's Allowance - Section 5.98A of the Local Government Act 1995 and Regulation 33A of the Local Government (Administration) Regulations 1996.

Telecommunications Allowance – Section 5.99A of the Local Government Act 1995 and Regulation 34A of the Local Government (Administration) Regulations 1996.

Local Government (Administration) Regulations 1996 prescribe the maximum annual allowances payable and these are:

Regulation 33 specifies the maximum annual allowance for a mayor or president is \$12,000 or 0.002 of the local government's operating revenue, up to a maximum of \$60,000;

Regulation 33A specifies the maximum annual allowance for a deputy is 25% of the mayor or president;

Regulation 34 specifies the minimum annual attendance fee for elected members is \$2,400 and the maximum \$7,000. The minimum attendance fee for a mayor or president is \$6,000 and the maximum \$14,000; and

Regulation 34A specifies the maximum annual telecommunications allowance is \$2,400.

Strategic Implications

Nil

Policy Implications

Policy 1.2- Councillors' Travel Allowance

Policy 1.3- Councillors' Fees and Expenses

Financial Implications

Allowances and fees endorsed by Council will be included in the 2007/08 draft Budget. As it is proposed the allowances and fees will remain at the same level, there will be no significant variance in expense in the forthcoming year.

Consultation

Nil

Comment

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

Entitlements

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

Elected members are entitled to attendance fees and these can be paid per meeting in which case the minimum amount payable is \$60 and the maximum \$140 and the amount paid cannot exceed \$7,000 per year; alternatively it can pay an annual attendance fee ranging from a minimum of \$2,400 to a maximum of \$7,000 can be set. The President is also entitled to attendance fees and on a per meeting basis they can range from \$120 to \$280 with the amount paid not exceeding \$14,000 per year; or an annual attendance fee ranging from \$6,000 to \$14,000 can be paid.

An allowance in recognition of the additional duties required of the President is entitled to be paid and can range from \$600 to \$12,000 or 0.002 of the local government's operating revenue provided the result does not exceed \$60,000.

Discretionary

Discretionary fees, expenses and allowances are those that Council has the right to determine whether they should be provided, and if so their amount. (For example, the Deputy President's allowance and annual telecommunications allowance.) Should Council decide to

continue to pay a Deputy President's allowance, the maximum amount of the allowance is 25% of the President's allowance.

Council has previously determined that elected members will be provided a telecommunications allowance rather than reimbursement of telecommunication equipment rental charges. The maximum annual amount allowed is \$2,400 per member.

Suggested Fees for 2007/08

A comparison of fees and allowances for the current financial years and the fees proposed for 2007/08 are shown in the following table.

	2005/06	2007/08
PRESIDENT		
-Council and Special Meeting Attendance Fee	\$200	\$200
-Committee Meeting Attendance Fee	\$70	\$70
- President's Allowance	\$6000	\$6000
- Telecommunications Allowance	\$50	\$50
-Travel Allowance-Local Government Officers' Award, per kilometre	\$0.737	\$0.737
DEPUTY PRESIDENT		
-Council and Special Meeting Attendance Fee	\$120	\$120
-Committee Meeting Attendance Fee	\$70	\$70
- Deputy President's Allowance	\$000	\$1000
- Telecommunications Allowance	\$50	\$50
Travel Allowance-Local Government Officers' Award, per kilometre	\$0.737	\$0.737
COUNCILLOR		
-Council and Special Meeting Attendance	\$120	\$120
- Committee Meeting Attendance Fee	\$70	\$70
- Telecommunications Allowance	\$50	\$50
Travel Allowance-Local Government Officers' Award, per kilometre	\$0.737	\$0.737

Voting Requirements

Absolute majority

Officer Recommendation

That Council:

- 1 Set a per meeting attendance fee for elected members of Council for council and special meetings of \$120 for 2007/08 and that this be paid monthly in arrears;
- 2 Set a per meeting attendance fee for the President for council and special meetings of \$200 for 2007/08 and that this be paid monthly in arrears;

- 3 That the President's Allowance be \$6,000 for 2007/08 and that this be paid monthly in arrears;
- 4 That the Deputy President's Allowance be \$1000 for 2007/08 and that this be paid monthly in arrears;
- 5 Set a per meeting attendance fee for Council committee meetings of \$70 for 2007/08 and that this be paid monthly in arrears;
- 6 A telecommunications allowance be paid to elected members of \$50 per month paid in arrears;
- 7 Determine a travel allowance be paid at the Local Government Officers' Award Rates currently \$ 0.737 per kilometre, for travelling to and from council, special council, committee and selected committees as per Council Policy 1.3

11.4.3 Fees & Charges Schedule-Proposals for 2007/08

File: B3-1
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 26 March 2007
Attachments: Draft 2007/08 Schedule of Fees and Charges(Green)

Matter for Consideration

Adoption of the draft schedule of fees and charges for the 2007/08 financial year.

Background

In preparing Council's Draft Budget, approval of the draft schedule of Fees and Charges prior to the budget meeting is required. Once this schedule has been approved Council must adopt it, however this will not occur until the annual budget is adopted.

Statutory Environment

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

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.

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

Nil

Policy Implications

Nil

Financial Implications

The fees and charges when adopted will determine the amount of revenue to be received during the 2007/08 financial year for certain areas. There is a small cost for placement of Cemetery Fees and Charges in the Government Gazette.

Consultation

Nil

Comment

The schedule attached shows the Fees and Charges fee including GST that was agreed for the 2006/07 financial year. The proposed fees for 2007/08 is shown on the right hand side and is only shown if it is proposed it will differ to the 2006/07 fee.

Fees and charges that are set by other Government regulations are noted as such and the relevant legislation is also identified. These fees are only changed if it has been directed by the Government organisation. If a fee or charge is to be increased it is proposed that in general the increase be in accordance with CPI. The assumption being that the cost of the service has increased by CPI and therefore to recover this cost, income must increase by the

equivalent amount. The CPI increase to be applied is 4.4% and represents the percentage change in the All Groups index for Perth from December 2005 to December 2006.

The following details include some of the changes made to the Schedule of Fees and Charges.

General Purpose Funding

- Fees have been increased to better reflect the cost of these activities and to be more in accordance with the fees charged by other local governments.

Governance

- The annual subscription to Council Minutes has been increased to a more realistic charge.
- Advertising in Yalgoo Bulldust for commercial operators has been increased to reflect a more appropriate charge.

Law, Order and Public Safety

- The Emergency Services Levy remains at \$35.
- Fees for impounding and sustaining impounded animals have been included
- Seizure fee for dogs has been included to improve cost recovery and provide an increased deterrent to dog owners.
- A fee for hiring Council's cat trap has been included.

Health

- Some charges have been increased in line with regulatory requirements.

Education & Welfare

- Nil

Community Amenities

- Cemetery fees and charges have been increased to reflect the current running costs of plant and labour hire. The amount is in line with our neighbouring Shires, Mullewa and Mt Magnet.

Recreation and Culture

- Hall facilities hire charge includes the kitchen hire. Similarly if hiring the kitchen this will include hiring of the hall if required.
- An alcohol bond of \$1000 has been included as per Council resolution on 14 December 2006 (Item 10.5.1)

Other Property and Services

- The hire charge for hire of plant has been increased to better reflect their running cost.

Voting Requirement

Absolute majority.

Officer Recommendation

That Council approve the 'Recommended 2007/08 Fees' as outlined in the attachment for inclusion in the 2007/08 budget.

11.4.4 Member's Travelling Fee Claim

File: P11
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 2 April 2007
Attachments: Nil

Matter for Consideration

To approve or disapprove a traveling claim for attending Murchison Zone Strategy Group meeting.

Background

On 8 December 2006 the President and then CEO attended a President's & CEO's meeting for the Murchison Zone (Council Minutes 14-12-06, Item 9). At the President's and CEO's meeting it was resolved to call these meetings "Murchison Zone Strategy Group" and they would meet 45 days prior to Cue Parliament to allow time for issues to be presented.

Council has now received a claim for travelling expenses to be paid for the Murchison Zone Strategy Group meeting held on 2 March 2007.

Statutory Environment

Local Government Act 1995.

Section 5.98(2)(b) - provides for an expense which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement.

Admin Reg 32(1)(c) - provides for an expense incurred by a council member in performing a function in his or her capacity as a council member.

Strategic Implications

Nil

Policy Implications

Refer to Policy 1.3 Councillor Fees and Expenses

Murchison Strategy Group is not listed in the approved meetings, however Agenda Item 11.4.5 refers to the inclusion of this committee if approved.

Financial Implications

The travel claim amounts to \$165.08

Consultation

Nil

Comment

Nil

Voting Requirements

Simple majority

Officer Recommendation

That the travelling expense claim by Cr D Anderson for the meeting of Murchison Strategy Group on 2 March 2007 for the amount of \$165.08, be reimbursed.

11.4.5 Councillor Expenses

File: P11
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 28 March 2007
Attachments: Nil

Matter for Consideration

1. To clarify Council’s intention for payment of expenses and have Policy 1.3 amended to reflect this clarification.
2. To either approve or disapprove the inclusion of Murchison Zone Strategy Group as an approved travel expense allowable in Policy 1.3

Background

Please refer to the Council Policy 1.3 below:

1.3	Councillor Fees and Expenses	Adopted 19/03/97 Amended 21/10/98 Amended 25/10/01 Amended 19/05/05 Amended 29/05/06
------------	-------------------------------------	---

That, as a matter of policy, Council’s delegates be paid expenses relating to attendance at meetings of the following organisations provided that their attendance is recorded in the minutes of the meetings:

- (a) Regional Roads Group and Sub-group
- (b) Northern Barrier Fence Committee
- (c) Northern Wheatbelt Health Scheme
- (d) Murchison Zone of Country Shire Council’s Association.
- (e) Murchison Region Vermin Council
- (f) Yalgoo Land Conservation District Committee
- (g) Any other claim for travelling expenses is applied for to Council at the meeting prior to the event, or where there has not been a meeting prior to the event, at the following meeting.
- (h) Interviews for “Senior Staff”

For clarification, is it the intention of Council that delegates be paid “travelling” expenses? (line one of the policy)

On 8 December 2006 the President and then CEO attended a President’s & CEO’s meeting for the Murchison Zone (Council Minutes 14-12-06, Item 9). At the President and CEO’s meeting it was resolved to call these meetings “Murchison Zone Strategy Group” and they would meet 45 days prior to Cue Parliament to allow time for issues to be presented.

Statutory Environment

Local Government Act 1995

Section 2.7(2) (b) - Enables the Council to determine the local government’s policies.

Section 5.98 – Provides that local governments may reimburse an expense of a type that has been approved by the local government.

Local Government (Administration) Regulations 1996

Reg.32 – Allows the kinds of expenses that may be approved for reimbursement as being an expense incurred by the council member in performing a function under express authority of the local government.

Strategic Implications

Nil

Policy Implications

None at this stage

Financial Implications

Travelling expenses can be costed into future year’s budgets if this group is added to the list of meetings to which expenses for delegates will be reimbursed.

Consultation

Nil

Comment

In studying the basic intent and wording of Policy 1.3 it is apparent that there is a need for clarification and a re-write of the policy is desirable.

The framework of the policy has therefore been restructured and will take account of the following structural changes:

- Title- Amend the title to be “Members Expenses” instead of “Councillor Fees and Expenses’. This will reflect more accurately that expenses can be either traveling, accommodation, meals or a combination of these.
- Introduction- An “Introduction” provides an opening statement of what the policy is about.
- Objective- A statement of what the policy seeks to achieve.
- Policy Statement- In this case, a statement of what activities (meetings etc) Council authorizes the reimbursement of traveling, accommodation or meal expenses.

The reworded policy as set out in the “Officer Recommendation” incorporates the above mentioned principles and also includes the addition of the Murchison zone Strategy Group.

Voting Requirements

Simple majority

Officer Recommendation

That Policy 1.3 be replaced with the following:

Policy 1.3- Members Expenses

INTRODUCTION

The Local Government Act 1995 provides two different classifications of expenses that can be reimbursed to members. They are those that “shall” be paid and those that “may” be paid

OBJECTIVE

To establish the basis upon which Council will reimburse travel and other expenses (accommodation and meals) pursuant to section 5.98 of the Local Government Act 1995 (Discretionary Expenses)

POLICY STATEMENT

Council will reimburse travel and other expenses where Members of Council attend the following type of meetings and provided their attendance is recorded in the minutes of these meetings:

- (a) Regional Roads Group and Sub-group.
- (b) Northern Barrier Fence Committee.
- (c) Northern Wheatbelt Health Scheme.
- (d) Murchison Zone of Country Shire Council’s Association.
- (e) Murchison Region Vermin Council.
- (f) Yalgoo Land Conservation District Committee.
- (g) Murchison Zone Strategy Group.
- (h) Interviews for “Senior Staff”.

11.4.6 Accounts Paid During the Month of March 2007

Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 2 April 2007
Attachments: EFT & Cheque Detail for March 2007(Green)

Matter for Consideration

Authorization of accounts paid during the month of March 2007.

Background

Accounts paid are required to be submitted each month.

Statutory Environment

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.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Payment from Council's Municipal Account.

Consultation

Nil

Comment

Payments made during the month of March as per attached schedule.

Voting Requirements

Simple majority

Officer Recommendation

1. The Cheque Detail of payments covering vouchers EFT 1 to EFT 57 totalling \$148357 paid during the month of March 2007, be received.
2. Cheque payments covering cheque numbers 10439 to 10460 totalling \$ 48594.76 paid during the month of March 2007, be received.

11.4.7 Financial Activity Statements for March 2007

Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 2 April 2007
Attachments: Financial Activity Statements for March 2007(Green)

Matter for Consideration

Council to consider adopting the monthly financial statements for March 2007.

Background

Amendments to the Local Government (Financial Management) Regulations 1996 that were gazetted on 31 March 2005 and became effective from 1 July 2005, have resulted in regulations 34 and 35 relating to monthly financial reports and quarterly/triannual financial reports being repealed and substituted with a new regulation 34. The new regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported with the intention of establishing a minimum standard across the industry.

Statutory Environment

Section 6.4 of the Local Government Act 1995 specifies that a local government is to prepare such other financial reports as are prescribed.

Regulation 34 of the Local Government (Financial Management) Regulations 1996 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.

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

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

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

Consultation

Nil

Comment

Nil

Voting Requirements

Simple majority

Officer Recommendation

That Council adopt the financial statements for the period ending 31 March 2007, as attached.

11.4.8 Plant & Equipment- Draft 2007/08 Budget

File:

Author: Ron Adams, Deputy Chief Executive Officer

Interest Declared: No interest to disclose

Date: 02 April 2007

Attachments: Plant & equipment budget items

Matter for Consideration

To determine inclusions of Plant & Equipment in the 2007/08 budget:

Background

In preparing the draft budget for 2007/08, advice is sought on items of plant and equipment that Council members, staff and community would like to see in the budget.

Statutory Environment

Local Government Act 1995

Section 6.2(1)-During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

Strategic Implications

To manage existing and provide for future replacement of infrastructure and assets to meet community needs.

Policy Implications

None at this stage

Financial Implications

Provision for plant and equipment in the draft 2007/08 budget

Consultation

Works Foreman

Healthy Community Project

Administration Staff

Council Members

Comment

To ensure that the budget preparation and adoption process follows a methodical process with the opportunity being provided for input from members of Council, staff and the community, I am requesting any thoughts and plans to be tabled so the administration staff can proceed with planning the draft budget for 2007/08.

Voting Requirements

Simple majority

Officer Recommendation

Council endorse items listed in attachment for inclusion in draft budget 2007/08

11.4.9 Rate Calculation -Draft Policy**File: P11****Author: Ron Adams, Deputy Chief Executive Officer****Interest Declared: No interest to disclose****Date: 02 April 2007****Attachments: Nil****Matter for Consideration**

To determine a differential rating strategy and to establish a proposed rate in the dollar and the minimum rate for the various differential rate categories for the next financial year.

Background

There is a fundamental need to determine the percentage by which rates in the dollar and minimum rates should be increased to meet the increasing expenditure demands of a rapidly growing local government and balance the budget.

Council, in the past has generally kept its rate increases to that of the Consumer Price Index for the previous twelve months and this was the case for 2006/07.

To assist with this process a publication prepared by the Western Australian Local Government Association's Economist was referred to. This paper asserts that using the Consumer Price Index (CPI) to set rates is fundamentally flawed as it fails to reflect the costs of delivering services. Instead, a Local Government Cost Index is proposed that provides an aggregate measure of the changes in prices for delivering local government services. The following is a direct quote from this paper:

“Frequently the Consumer Price Index (CPI) is used as a guide to the community's expectations for cost increases, but this measure is an inaccurate guide to actual local government cost increases. The CPI measures the increase in prices of a bundle of goods consumed by an average household, which makes it a good estimate for how much households may expect to have their rates and charges increased. Yet a local government has very different consumption patterns to the average Australian household and reliance on CPI alone may undermine the long-term financial sustainability of local governments.

The generic ‘basket of goods’ (or services) that are provided by local governments contain a relatively high proportion (for simplicity this will be approximated at 30%) of general construction activity in the form of such things as roads, bridges, sewerage systems and so forth. The price index of this construction activity is also available quarterly on a state-by-state basis, allowing greater granularity than the CPI alone.”

The paper proposes the Local Government Cost Index (LGIC) should consist of 70% of CPI and 30% of the General Construction Index.

By using this method for the 12 months to December 2006, the LGCI is calculated to be 6.08%. The breakdown of the raw figures to achieve this result was (4.4% CPI x 0.7) + (10% GCI x 0.3). By comparison for 2006/07, Council accepted a rate increase of 4.2%

WALGA have now confirmed that this rationale is prudent financial management. Consequently, it is proposed the rate increase for 2007/08 be 6.08%. This increase is only 1.68 percentage points higher than CPI and allows the Shire to meet the increases in labour costs, construction costs as well as any major new initiatives it may be considering.

Assuming that 6.08% would be an acceptable increase, the rates in the dollar and minimum rates for 2007/08 would yield \$ 817,809

The rate yield for 2006/07 was \$ 770,958

Statutory Environment

Local Government Act 1995

Section 6.32 -states that a local government in order to make up the budget deficiency is to impose a general rate on rateable land that may be imposed uniformly or differentially.

Section 6.33(1) -provides that a local government may impose differential general rates according to a number of characteristics.

Section 6.33(3) -states that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.

Section 6.34 -states that a local government cannot without the approval of the Minister raise an amount of general rates that exceeds 110% of the budget deficiency or is less than 90% of the budget deficiency.

Section 6.35 -states a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate.

Section 6.36 -requires that a local government before imposing any differential general rates provides at least 21 days local public notice of its intention to do so.

Section 2.7(2)(b)-Enables the Council to determine the local government's policies.

Section 6.2(1)-During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

Local Government (Financial Management) Regulations 1996 (5)-Under general functions of the CEO provides for efficient systems and procedures to be established and to undertake reviews of the appropriateness and effectiveness of the financial management systems.

Strategic Implications

Nil

Policy Implications

None at this stage, however with the introduction of Agenda Item 11.4.1 Budget Policy the administration can move forward in preparing a timely budget.

Financial Implications

The cost of advertising the local government's intention of imposing differential rates as required by the Local Government Act 1995.

Consultation

Nil

Comment

In preparing the budget for 2007/08, it would be desirable for Council to set "in principle" differential rates. By adopting this policy and rate calculation strategy it allows staff to

prepare the draft budget in a timely manner. This also makes up part of the Budget process that is discussed at Agenda Item 11.4.1. In adopting such a policy this does not mean that the rate is actually struck. The differential rate must be advertised as per Section 6.36. This can only be done two months prior to the next financial year. After any submissions are received from ratepayers or electors, the Council will decide on the submissions before imposing the proposed rate or minimum payment, with or without modification. Once this period has expired and Council has considered any submissions, the rates can be adopted as part of the budget.

Voting Requirements

Simple majority

Officer Recommendation

That Council adopt the following policy:

Policy 4.8 Rates Calculation

Introduction

To determine the percentage by which rates in the dollar and minimum rates should be increased to meet the increasing expenditure demands of a rapidly growing local government and to balance the budget.

Objective

1. To provide clear direction to members of Council, staff and community members on the process of determining rate changes.
2. To allow sufficient time for ratepayers and electors to make submissions and comment on rate setting as required by the Local Government Act 1995.
3. To ensure that the budget preparation and adoption procedure follows a methodical process with the opportunity being provided for input from members of Council, staff and the community.

Policy Statement

As a base standard for preparation of the annual budget, staff apply the following principles to establish the rate yield:

Using Local Government Cost Index (LGCI), calculate rate yield based on the previous years rate in the dollar or in a revaluation year, calculate rate yield on the previous years rate yield.

11.4.10 Staff Housing Maintenance –Lot 18a Shamrock Street

File: H6-5
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 2 April 2007
Attachments: Nil

Matter for Consideration

Consider approving the payment of painting, carpets and repair expenses for lot 18a Shamrock Street.

Background

Lot 18A Shamrock Street was formerly occupied by the Town maintenance man. His employment has since been terminated.

The employee was instructed by the EHO (Council Minutes 16 November 2006 (Item 10.3) to paint and clean the premises to a suitable level. Paint was purchased; unfortunately painting has not been completed. It is still available to be used and has been considered by Bill Bradford in his quotation. Also, the property has not been cleaned to the satisfaction of the EHO.

The condition of carpets in 18A Shamrock are very average, they have been steam cleaned, and have come back to a reasonable level, however not to a condition acceptable by the EHO. There are still strong odours coming from the carpet or underlay.

The EHO has stated that we are unable to re-let the premises until the carpets are replaced and painting and repairs have been completed.

There is an allowance of \$2745 for repairs to 18A Shamrock for the current financial year; however repairs and maintenance charges for this financial year already total \$2541.

The cost of cleaning carpet, fly wire repairs, general house cleaning, yard cleaning and administration fees will all be raised to the previous tenant. We will attempt to recover these costs from him. The bond has not been refunded which will be deducted from the repairs and cleaning account.

Statutory Environment

Local Government Act 1995.

Section 6.8-states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:

- (a) Is incurred in a financial year before the adoption of the annual budget by the local government;
- (b) Is authorised in advance by resolution; or
- (c) Is authorised in advance by the mayor or president in an emergency.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

The cost of general repairs for 18A Shamrock St will be \$ 940

The cost to paint 18A Shamrock St will be \$ 3000

The cost to replace carpet in 18A Shamrock will be \$1980

Total repairs \$5920

Technically, there is an amount allocated for repairs and maintenance in this financial years budget, however Council may choose to note that there will be an over allocation on this account, or Council may resolve to reallocate funds from savings achieved in other areas.

Consultation

Nil

Comment

Savings made on the purchase of the Compactus Filing Unit (Account E168203) could be reallocated to Staff Housing Repairs and maintenance

Voting Requirements

Simple majority

Officer Recommendation

Recommendation 1 (This will require an Absolute majority)

That Council approve:

1. Over expenditure for the payment of painting, carpets and minor repairs to 18A Shamrock Street of up to \$5920 excluding GST.
2. Reallocation of budget funds of \$5455 from account E168203 Compactus to account E091005 Staff Housing Maintenance.

Or

Recommendation 2

1. That Council approve over expenditure for the payment of painting, carpets and minor repairs to 18A Shamrock Street of up to \$5920 excluding GST.
2. Council note the over allocation of funds to E091005 Staff Housing Maintenance.

11.5 ACTING CHIEF EXECUTIVE OFFICER'S REPORT**11.5.1 Councillor Representation**

File: C10
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 22 March 2007
Attachments: Nil

Matter for Consideration

For Council to consider a reduction in councillor representation from eight to seven.

Background

Council would be aware of the late item submitted at the October 2006 meeting regarding Councillor Representation. The outcome at the time was the following motion:

“That Council take the opportunity to seek advice on the implications of reducing the number of elected members.”

This item therefore seeks to obtain from Council a determination as to whether it wishes to pursue the option of reducing the number of councillors.

Statutory Environment

Local Government Act 1995:

The following framework applies for changes to representation under the Local Government Act 1995.

Members of council

Section 2.17(2) - If the method of filling the office of mayor or president is election by the council, the council is to consist of not less than 6 nor more than 15 councillors.

Changing the number of councillors

Section 2.18(3) - The Governor, on the recommendation of the Minister may make an order to change the number of councillors as changing the councillors for a ward or a combination of these.

Section 2.18(4) - The Minister can only make a recommendation if the Local Government Advisory Board (LGAB) has made a recommendation under Schedule 2.2.

(Clause 8(b) of Schedule 2.2 applies in this instance).

Local government may propose ward changes or make minor proposals

Schedule 2.2(5) - A local government, whether or not it has received a submission may –

- a) Carry out a review of whether or not an order under section 2.2, 2.3(3) or 2.18(3) should, in the council's opinion be made;
- b) Propose * to the LGAB, the making of an order under Section 2.2(1), 2.3(3) or 2.18(3) if in the opinion of council the proposal is –
 - i) One of a minor nature; and
 - ii) Not one about which public submissions need be invited;
 or
 - iii) Propose * to the Minister the making of an order changing the nature of the district or a ward.

**Absolute majority required*

Reviews

Schedule 2.2(7) - Before carrying out a review, a local government has to give local public notice advising –

- a) That the review is to be carried out; and
- b) That submissions can be made on not less than 6 weeks after notice is given (date to be fixed). The local government is to consider the submissions made.

Recommendation by Advisory Board

Schedule 2.2(10)(1) - Where under clause 5(b) a local government proposes to the LGAB the making of an order under section 2.2(1), 2.3(3) or 2.18(3), and the LGAB is of the opinion that the proposal is –

- (a) One of a minor nature; and
- (b) Not one about which public submissions need be invited,
the LGAB in a written report to the Minister, is to recommend the making of the order but otherwise is to inform the local government accordingly and the local government is to carry out a review.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

There will be costs in two areas if a formal review is undertaken. These are identified as:

- Advertising giving local public notice of a review,
- Preparation of a discussion paper.

A reduction in councillor numbers would mean modest savings in attendance fees, travelling, councillor training expenses and other incidental expenses.

Consultation

None at this stage.

Comment

Council's base position is that it carried out a review of wards and representation in 2003 which resulted in the current position of a no ward or district ward system. From a legislative point of view, a local government without wards is not required to carry out regular reviews under the provisions of Schedule 2.2 of the Local Government Act 1995. However, a local government without wards can undertake an assessment of the number of elected members and the no ward system to explore whether change is desirable.

This report reviews and explains Council's current position with a total membership of eight councillors.

Current representation

2007

Cr DE Anderson
 Cr DJ Grey
 Cr L Hodder
 Cr EF Taylor

2009

Cr DP Morrissey
 Cr LJ O'Connor
 Cr EC Rowe
 (Vacant)

Ordinarily, four councillors would be eligible for re-election every two years. Due to the change in biennial election dates (now to be October each uneven year), and also the resignation of Cr SD McSparran, last November, there will now be five vacancies this year.

The Shire Electoral Roll records only 149 electors resulting in a ratio of one councillor to approximately 19 electors.

The following table presents statistics of rural local governments.

Comparison Councillor Representation To Electors (Rural Local Governments)						
Local Government	Councillors	Wards	Electors	Crs/Electors	Minimums	Under 1000
Augusta - Margaret River	7	4	6,972	996		
Beverley	9	3	1,785	198		
Boddington	7	2	942	135		✓
Boyup Brook	9	4	1,400	156		
Bridgetown - Greenbushes	11	4	3,012	274		
Brookton	9	3	701	78		✓
Broome	9	2	7,294	810		
Broomehill	8	1	365	46		✓
Bruce Rock	11	1	747	68		✓
Capel	11	1	5,960	542		
Carnamah	7	4	503	72		✓
Carnarvon	9	4	3,829	425		
Chapman Valley	9	3	590	66		✓
Chittering	7	1	2,242	320		
Collie	11	1	5,900	536		
Coolgardie	8	4	2,165	271		
Coorow	8	1	1,263	158		
Corrigin	9	3	904	100		✓
Cranbrook	9	3	791	88		✓
Cuballing	7	2	776	111		✓
Cue	8	2	227	28		✓
Cunderdin	8	1	895	112		✓
Dalwallinu	10	3	941	94		✓
Dandaragan	9	2	2,030	226		
Dardanup	10	1	10,728	1,073		
Denmark	12	3	3,657	305		
Derby - West Kimberley	9	1	3,897	433		
Donnybrook - Balingup	9	1	3,258	362		
Dowerin	8	3	570	71		✓
Dumbleying	9	4	522	58		✓
Dundas	6	1	892	149	✓	✓
East Pilbara	11	6	5,300	482		

Esperance	11	2	11,267	1,024		
Exmouth	7	1	1,507	215		
Geraldton	12	1	12,684	1,057		
Gingin	10	8	4,218	422		
Gnowangerup	9	4	966	107		✓
Goomalling	9	4	920	102		✓
Greenough	11	3	8,666	788		
Halls Creek	8	4	1,883	235		
Harvey	13	1	12,706	977		
Irwin	9	3	2,260	251		
Jerramungup	7	1	816	117		✓
Katanning	9	1	2,558	284		
Kellerberrin	7	1	967	138		✓
Kent	8	4	538	67		✓
Kojonup	9	1	1,604	178		
Kondinin	9	1	686	76		✓
Koorda	8	4	384	48		✓
Kulin	9	4	735	82		✓
Lake Grace	9	3	1,155	128		
Laverton	9	2	487	54		✓
Leonora	9	2	856	95		✓
Manjimup	11	6	6,739	613		
Meekatharra	9	3	675	75		✓
Menzies	7	3	145	21		✓
Merredin	11	1	2,245	204		
Mingenew	7	2	385	55		✓
Moora	9	6	1,741	193		
Morawa	7	1	631	90		✓
Mount Magnet	9	1	459	51		✓
Mount Marshall	7	7	494	71		✓
Mukinbudin	9	5	613	68		✓
Mullewa	9	4	571	63		✓
Murchison	7	2	106	15		✓
Murray	12	6	8,213	684		
Nannup	8	3	853	107		✓
Narembeen	9	2	680	76		✓
Narrogin Shire	7	1	609	87		✓
Narrogin Town	9	1	2,687	299		
Ngaanyatjarraku	8	1	1,088	136		
Northam Shire	9	3	2,076	231		
Northam Town	10	1	4,132	413		
Northampton	11	6	2,435	221		
Nungarin	7	3	166	24		✓
Perenjori	9	4	544	60		✓
Pingelly	8	4	850	106		✓
Plantagenet	9	5	2,867	319		
Port Hedland	7	1	6,386	912		
Quairading	9	1	765	85		✓
Ravensthorpe	7	3	1,100	157		
Roebourne	11	5	8,622	784		
Sandstone	6	1	78	13	✓	✓
Serpentine - Jarrahdale	9	4	8,147	905		
Shark Bay	7	3	620	89		✓
Tambellup	9	3	478	53		✓

Tammin	6	1	305	51	✓	✓
Three Springs	7	1	522	75		✓
Toodyay	9	4	2,807	312		
Trayning	7	1	341	49		✓
Upper Gascoyne	7	1	131	19		✓
Victoria Plains	9	4	586	65		✓
Wagin	11	1	1,310	119		
Wandering	7	4	307	44		✓
Waroona	8	4	3,200	400		
West Arthur	9	4	681	76		✓
Westonia	9	4	214	24		✓
Wickepin	9	5	530	59		✓
Williams	9	1	689	77		✓
Wiluna	7	1	355	51		✓
Wongan - Ballidu	11	1	1,060	96		
Woodanilling	7	1	243	35		✓
Wyalkatchem	7	1	433	62		✓
Wyndham - East Kimberley	9	1	3,562	396		
Yalgoo	8	1	149	19		✓
Yilgarn	9	3	932	104		✓
York	6	1	2,453	409	✓	

In the foregoing table particular mention needs to be made regarding the last three columns. These identify respectively:

- The ratio of councillors per elector,
- Those local governments with the minimum number of councillors,
- Those local governments with less than 1000 electors on their roll.

The latter mentioned item has no particular relevance other than to identify local governments at the smaller end of the population scale and for some form of comparison.

From the table 13 local governments are identified with less than 50 electors per elected member. The figures in brackets represent the number of councillors:

Broomhill	46	(8)	Sandstone	13	(6)
Cue	28	(8)	Trayning	49	(7)
Koorda	48	(8)	Upper Gascoyne	19	(7)
Menzies	21	(7)	Wandering	44	(7)
Murchison	15	(7)	Westonia	24	(9)
Nungarin	24	(7)	Woodanilling	35	(7)
			Yalgoo	19	(8)

There is of course no magic figure as to what is the optimum ratio, however one can observe from the above there are currently a number of other small local governments who function with seven or less councillors. From the rural local governments table it is also worth noting the following:

- 3 local governments with 6 members,
- 24 local governments with 7 members,
- 13 local governments with 8 members,
- 42 local governments with 9 members.

Also of particular note are several local governments with sizeable populations who are presently served with 6 or 7 members:

	<u>Electors</u>	
• Augusta-Margaret River	6972	(7)
• Port Hedland	6386	(7)
• Chittering	2242	(7)
• Exmouth	1507	(7)
• York	2453	(6)

So, having noted the foregoing data the next question to ask is how many members are desirable to enable the effective function of the Shire?

Whilst it is known the LGAB is keen to see local governments with smaller councils, this trend has also been apparent where the state government has had a hand in the re-shaping of certain local governments. This occurred with the split up of the City of Perth and the creation of the Towns of Cambridge, Victoria Park and Vincent. Each of these has a population greater than 24,000 and function with a council of nine. Other examples include the Shire of Augusta-Margaret River and York as mentioned above.

Overall, there is nothing to suggest that seven or six members for Yalgoo would not be unreasonable and would make little difference to operations under the existing regime, (one position vacant and one councillor on extended leave of absence).

In conclusion there are three choices available to Council on the question of structural reform:

- Retain the status quo (ie, not initiate a review and therefore retain council representation at 8, or
- Initiate a review of representation and follow the procedure set down in the Local Government Act 1995; or
- propose to the LGAB the making of an order for the reduction of offices of councillor on council from 8 to 7 under section 2.18(3) if in the opinion of council the proposal is –
 - i) One of a minor nature; and
 - ii) Not one about which public submissions need be invited.

The last dot point above is the favoured outcome for the following reasons –

- A reduction of one councillor will embrace the concept of structural reform as portrayed by successive State governments.
- There is an ideal opportunity now for Council to pursue this avenue due to the existing vacancy which would not otherwise be filled until the next local government elections in October 2007.
- Council will be able to demonstrate cost savings to its membership section through reduced expenses.
- There is no evidence of hardship or lack of effectiveness by other local governments who have 6 or 7 members.
- By proposing the making of an order under section 2.18(3) and the declaration by council the proposal is a minor one, there will be a significant saving in public advertising and administrative procedures.

Voting Requirements

Absolute Majority.

Officer Recommendation

That Council propose to the Local Government Advisory Board the making of an order under section 2.18(3) of the Local Government Act 1995 to reduce the number of offices of councillor from eight (8) to seven (7) and in so doing determine it is the opinion of Council the proposal is –

1. One of a minor nature; and
2. Not one about which public submissions need be invited.

11.5.2 Acting Chief Executive Officer

File: S7-20
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: I wish to declare an interest in this matter, with the interest being that I am the person who will be replaced for the interim periods.
Date: 29 March 2007
Attachments: Nil

Matter for Consideration

Appointment of an Acting Chief Executive Officer during two periods of the current Acting Chief Executive Officer's (Mr Glenn Bone) absence.

Background

Council has previously been made aware that during my service as Acting Chief Executive Officer, there will be two periods when I will be away. These are:

- 23 – 27 April 2007
- 14 – 25 May 2007

During these periods it will be necessary for Council to appoint an Acting Chief Executive Officer in my stead.

Statutory Environment

Local Government Act 1995

Section 5.36 – a local government is to employ a person to be the CEO of the local government.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

The payment of higher duties remuneration is included in the annual budget provisions.

Consultation

Nil

Comment

It is proposed that the Deputy Chief Executive Officer, Mr Ron Adams be appointed as Acting Chief Executive Officer during the abovementioned periods. (Mr Adams was previously Acting CEO for a one week period prior to my arrival and was remunerated at 85% of the former CEO's rate of \$93,638 per annum). Council will no doubt recall the advice provided in the report to the Special Council Meeting held on 15 March 2007, that the \$93,638 amount was out of date and in the ordinary sense of the contract with Mr Hills, was due for a CPI increase:

The CPI figure for Perth for the 12 months prior (to 31 December 2006) was 4.4% therefore the revised annual salary would calculate to $\$93,638 \times 1.044 = \$97,758$. Consequently it will be recommended Mr Adams be remunerated during this period of higher duties at 85% of \$97,758 per annum, viz \$83,094 per annum.

Voting Requirements:

Absolute majority.

Officer Recommendation:

That Council:

1. Appoint the Deputy Chief Executive Officer, Mr Ron Adams to be Acting Chief Executive Officer for the periods 23 – 27 April 2007 and 14 – 25 May 2007; and
2. Set the remuneration for Mr Adams during these periods at 85% of the revised Chief Executive Officer salary, being \$97,758 per annum.

11.5.3**Meeting Dates**

File:	C11
Author:	Glenn Bone, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	30 March 2007
Attachments:	Nil

Matter for Consideration

1. Council to consider: A change to the June 2007 Ordinary meeting date.
2. Council to consider: A suitable date for the Annual Electors' meeting.

Background

An annual meeting of elector's is required to be held within 56 days after Council accepts the Annual Report and at least 14 days local public notice must be given in regards to the proposed meeting date.

Statutory Environment

Local Government Act 1995

Section 5.27 indicates that the Electors' meeting shall be held once every financial year and not more than 56 days after the local government accepts the annual report for the previous year.

Section 5.29 states that the Chief Executive Officer is to convene an Electors' meeting by giving at least 14 days local public notice and each Council member 14 days notice.

Section 5.54(2) provides that the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available. (Received 29 March 2007)

Local Government (Administration) Regulations 1996

Regulation 12(2) requires a local government to give local public notice of any change to a meeting date.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

None if the Electors' meeting is held on a Council meeting day.

Consultation

Nil

Comment

The absence of myself as Acting Chief Executive Officer during the period 14 - 25 May 2007 means I will not be present at the May Council meeting. This coupled with the timelines set down in sections 5.54 and 5.27 of the Local Government Act 1995 indicates that it will not be possible to conduct the Annual Electors' meeting on the same day as the June Council meeting because 63 days would have elapsed since the acceptance of the Annual Report. (If this occurs at the April Council meeting)

We can avoid going beyond the 56 day period mentioned in section 5.27 by holding the June Council meeting one week earlier than normal, viz Thursday 14 June 2007.

Council will need to approve the change and local public notice will also need to be given to comply with the requirements of Local Government (Administration) Regulation 12(2). If Council is amenable to holding its Ordinary meeting on 14 June 2007, the Annual Electors' meeting could be convened on the same day commencing at 5pm.

Voting Requirements

Simple majority

Officer Recommendation

That Council:

1. Approve the change of the Ordinary meeting date in June 2007 from 21 June to 14 June; and
2. Hold the Annual Meeting of Electors' in the Council Chambers, Yalgoo on 14 June 2007, commencing at 5pm.

11.5.4 Annual Report for 2005/06

File: A10
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 3 April 2007
Attachments: Nil

Matter for Consideration

To accept the Annual Report for 2005/06.

Background

A local government must prepare an Annual Report each financial year.

The Annual Report includes:

- President's report
- Chief Executive Officer's report
- Compliance statements/reports relating to the Plan for the Future, National Competition Policy, Disability Services Plan and Records Keeping Plan
- Financial statements
- Auditor's Report

Statutory Environment

Local Government Act 1995

- Section 5.53-states a local government must prepare an annual report and details the items that should be included.
- Section 5.54-specifies that the Annual Report must be accepted by the local government no later than 31 December after the financial year or if the Auditor's report is not available by this date no later than 2 months after the Auditor's report becomes available.
- Section 5.55-requires the Chief Executive Officer to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

The annual financial report presents the financial performance for the past financial year and is scrutinized by an independent audit to ensure compliance with legislation and accounting standards. The financial impact upon the current financial year is that the audited net current assets position becomes the actual brought forward surplus (deficit) for the Rate Setting Standard.

Consultation

Nil

Comment

The Independent Audit Report and Audit Management Report were received on 29 March 2007 however due to factual errors in both Reports, these were reissued in corrected form and received by the Shire on 5 April 2007.

Both reports are being submitted to the Audit Committee for their meeting on 19 April 2007 (preceeding the Council meeting). The minutes of the Audit Committee will be provided to Council for their 19 April 2007 meeting. The Audit Report offered a qualified opinion regarding several breaches of the Local Government Act 1995, mainly concerning lateness of the budget and preparation of the annual accounts.

The final audit qualification regarded the review of local laws under section 3.16(1) not being carried out within a period of eight years. While this point is accurate the review was commenced during 2005/06 and finally completed in November 2006.

In summary the Shire recorded a net operating result of \$891,657. The Shire's balance sheet continues to improve with total equity increasing to \$18,975,821, up from \$18,084,164 in the previous year.

The Shire's cash position has also improved compared to both the budget and the previous financial year with cash at the end of the year increasing to \$1,545,862 from \$990,193 at the start of the year.

Cash Backed Reserves also showed an improvement moving to \$1,211,626 from \$892,058 at the start of the year.

Voting Requirements

Simple majority

Officer Recommendation

That the Annual Report for the 2005/06 financial year be accepted.

11.5.5

WALGA Annual General Meeting

File: W1-4
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 30 March 2007
Attachments: Nil

Matter for Consideration

Council to note the requirements for submission of any motions for the WALGA annual general meeting.

Background

The Western Australian Local Government Association (WALGA) have advised the annual general meeting for the Association will be on Sunday 5 August 2007 as part of Local Government Week. The meeting will be held at the Burswood Convention Centre.

Local governments are also advised that the closing date for submission of motions is 15 June 2007. Any motions proposing alterations or amendments to the Association's Constitution must be received by 6 June

Statutory Environment

Nil

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Consultation

Nil

Comment

Registration details for Local Government Week will be distributed in late April.

Voting Requirements

Simple majority

Officer Recommendation

That Council note the above requirements for the submission of motions to the WALGA annual general meeting.

11.5.6 Rabbit Proof Fence

File: V1-1
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 3 April 2007
Attachment: Project Budget Attachment # 4 (White)

Matter for Consideration

For Council to determine its support or otherwise for the installation of a commemorative section of the No1 Rabbit Proof Fence and an interpretive panel within the Yalgoo townsite.

Background

The Murchison Regional Vermin Council (MRVC) have submitted a proposal to mark the centenary of the completion of the No1 Rabbit Proof Fence by erecting a commemorative section of the fence and an interpretive panel in each of the towns whose Shire is a member, with of course, Shire approval. A grant application has been lodged by MRVC with the Mid West Regional Development Authority and a copy of the project is attached.

The Shire of Yalgoo is asked to approve an appropriate location within the town for a section of fence to be constructed, half in the original style and materials and the other half in contemporary materials. The MRVC will provide the fence materials and fence contractor at their cost. The Shire is asked to install the interpretive panel at its cost. If the grant application is not successful, funds for the interpretive panels will not be available. In that case, the Shire of Yalgoo is asked to provide a smaller sign instead. The information to be contained on the sign is still to be finalised.

Statutory Environment

Local Government Act 1995

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

Section 3.1-provides that 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

A minor cost of \$300 for the installation of the interpretive panel. As this is likely to be after 30 June 2007, provision can be made in the 2007/08 budget.

Consultation

Nil

Comment

The project will be a small but added addition to the tourism features already evident in the Yalgoo townsite.

It is suggested a suitable site for the commemorative fencing section would be in front of the toilets in the town park precinct.

Voting Requirements

Simple majority

Officer Recommendation

That Council:

1. Indicate its support to the Murchison Regional Vermin Council's proposal for a commemorative section of the No1 Rabbit Proof Fence and an interpretive panel in Yalgoo townsite;
2. Identify the town park precinct as the site for the commemorative section of fence; and
3. Make provision of \$300 in the 2007/08 draft budget for the erection of the interpretive panel in the town park precinct.

11.5.7 Uanna Hill/Mt Magnet Rd-Extra Mass Application

File: M5-12
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 5 April 2007
Attachment: Haulage Route (White)

Matter for Consideration

Proposal for heavy hauling on Uanna Hill-Mt Magnet Road

Background

Harmony Mount Magnet Gold have advised they propose to mine the Western Queen South open pit commencing in May 2007 with mining activities expected to continue for approximately nine months.

Harmony seek approval from the Shire for the carting of ore with road trains using concessional loading permits on a route that for a minor part, is within the Shire of Yalgoo.(36.31km). The proposed haul route is from the Cue-Yalgoo Road where the Western Queen South(WQS) access/haul road intersects, along the Uanna Hill-Mt Magnet Road, the Mt Farmer and Palmers Well Roads then turning off onto an existing MMG haul road approximately 2.2km north west of the Checker Treatment Plant.

MMG propose to maintain the portion of the Shire roads utilized for ore haulage during the period that MMG expect to be constant users of the aforementioned haul route. MMG also undertake to hand the respective roads back to the Mount Magnet and Yalgoo Shires after a final maintenance grade upon completion of ore haulage from WQS.

Further enquiries reveal the carting will be by quad road train. Hauling would commence and remain on a single shift 12 hours per dayshift only, for approximately six weeks then progress to double shift 12 hours per shift for the remainder of the time required to haul the ore to Mt Magnet. It is anticipated that three road trains per shift would be working and they would be capable of three loads each per shift-maximum. At 100% availability this would equate to a maximum of 18 loads per day over a 24 hour period.

Statutory Environment

Nil

Strategic Implications

Nil

Policy Implications

Policy 6.6- Heavy Haulage Road Policy

Financial Implications**Consultation**

Nil

Comment

The nature of this application has been discussed with the Works Supervisor who observes that the road has previously been used by the company and upgraded at their cost. Mr. Hodder does not have any concerns regarding the application.

Voting Requirements

Simple majority

Officer Recommendation

That Council approve the extra mass application by Harmony Mount Magnet Gold for ore carting on the Uanna Hill/Mt Magnet Road.

12. REPORTS OF COMMITTEES

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14. URGENT BUSINESS

15. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

16. MEETING CLOSURE