



UNCONFIRMED MINUTES  
OF THE ORDINARY MEETING  
OF COUNCIL  
HELD ON  
THURSDAY 24 JULY 2014  
AT 1:00PM

## DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Yalgoo for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Yalgoo disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Yalgoo during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Yalgoo. The Shire of Yalgoo warns that anyone who has an application lodged with the Shire of Yalgoo must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Yalgoo in respect of the application.

# CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE .....	3
3.	DISCLOSURE OF INTERESTS .....	3
4.	PUBLIC QUESTION TIME .....	4
4.1	RESPONSE TO QUESTIONS TAKEN ON NOTICE .....	4
4.0	QUESTIONS WITHOUT NOTICE.....	4
5.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	4
6.	APPLICATIONS FOR LEAVE OF ABSENCE .....	4
7.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED.....	5
7.1	PRESIDENT .....	5
7.2	COUNCILLORS .....	5
8.	CONFIRMATION OF MINUTES.....	6
8.1	ORDINARY COUNCIL MEETING.....	6
	<b>C2014-0701 Minutes of the Ordinary Meeting.....</b>	<b>6</b>
8.2	SPECIAL COUNCIL MEETING.....	6
9.	MINUTES OF COMMITTEE MEETINGS.....	6
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/ Other Matters.....	6
10.0	INFORMATION ITEMS.....	6
11.	MATTERS FOR DECISION .....	7
11.0	MATTERS BROUGHT FORWARD .....	7
11.1	WORKS AND SERVICES .....	7
	Executive Manager Works & Infrastructure – July Council Report.....	7
12.	1/. Road Construction.....	7
13.	2/. Road Maintenance – Light Grading Works: .....	8
14.	3/. Other Infrastructure Maintenance: .....	8
15.	4/. Plant & Equipment:.....	8
16.	5/. Parks and Reserves:.....	8
17.	6/. Infrastructure – Capital: .....	9
18.	7/. Infrastructure - Maintenance.....	9
18.0	DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH .....	9
18.1	FINANCE .....	10
11.3.1	Draft Budget Elected Members Fees and Allowances 2014/15.....	10
	<b>C2014-0702 Elected Members Fees and Allowances 2014/15 .....</b>	<b>13</b>
11.3.2	Donation – Meekatharra School of the Air.....	14
	<b>C2014-0703 Donation to Meekatharra School of the Air .....</b>	<b>15</b>
11.3.3	Sitting Fees for Nominated Committees .....	16
	<b>C2014-0704 Sitting Fees for Nominated Committees .....</b>	<b>18</b>
18.2	ADMINISTRATION.....	19
11.4.1	Future Boundary Changes .....	19
	<b>C2014-0705 Land Transfer Request from the Shire of Dalwallinu .....</b>	<b>20</b>

19.	NOTICE OF MOTIONS.....	21
19.1	PREVIOUS NOTICE RECEIVED.....	21
20.	URGENT BUSINESS.....	21
21.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	21
21.0	STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC...21	
	Local Government Act 1995.....	21
	Local Government (Rules of Conduct) Regulations 2007.....	22
21.1	Consideration of a matter (detail) 5.23 (2) (a).....	23
	<b>C2014-0706 Close Meeting to the Public.....</b>	<b>23</b>
	<b>C2014-0707 Open Meeting to the Public.....</b>	<b>23</b>
	<b>C2014-0708 Remuneration of Executive Manager Corporate.....</b>	<b>24</b>
	<b>C2014-0709 Staff Training - Deputy Chief Executive Officer and CEO</b>	<b>24</b>
	<b>C2014-0710 Final Forensic Audit.....</b>	<b>24</b>
22.	NEXT MEETING.....	24
23.	MEETING CLOSURE.....	24
	<b>Common Acronyms.....</b>	<b>25</b>



Minutes of the Ordinary Meeting of the Yalgoo Shire Council,  
held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on Thursday 24 July 2014, commencing at 1.00 pm.

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

The Shire President Neil Grinham declared the Ordinary Meeting open at 1:05pm.

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

MEMBERS	Cr Neil A Grinham, Shire President Cr M Raul Valenzuela, Deputy Shire President Cr Bob Grinham Cr Stanley K Willock Cr Adam Fawkes Cr Percy J Lawson
STAFF	Dr Ross Theedom, Chief Executive Officer (CEO) Heather Boyd, Executive Manager Corporate (EMC) Silvio Brenzi, Executive Manager Works & Infrastructure (EMWI) Karen Malloch, Executive Assistant (EA)
GUESTS	
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	

**3. DISCLOSURE OF INTERESTS**

Disclosures of interest made before the Meeting

Nil

## **4. PUBLIC QUESTION TIME**

A member of the public registered a written question prior to the meeting.

The President asked the Silvio Brenzi, Executive Manager Works & Infrastructure, to respond relevant to the operational area concerned.

### **4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

#### **Member of the Public**

Q: What is happening regarding the reticulation at the Health Centre?

A: The automatic system was operating effectively until March. In March new legislation on backflow prevention was introduced which made the present reticulation system non-compliant.

The plan currently in place is to run an irrigation line, with an isolation switch, across the road in the present exposed trench from the internal Shire water supply to the Health Centre. This will ensure compliance with the new backflow prevention laws and enable the garden irrigation to continue efficiently.

### **4.0 QUESTIONS WITHOUT NOTICE**

#### **Member of the Public**

Q: Is there a maintenance or lease agreement in place between the Health Centre and the West Australian Country Health Service (WAHCS)?

A: There is no formal maintenance or lease agreement established but a current Memorandum of Understanding (MOU) exists.

In the MOU the Shire undertakes maintenance of the exterior of the Health Centre, with charges being forwarded to WACHS. After ten years the building reverts into possession of WACHS.

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

Item 21.1 Consideration of matters affecting an employee 5.23 (2) (a)

## **6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**7.1 PRESIDENT**

Date	Details	Attended with whom
30 June – 2 July 2014	Midwest Emergency Management Conference/Wkshp Queens Park Theatre Geraldton	
23 – 24 June 2014	Councillor Training Mt Magnet	Cr Percy Lawson
9 July 2014	Meeting with Top Iron, Yalgoo	Ross Theedom, CEO Silvio Brenzi, EMWI
23 July 2014	Toolbox Meeting Shire Depot	Ross Theedom, CEO Silvio Brenzi, EMWI

**7.2 COUNCILLORS**

Date	Details	Councillors

The councillors discussed the introduction of the Toolbox meetings. Everyone agreed that the instigation of these meetings is beneficial for all staff and councillors who participate. The meetings enable the outside work crew to liaise with other staff and councillors. The 23 July meeting was the third meeting to be held. The meetings are designed to increase awareness and understanding of relevant Occupational Health and Safety issues, each others roles, to give updates on works in progress, planning and work requirements.

## 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

C2014-0701 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 19 June 2014 be confirmed.

Moved: Cr PJ Lawson                      Seconded: Cr MR Valenzuela                      Motion put and carried 6/0

### 8.2 SPECIAL COUNCIL MEETING

#### Background

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

#### Voting Requirements

Simple majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

Minutes of the Special Meeting

That the Minutes of the Special Council Meeting held on 16 July 2014 be confirmed.

Moved: Cr SK Willock                      Seconded: Cr AB Fawkes                      Motion put and carried 6/0

## 9. MINUTES OF COMMITTEE MEETINGS

Nil

## 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 (e.g.: matters affecting employee/s or the personal affairs of any person).



## 11. MATTERS FOR DECISION

### 11.0 MATTERS BROUGHT FORWARD

Nil

ATTENDANCE: 2:01pm Deputy President Raul Valenzuela left the meeting.

ATTENDANCE: 2:02pm Deputy President Raul Valenzuela rejoined the meeting.

### 11.1 WORKS AND SERVICES

#### Executive Manager Works & Infrastructure – July Council Report

File:	
Author:	Silvio Brenzi, EMWI
Interest Declared:	No interest to disclose
Date:	16 <sup>th</sup> July 2014
Attachments	Nil

#### Matter for Consideration:

Receive Monthly Works & Infrastructure Reports and Schedules.

#### Items:

## 12. 1/. Road Construction

#### Yalgoo-Morawa Rd

- a. Formation is complete to entire site.
- b. Gravel Sheeting complete.
- c. Signage and markings to be installed as final works.
- d. Sealing works in this years RRG project.

#### Yalgoo-Ningham Rd

- a. Road works complete.
- b. Signage and markings as final works.
- c. Year two RRG works being quoted now for determination of suitable contractor.

#### Comments:

*The Yalgoo-Morawa Rd has been completed except for the sign markers.*

*Quotes will be drawn up now for tender and will be forwarded to RRG for approval.*

*A trip will be organised for the Councillors to view the excellent progress which has been made on the Yalgoo-Ningham Road.*

*The Yalgoo-Ningham Rd is nearly completed except for the sign markers and the sealing will progress as per the funding arrangement.*

*Funds have been assigned to several flood ways for repair and will be included in future works.*

### **13. 2/. Road Maintenance – Light Grading Works:**

- a. Completed roads are:
  - 1. North Rd to Casuarina Crossing.
  - 2. Gabyon/Tardie/Yuin Rd.
  - 3. Barnong/Wuraga Crossing Rd now open.
- b. Access Roads/Airstrips:
  - 1. Paynes Find.
  - 2. Gabyon.

**Comments:**

*The Shire has used its own funds to repair the North Rd to Casuarina Crossing and any shortfall will be claimed through WANDRRA.*

*Repairs to the Gabyon/Tardie/Yuin Roads are in progress but unfortunately there have been heavy washouts on the Pindathunna Road, reports of which have only recently been received.*

*The road condition has been upgraded to “useful” and work will continue on to stabilise the crossings.*

*Access Roads/Airstrips will be assessed after the heaviest rains have finished and the station owners have been contacted.*

### **14. 3/. Other Infrastructure Maintenance:**

- a. Flood damage inspection by Main Roads complete. Scope of works to be advised within two weeks.

**Comments:**

*The EMWI will list the works to be tendered for in the August report.*

### **15. 4/. Plant & Equipment:**

- a. Compressor to Parks shed complete and incidental tools. 13/14 program completed.

**Comments:**

*The compressor has been installed and electrical work completed.*

### **16. 5/. Parks and Reserves:**

- a. Spraying of weeds underway
- b. Mowing of verges throughout town ongoing.

**Comments:**

*The Councillors congratulated EMWI Silvio Brenzi and the gardening team comprising of Tim Zubin and Craig Simpson on the excellent presentation of the town. Tourists to Yalgoo have commented favourably and these comments were conveyed to the Work Crew at the last Toolbox meeting.*

## **17. 6/. Infrastructure – Capital:**

- a. Weekes St Housing – interior works underway. Exterior works such as rear roofing, carport and front veranda next items. 75 Weekes St funding to be modified with MWDC for a more appropriate design.
- b. Caravan Park Upgrade – Concrete pathways to be installed on return of batching plant.

### **Comments:**

*The Weekes Street housing is progressing well and the EMWI Silvio Brenzi will report to Council next month on the funding.*

*The CEO, Dr Ross Theedom is finalising the grant requirements for the Caravan Park upgrade.*

## **18. 7/. Infrastructure - Maintenance**

- a. General housing maintenance ongoing.
- b. Repairs to public toilet after vandalism (plumbing works).

### **Comments:**

*General maintenance is ongoing to shire properties including plumbing and sewerage systems.*

*A Councillor inquired as to whether there is any plan in place to upgrade the Depot security system. An allowance has been made in the 2014/15 Budget for the installation of security cameras at the depot.*

*A question was asked regarding the stations airstrips. The EMWI Silvio Brenzi responded that time and funds will be allocated to grade the airstrips. An information/request form will be sent out to the station owners/managers when the rates notices are posted out.*

## **18.0 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH**

## 18.1 FINANCE

### 11.3.1 Draft Budget Elected Members Fees and Allowances 2014/15

File:	
Author:	Heather Boyd, Executive Manager Corporate
Interest Declared:	No interest to disclose
Date:	8 July 2014
Attachments (yellow)	P 1 – 35 SAT Determination

#### Matter for Consideration

To determine the following elected members allowances and fees for inclusion in the 2014/15 draft budget:

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

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

#### Background

The Local government Act 1995 requires council to determine the fees and allowances payable to Elected Members each year. The 2013/14 fees and allowances were adopted by Council at its meeting on 18 July 2013 (Refer Council Minute C2013-0706) and were included in the 2013/2014 Budget.

The allowances are subject to Section 7(B) of the Salaries and Allowances Act 1975 as per the determination by the Salaries and Allowances Tribunal on local government elected council members.

#### Statutory Environment

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

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

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

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

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

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

- Regulation 3.2 specifies the maximum annual allowance for a mayor or president is \$19,570 or 0.002 of the local government's operating revenue, whichever is less;
- Regulation 3.3 specifies the maximum annual allowance for a deputy is 25% of the mayor or president;
- Regulation 2.2 specifies the minimum attendance fee for elected members is \$88 per meeting with the maximum \$232 per meeting.

- Regulation 2.2 specifies the minimum annual attendance fee for a mayor or president is \$88 and the maximum \$477; and
- Regulation 5.1 specifies the maximum annual telecommunications allowance is \$2,400.

### **Strategic Implications**

Nil

### **Policy Implications**

7.6 Annual Budget Preparation timetable.

### **Financial Implications**

Any allowances and fees approved by Council will be included in the 2014/2015 draft budget.

### **Consultation**

### **Comment**

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

#### Entitlements

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

#### Discretionary

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

#### Suggested Fees for 2014/2015

At the meeting of Council in July 2013 the Council resolved to adopt the full value of the allowances as per the SAT determination.

	Salaries and Allowances Act 1975	Regulation Minimum \$	Regulation Maximum \$	Adopted 2013/2014 \$	Proposed 2014/2015 \$
<b>PRESIDENT</b>					
- Council and Special Meeting Attendance Fee	r.2.2(1)	88	477	463	477
- Committee Meeting Attendance Fee	r.2.3(1)	44	116	113	116
- President's Allowance per annum 0.2% of Councils operating budget	r.3.2(4)	500	8939	9343	8939
- Telecommunications Allowance (per month)	r.5.2(2)	41.67	291.67	291.67	291.67
- Travel Allowance (cents per km) *	*			1.947	1.947
<b>DEPUTY PRESIDENT</b>					
- Council and Special Meeting Attendance Fee	r.2.2 (1)	88	232	225	232
- Committee Meeting Attendance Fee	r.2.3(1)	44	116	113	116
- Deputy President's Allowance 25% of Presidents Allowance	r.3.3(1)	125	2235	2335	2235
- Telecommunications Allowance (per month)	r.5.2(2)	41.67	291.67	291.67	291.67
- Travel Allowance (cents per km) *	*			1.947	1.947
<b>COUNCILLOR</b>					
- Council and Special Meeting Attendance	r.2.2 (1)	88	232	225	232
- Committee Meeting Attendance Fee	r.2.3(1)	44	116	113	116
- Telecommunications Allowance (per month)	r.3.4A	41.67	291.67	291.67	291.67
- Travel Allowance (cents per km) *	*			1.947	1.947

\* Public Service Award 1992

Councillors will only be eligible for the communications allowance if they have a valid phone number and email address that they can be contacted on.

## Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

#### **C2014-0702 Elected Members Fees and Allowances 2014/15**

**That Council –**

- 1. Set a per meeting attendance fee for elected members of Council for Ordinary and Special Council meetings of \$232.00 for 2014/2015 and that this be paid monthly in arrears;**
- 2. Set a per meeting attendance fee for the President for Ordinary and Special Council meetings of \$477.00 for 2014/2015 and that this be paid monthly in arrears;**
- 3. Set the President's Allowance be \$8,939.00 for 2014/2015 and that this be paid monthly in arrears;**
- 4. Set the Deputy President's Allowance be \$2,235 for 2014/2015 and that this be paid monthly in arrears;**
- 5. Set a per meeting attendance fee for Committee meetings of \$116.00 for 2014/2015 and that this be paid after a meeting;**
- 6. Set a telecommunications allowance be paid in arrears to elected members of \$291.67 per month; \$291.67 per month for Deputy President and \$291.67 per month for President. All Councillors will only be eligible to receive this allowance if they have a valid phone number and email address that they can be contacted on;**
- 7. Set a travel allowance rate of \$1.947 per km for 2014/2015.**

**Moved: Cr AB Fawkes**

**Seconded: Cr RW Grinham**

**Motion put and carried 6/0**

Following discussion by the councillors regarding computers, the CEO indicated training would be available for anyone needing to upgrade their skills.

### 11.3.2 Donation – Meekatharra School of the Air

File:	
Author:	Heather Boyd, EMC
Interest Declared:	No interest to disclose
Date:	26 June 2014
Attachments	P 36 Letter Meekatharra School of the Air (yellow)

#### Matter for Consideration

To consider an additional donation to Meekatharra School of the Air for assistance with the compilation of a cook book.

#### Background

A letter was received by the Shire in June 2014 seeking a donation of \$1,500 to assist the Meekatharra School of the Air with the compilation of a cook book. The cookbook will be sold to raise funds for students to participate in a Canberra trip and for I-pads that can be used by home tutor families.

With a current enrolment of 49 students (Term 1, 2005), Meekatharra is the largest of the five Schools of the Air in terms of school population. The boundaries of its 540 000 square kilometres stretch east of Wiluna to the Northern Territory border, north to Newman, as far west as Mullewa and in a southerly direction almost to Wubin.

The school caters for students in preschool (four year olds) through to Year 7, with most of the students' enrolled living on stations.

Face to face contact is made at various times throughout the year. Teachers visit their students' families up to three times per year. To do this, they travel through isolated areas using the school vehicle (4WD), supplied by the Department of Education and Training. This vehicle is equipped with a satellite phone, so that contact can be made with the school when necessary. Teachers normally travel accompanied by other staff, however this is not always possible.

In addition to home visits contact with students occurs in a number of ways:

- \* Mini Camps and/or Activity Days are held at least once per term.
- \* An annual Learning Seminar is held for all Home Tutors and students. This seminar provides the opportunity for Home Tutors to further develop their teaching knowledge and skills.
- \* A camp for all School of the Air students (including those students from Kalgoorlie, Port Hedland, Carnarvon and Derby) is held annually at the PCYC Camp School in Rockingham.
- \* Students and families are always welcome to visit the school.

#### 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.



**Business Implications**

Strategic Community Plan	
Corporate Business Plan	
Long Term Financial Plan	
Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	

**Consultation**

**Comment**

A draft budget allowance has been approved of \$100.00 for Meekatharra School of the Air in the 2014/15 financial year which was to be used for graduation gifts for students. While an allowance has been made for this in the previous three years budgets, funds have not been paid to the school of the air.

The draft budget had allows for a discretionary amount of \$760.00 amount for Councillors to use on unspecified donations.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2014-0703 Donation to Meekatharra School of the Air**

**That Council approves a donation of \$1,000 to the Meekatharra School of the Air which is to be used in their fund raising activities.**

**Moved: Cr AB Fawkes                      Seconded: Cr S Willock                      Motion put and carried 6/0**

*ATTENDANCE: 2:21pm Cr Stan Willock left the meeting.*

*ATTENDANCE: 2:24pm Cr Stan Willock rejoined the meeting.*

### 11.3.3 Sitting Fees for Nominated Committees

File:	
Author:	Dr Ross Theedom, CEO
Interest Declared:	No interest to disclose
Date:	24 July 2014
Attachments (yellow)	

#### Matter for Consideration

To consider the payment of sitting fees to Councillors attending nominated committee meetings.

#### Background

Council has previously considered the issue of the payment of sitting fees to Councillors attending nominated committee meetings. To date, no fees have been paid.

#### 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.

s5.98(1) A council member who attends a council or committee meeting is entitled to be paid —

(a) the fee determined for attending a council or committee meeting; or

(b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —

(a) the fee determined for attending a meeting of that type.

##### *Local Government (Administration) Regulations 1996*

s30 (3A) Each of the following meetings is a meeting of a prescribed type for the purposes of section 5.98(2A) —

(a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;

(b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;

(c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;

(d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;

(e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.

**Business Implications**

Strategic Community Plan	
Corporate Business Plan	
Long Term Financial Plan	
Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	Will need to be budgeted for in future budgets.

**Consultation**

Neil Grinham – President

Heather Boyd - EMC

**Comment**

The Salaries and Allowances Tribunal has now handed down the Determination of Salaries and Allowances for 2014. These allowances are outlined in Agenda Item 11.3.1.

Council has previously discussed the possibility of approving a sitting fee, as per the Act and Regulations (Administration), for committee and prescribed meetings. Council at its January 2014 meeting updated its committee and meeting list to reflect current elected Councillors.

The list provided below highlights the meetings that have been prescribed by Council. (Deputy Delegates would only be paid sitting fees if they attend in place of one of the delegates.)

Audit Committee	Members:	Cr R Valenzuela Cr N Grinham Cr R Grinham Cr S Willock Cr A Fawkes
Murchison Sub Group of the Regional Road Group	Delegates (2): Deputy Delegate (1):	Cr N Grinham Cr S Willock Cr M Valenzuela
Murchison Country Zone of WALGA	Delegates (2): Deputy Delegate:	Cr N Grinham Cr R Valenzuela Cr A Fawkes
Murchison Regional Vermin Council (MRVC)	Delegates (2)	Cr N Grinham Cr R Grinham
Gundawa Conservation Association (EGRCA)	Representatives (2):	Cr R Valenzuela Cr N Grinham
Yalgoo Land Conservation District Committee	Delegates (2): Deputy Delegate:	Cr R Grinham Cr A Fawkes Cr N Grinham
Golden Primary Health Care Service (Goldfields-Midwest Medicare Local)	Delegate (1): Deputy Delegate:	Cr A Fawkes Cr R Valenzuela
Finance Committee	Delegates: (4)  Deputy Delegates	Heather Boyd EMC Cr R Valenzuela Cr Neil Grinham Cr A Fawkes Cr R Grinham Cr S Willock

Council needs to be aware that other Councils in the region have been contacted and none allow for the payment of sitting fees for delegates of prescribed meetings.

### Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

#### **C2014-0704 Sitting Fees for Nominated Committees**

**That Council approve sitting fees for prescribed meetings as outlined in the table provided at the level specified in the Determination of Salaries and Allowances.**

**Moved: Cr M R Valenzuela      Seconded: Cr AB Fawkes      Motion put and carried 6/0**

Councillors enquired whether there is a mechanism available to establish funding for councillors to attend other urgent, important meetings when a Shire representative is required to be present. The CEO Dr Ross Theedom indicated it may be possible and he will make enquiries with the Department of Local Government.

## 18.2 ADMINISTRATION

### 11.4.1 Future Boundary Changes

File:	
Author:	Heather Boyd, EMC
Interest Declared:	No interest to disclose
Date:	3 July 2014
Attachments (yellow)	P 37 – 39 Shire of Dalwallinu meeting minutes re Future Boundary Changes P 40 Government Gazette 1963 transfer of land. P 41 Letter from Shire of Dalwallinu

#### Matter for Consideration

That Council consider the proposal from the Shire of Dalwallinu for the structural/boundary changes between the two Councils.

#### Background

At the ordinary meeting of the Shire of Dalwallinu held on 22 April 2014 the Dalwallinu Council resolved that the Shire of Yalgoo be advised that, in the event of its consideration of structural/boundary changes with other Shires, the Shire of Dalwallinu request that the Shire of Yalgoo give consideration to the return of the land transferred from the Shire of Dalwallinu to the Shire of Yalgoo in the period 1963-64.

The area being claimed by Dalwallinu consists of 7,614 sq. km's South of the Great Northern Highway to the Dalwallinu boundary.

#### 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.

#### Business Implications

Strategic Community Plan	
Corporate Business Plan	
Long Term Financial Plan	
Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	

#### Consultation

#### Comment

The Shire of Dalwallinu at their meeting in April 2014 proposed the return of land that was transferred in 1963. The land borders the Great Northern Highway to the north and Dalwallinu to the south.

In the minutes the Council describes a number of services provided from their region to assist in the decision making process.

1. Dalwallinu – A wide range of community services and business requisites are provided from Dalwallinu and Wubin. A twice weekly mail service is provided to the land from Wubin with the settlement of Paynes Find sharing the same postcode as Wubin, being 6612. Yalgoo – it is agreed that the postal service to Paynes Find comes from Wubin. However as the postal service is a government operation the affect on Dalwallinu Council is negligible. Also as Paynes Find Township is on the northern side of the Great Northern Highway the transfer of land would not change this item.
2. Dalwallinu – The volunteer Fire and Rescue Service and the St John Ambulance (also run by volunteers) provides, in addition to local callouts, emergency services on the National Highway 95 from Miling to Paynes Find, as distance of 221 kms **that includes the land**. Yalgoo – Shire of Yalgoo also has a Bush Fire Brigade stationed at Paynes Find which covers the Great Northern Highway. The St John's ambulance service is run by volunteers and as such any call outs have no affect to the Shire of Dalwallinu.
3. Dalwallinu – Comments on the Local Emergency Management committee and its ability to cope with disasters as well as the Dalwallinu Medical Centre and District Hospital, Police. Yalgoo- under legislation the Shire of Yalgoo also provides a Local Emergency Management Committee and is committing to assisting with disasters. Again the Police and Hospital are provided by Government Departments and has only a negligible affect on the Council.
4. Dalwallinu – comments on the High School that covers that district. Yalgoo- as far as Yalgoo is aware there are no school age children within the area under discussion.

The Shire of Dalwallinu discuss that it is in the community interest that the land is transferred back to Dalwallinu as they provide services such as emergency services that cover Highway 95 including medical services. The services on Highway 95 are currently covered by both Shires currently. Medical services are provided to Paynes Find by the Royal Flying Doctors who attend the Shire of Yalgoo Community Centre each fortnight for clinics and who fly into Paynes Find in an emergency situation. The airstrip and community centre are both in areas that would be retained by the Shire of Yalgoo therefore there would be no change in the provision of services if the land to the south of Highway 95 was transferred.

One area that Dalwallinu does comment on is the mining activity in that area. The loss of the Extension Hill mine to Dalwallinu would have a significant impact to Yalgoo and its collection of rates. Mines in that area are currently negotiating road agreements as they wish to use the Yalgoo Ninghan Road to transport the ore to Geraldton. The loss of the mines to Dalwallinu will have the affect that Yalgoo would be left with the burden of maintaining a road used by mining companies without the benefit of the rates that would be generated from the land.

### Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

#### **C2014-0705 Land Transfer Request from the Shire of Dalwallinu**

**That Council rejects the request from the Shire of Dalwallinu to return land transferred to the Shire of Yalgoo in 1963-64.**

**Moved: Cr RW Grinham**

**Seconded: Cr PJ Lawson**

**Motion put and carried 6/0**

## 19. NOTICE OF MOTIONS

### 19.1 PREVIOUS NOTICE RECEIVED

Nil

## 20. URGENT BUSINESS

Nil

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

### 21.0 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](http://www.auslii.edu.au) on 8 November 2010.

#### Local Government Act 1995

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

- (1) Subject to subsection (2), the following are to be open to members of the public —
- (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person,
 where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government's property; or

- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971* ; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

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

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

### 5.93. Improper use of information

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

- (a) to gain directly or indirectly an advantage for the person or any other person; or
  - (b) to cause detriment to the local government or any other person.
- Penalty: \$10 000 or imprisonment for 2 years.

## Local Government (Rules of Conduct) Regulations 2007

### 6. Use of information

- (1) In this regulation —
- closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
  - confidential document** means a document marked by the CEO to clearly show that the information in the document is not to be disclosed;
  - non-confidential document** means a document that is not a confidential document.
- (2) A person who is a council member must not disclose —
- (a) information that the council member derived from a confidential document; or
  - (b) information that the council member acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subregulation (2) does not prevent a person who is a council member from disclosing information —
- (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.



## 21.1 Consideration of a matter (detail) 5.23 (2) (a)

### Motion to Close the Meeting to the Public

Voting Requirements - Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

##### C2014-0706 Close Meeting to the Public

That the meeting be closed to the public to discuss (detail) (LGA s. 5.23 (2) (a)).

**Moved: Cr AB Fawkes                      Seconded: Cr PJ Lawson                      Motion put and carried 6/0**

The meeting was closed to the public at 2:36pm.

Remaining in the meeting were:

- Cr PJ Lawson
- Cr NA Grinham
- Cr SK Willock
- Cr AB Fawkes
- Cr RW Grinham
- Cr MR Valenzuela
- Dr Ross Theedom

#### ATTENDANCE:

*2:36pm Heather Boyd, Executive Manager Corporate (EMC), Silvio Brenzi, Executive Manager Works & Infrastructure (EMWI) and Karen Malloch Executive Assistant (EA) left the meeting.*

### Motion to Open the Meeting to the Public

Voting Requirements - Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

##### C2014-0707 Open Meeting to the Public

That the meeting be re-opened to the public.

**Moved: Cr RW Grinham                      Seconded: Cr AB Fawkes                      Motion put and carried 6/0**

The meeting was reopened to the public at 2:58pm.

Voting Requirements - Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2014-0708 Remuneration of Executive Manager Corporate**

That Council approve an increase in base salary of the Executive Manager Corporate to a level equal to the Executive Manager Works and Infrastructure when he is made permanent. The base salary would be \$100,000 per annum in 2014/15.

Moved: Cr RW Grinham                      Seconded: Cr AB Fawkes                      Motion put and carried 6/0

Voting Requirements - Simple Majority

**NEW MOTION/COUNCIL DECISION**

**C2014-0709 Staff Training - Deputy Chief Executive Officer and CEO**

That Executive Manager Works and Infrastructure, Silvio Brenzi be trained as the Deputy Chief Executive Officer of the Shire of Yalgoo and that Executive Manager Corporate, Heather Boyd be trained as a future CEO.

Moved: Cr SK Willock                      Seconded: Cr AB Fawkes                      Motion put and carried 6/0

Voting Requirements - Simple Majority

**NEW MOTION/COUNCIL DECISION**

**C2014-0710 Final Forensic Audit**

The Council accepts the final forensic report from RSM Bird Cameron and the recommendation made in relation to further action.

Moved: Cr SK Willock                      Seconded: Cr RW Grinham                      Motion put and carried 6/0

**22. NEXT MEETING**

The next Ordinary Meeting of Council is due to be held in the Council Chambers in Gibbons Street on Thursday, 21 August 2014 commencing at 11.00 am.

**23. MEETING CLOSURE**

There being no further business, Shire President Neil Grinham declared the meeting closed at 3:03pm.

DECLARATION  
 These minutes were confirmed by Council at the Ordinary Meeting held on 21 August 2014.

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

## Common Acronyms

Acronym	Detail
AA	Administration Assistant
ACEA	Admin Coordinator Executive Assistant
AFAC	Australasian Fire Authorities Council
AGDRP	Australian Government Disaster Recovery Payment
AGM	Annual General Meeting
AIIMS	Australasian Inter-Service Incident Management System
AMMS	Accredited Mass Management Scheme
ASKAP	Australian Square Kilometre Array Pathfinder
ATU	Aerobic Transfer Unit
BA	Broadcast Australia
BCA	Building Code Australia
BCITF	Building and Construction Industry Training Fund
BFS	Bush Fire Service
BFTA	Bush Fire Threat Analysis
CALD	Culturally and Linguistically Diverse
CANWA	Community Arts Network of WA
CAR	Compliance Audit Report
CCYP	Commissioner for Children & Young People
CDC	Certificate of Design Compliance
CEMO	Community Emergency Management Officer
CEO	Chief Executive Officer
CERM	Community Emergency Risk Management
CLGF	Country Local Government Fund (Royalties for Regions)
CPTDM	Caravan Park & Tourism Development Manager
CRC	Community Resource Centre
CRS	Coordinator Regional Services
CSRFF	Community Sporting and Recreation Facilities Fund
Das	Development Applications
DAFWA	Department of Agriculture & Food
DAIP	Disability & Access Inclusion Plan
DAP	Development Assessment Panel
DCA	Department for Culture and the Arts
DCD	Department for Communities
DCEO	Deputy Chief Executive Officer
DCP	Department of Child Protection
DEMC	District Emergency Management Committee
DET	Department of Education
DFES	Department of Fire & Emergency Services - formerly FESA
DHW	Department of Housing
DIA	Department of Indigenous Affairs
DISCEX	Discussion Exercise
DITRDLG	Department of Infrastructure, Transport, Local Government (Federal)
DLAG	Drug & Liquor Action Group
DLGC	Department of Local Government & Communities
DoHA	Department of Health & Ageing
DoL	Department of Lands
DON	Director of Nursing
DRD	Department of Regional Development
DoT	Department of Transport
DoW	Department of Water

<b>Acronym</b>	<b>Detail</b>
DPAW	Department of Parks and Wildlife (previously CALM & DEC)
DPI	Department for Planning and Infrastructure
DSR	Department of Sport & Recreation
DTWD	Department of Training & Workforce Development
EA	Executive Assistant
EC	Events Corp
ECC	Emergency Coordination Centre
EMC	Executive Manager Corporate
EMWA	Emergency Management Western Australia
EMWI	Executive Manager Works & Infrastructure
ERM	Emergency Risk management
EWP	Elevated Work Platform
FaHCSIA	Families, Housing, Community Services & Indigenous Affairs
FAG	Financial Assistance Grant
FAO	Finance & Admin Officer
FCWP	Forward Capital Works Plan
FHRO	Finance & HR Officer
FRS	Fire and Rescue Service
GPG	General Purpose Grant
GRAMS	Geraldton Regional Aboriginal Medical Service
GTS	Greenfield Technical Services – consulting civil engineers
GRV	Gross Rental Value
HCP	Healthy Community Program
HMA	Hazard Management Agency
HSM	Health Services Manager
IAP	Incident Action Plan
ICC	Indigenous Coordination Centre
ICPAWA Inc	Isolated Children’s Parents’ Association of WA
ICV	Indigenous Community Volunteers
ILRG	Identified Local Road Grant
ILUA	Indigenous Land Use Agreement
IMG	Incident Management Group
IMT	Incident Management Team
IPWEA	Institute of Public Works/Engineering WA
ISA	Integrated Service Arrangement – replacing MRWA TNCs in 2011 or 2012
ISG	Incident Support Group
LAA	Land Administration Act 1997 (WA)
LC	Landcorp
LCD	Land Conservation District
LEC	Local Emergency Coordinator
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LGAP	Local Government Assistance Program
LGEEP	Local Government Energy Efficiency Program
LGGC	Local Government Grants Commission
LGMA	Local Government Managers’ Association
LMDRF	Lord Mayor’s Distress Relief Fund
LRC	Local Recovery Coordinator
LRCG	Local Recovery Coordinating Group
LWA	Lotteries West
MCZ	Murchison Country Zone
MEEDAC	Midwest Employment and Economic Development Aboriginal Corporation
MEG	Murchison Executive Group (CEOs)

<b>Acronym</b>	<b>Detail</b>
MEITA	Morawa Education, Industry and Training Alliance
MGM	Mount Gibson Mining (Extension Hill Haematite)
MMG	Minerals and Mining Group (Golden Grove Mine)
MMGHSRMG	Murchison Mid West Gascoyne Human Services Regional Managers Group
MOU	Memorandum of Understanding
MRBA	Meekatharra Rangelands Biosecurity Association
MRVC	Murchison Regional Vermin Council
MRWA	Main Roads WA
MSC	Model Subdivision Conditions Schedule
MWAC	Municipal Waste Advisory Council
MWDC	Mid West Development Commission
MWGAAS	Mid West Group of Affiliated Agricultural Societies
MWIP	Mid West Investment Plan
MWIRSA	Mid West Industry Road Safety Alliance
MWLGEMN	Mid West Local Government Emergency Management Network
MWRC	Mid West Regional Council – consisting of 7 Shires
NTA	Native Title Act 1993 (Cth)
NBN	National Broadband Network
NDES	National Digital Economy Strategy
NDCSG	Northern Districts Community Support Group
NRIS	National Register Inquiry System
OASG	Operations Area Management Group
OCM	Ordinary Council Meeting
OMI	Office of Multicultural Interests
OPR	Oakajee Port and Rail
PE	Project Executive
PGA	Pastoralists and Graziers Association
PIA	Post Incidence Analysis
PLB	Pastoral Lands Board
PMS	Pastoral/Photographic Monitoring Sites
POC	Plant Operating Costs
PSA	Public Service Authority
PSG	Project Steering Committee
PWOC	Public Works Overhead Costs
R-Codes	Residential Design Codes
R2R	Roads to Recovery (Commonwealth)
R4R	Royalties for Regions (State)
RAV	Restricted Access Vehicle
RCM	Rangeland Condition Monitoring – a self monitoring system to be implemented 2015
RDA	Regional Development Australia
RDAF	Regional Development Australia Fund
RDAMWG	Regional Development Australia Mid West Grants
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
RSPCA	Royal Society for the Prevention of Cruelty to Animals
ROMAN	Road Management – software system
SAO	Senior Administration Officer

<b>Acronym</b>	<b>Detail</b>
SAT	State Administrative Tribunal (Salaries & Allowances)
SEC	State Emergency Coordinator
SEMC	State Emergency Management Committee
SEMP	State Emergency Management Policy
SES	State Emergency Service
SEWS	Standard Emergency Warning Signal
SIDE	Schools In Distance Education
SLICP	<i>State Land Information Capture Program</i>
SLK	Straight line kilometres
SMUG	Shires of Murchison & Upper Gascoyne
SOP	Standard Operating Procedure
SOTA	Schools Of The Air
SoY	Shire of Yalgoo
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
TWA	Tourism WA
UV	Unimproved Value
VAST	Viewer Access Satellite Television
VESTOC	Volunteer Emergency Services Training & Operations Centre
VET	Vocation, Education & Training
VPD	Vehicles per day
VPN	Virtual Private Network
WAAA	West Australian Agriculture Authority
WACHS	WA Country Health Service
WACRN	Western Australian Community Resource Network
WARDT	Western Australian Regional Development Trust
WAEC	West Australian Electoral Commission
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
WANDRRA	West Australian Natural Disaster Relief and Recovery Arrangements
WAPC	Western Australian Planning Commission
WARDT	Western Australian Regional Development Trust
WARMS	Western Australian Rangeland Monitoring System – regional rangelands information
WPA	Wool Producers Australia
WWTP	Waste Water Treatment Plan
YPS	Yalgoo Primary School