



MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD ON
16 DECEMBER 2014
AT 11:00AM

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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
 be held in the Council Chambers, 37 Gibbons Street, Yalgoo,
 on Tuesday 16 December 2014,
 commencing at 11.00am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Due to unforeseen circumstances the Shire President, Neil Grinham was unable to declare the Ordinary Meeting open.

Therefore the Shire Deputy President, Raul Valenzuela declared the Ordinary Meeting open at 11.00am.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

- | | |
|------------------|---|
| MEMBERS | Cr M Raul Valenzuela, Deputy Shire President
Cr Robert W Grinham
Cr Adam B Fawkes
Cr Percy Lawson |
| STAFF | Dr Ross Theedom, Chief Executive Officer (CEO)
Heather Boyd, Executive Manager Corporate (EMCC)
Silvio Brenzi, Executive Manager Works & Infrastructure (DCEO)
Karen Malloch, Executive Assistant (EA) |
| GUESTS | Karen Godfrey, Top Iron Pty Ltd |
| OBSERVERS | |
| LEAVE OF ABSENCE | |
| APOLOGIES | Cr Neil A Grinham, Shire President (arrived 11:34am)
Cr Stanley K Willock |

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

Nil

4.2 QUESTIONS WITHOUT NOTICE

Nil

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Item 14.1: Consideration of a matter affecting an employee 5:23 (2) (a).

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.1 PRESIDENT

Friday	24/10/14	10:00am	RRG Meeting	Geraldton	President Neil Grinham
Tuesday	28/10/2014		Meeting with Minister Peter Minchin	Perth	CEO Dr Ross Theedom, President Neil Grinham
Tuesday	28/10/2014	11:30am	Pre Alcohol Meeting	WALGA	CEO Dr Ross Theedom, President Neil Grinham
Wednesday	29/10/2014		LGMAWA Conference	Perth	CEO Dr Ross Theedom, President Neil Grinham
Monday	3/11/2014		Media Truck receivables	Depot, Yalgoo	CEO Dr Ross Theedom, DCEO Silvio Brenzi, Elisha Hodder
Thursday	6/11/2014	11 -12pm 4.30-5.30pm	Mid West Blueprint Roadshow	Yalgoo Hall	Council, Public, Staff
Tue	11/11/2014	7:00am	Sport & Rec Breakfast -	Geraldton	President Neil Grinham
Friday	14/11/2014	9:00am – 5:00pm	Mid West Gascoyne DEMC Event - DEMC - Desktop Exercise	Geraldton - Department of Agriculture and Food Geraldton	President Neil Grinham, Cr Stanley Willock
Monday	17/11/2014	12:30 – 2:30pm	Integrated Futures : Workshop on a	Curtin University	President Neil Grinham

			Western Australian Regional Case Study	Bentley Perth	
Tuesday	18/11/2014	8:00 – 11:00am	MW Murchison Steering Committee meeting	Perth CBD	President Neil Grinham
Friday	21/11/2014	6:00pm	Retirement Party for Cliff Hodder	Yalgoo Railway Station	Staff & Councillors
Monday	24/11/2014		Murchison Regional Biosecurity Association (MRBA)	Meekatharra	President Neil Grinham
Friday	28/11/2014		Murchison Country zone WALGA - Cue Parliament	Cue	President Neil Grinham, CEO Dr Ross Theedom, Deputy President Raul Valenzuela
Friday	5/12/2014	4:00pm	Citizenship Ceremony	Yalgoo Chambers	Staff & Councillors, President Neil Grinham, CEO Dr Ross Theedom, Mr & Mrs Putter, Dalgara Station
Friday	5/12/2014	6:00pm	Councillors & Staff Christmas Party	Yalgoo Railway Station	Staff & Councillors
Tuesday	9/12/2014	5:00pm	Yalgoo Primary School Concert 7 Graduation	Yalgoo Primary	President Neil Grinham
Thursday	11/12/2014	5:00pm – 7:30pm	Shire Children's Party	Community Park	Staff & Councillors
Thursday	11/12/2014	5:00pm – 7:30pm	WALGA Christmas Party	Perth	CEO Dr Ross Theedom

8. CONFIRMATION OF MINUTES

ATTENDANCE: 11:10am EA Karen Malloch left the meeting.

ATTENDANCE: 11:12am EA Karen Malloch rejoined the meeting.

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

C2014-1201 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 23 October 2014 be confirmed.

Moved: Cr RW Grinham Seconded: Cr PJ Lawson Motion put and carried 4/0

8.2 ELECTORS' GENERAL MEETING

Background

Minutes of the Electors' General Meeting of Council have previously been circulated to all Councillors.

Voting Requirements

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1202 Minutes of the Electors' General Meeting

That the Minutes of the Electors' General Meeting held on 5 December 2014 be accepted.

Moved: Cr AB Fawkes Seconded: Cr PJ Lawson Motion put and carried 4/0

8.3 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

C2014-1203 Minutes of the Special Meeting

That the Minutes of the Special Council Meeting held on 5 December 2014 be confirmed.

Moved: Cr NA Grinham Seconded: Cr AB Fawkes Motion put and carried 4/0

9. MINUTES OF COMMITTEE MEETINGS

Nil

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

10.1 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

11.1 Technical Services – December Council Report

File:	
Author:	Silvio Brenzi, DCEO
Interest Declared:	No interest to disclose
Date:	10/12/2014
Attachments	Nil

Matter for Consideration:

Receive Technical Services Report and Schedules.

Road Construction:

Yalgoo-Morawa Rd

1. RRG Project has been costed and awarded for sealing works. Central Earthmoving to complete in January 2015.
2. Replacement 8 meter grid has been installed on the Barnong - Mellenbye boundary.

Yalgoo-Ningham Rd

1. RRG Year 2 is underway. Central earthmoving are completing these works before the Xmas break.

Road Maintenance – Light Grading Works:

Completed/current works on roads are:

1. Flood damage works are semi complete.
2. Dalgaranga, Melangata, North Rd and Ningham Rd are now completed.
3. YA/NI road agreement works programmed and costed.
4. YA/MO pavement repairs programmed and costed.
5. YA/MO re-seal programmed and costed.

Access Roads/Airstrips:

1. Nil

Other Infrastructure Maintenance:

1. 17 Shamrock St has had replacement flooring installed. Carpets removed and tiles used to replace main areas and hallway.
2. 54 Campbell St is now vacated. Plans for light renovation work are now being prepared.

Plant and Equipment:

1. Car trailer replacement received.
2. John Deere mid-mount serviced for delivery to Paynes Find.
3. All earthmoving equipment serviced/repaired.

Parks and Reserves:

1. Ongoing mowing and general clean up works.

Infrastructure – Capital:

Weekes St:

1. Fencing complete.
2. Plumbing and electrical fit out complete.
3. Screens mirrors and guards complete.
4. Window treatments booked for installation for 19/12/14.
5. Final build clean and inspection for 2014 prior to accommodation.

NOTE: *The Weekes St home will be ready for occupancy this month.
The Deputy CEO will occupy this residence.*

Infrastructure – Maintenance:

1. The combined tender involving surrounding shires have expired. These included trades and services including: Electrical, Plumbing, Carpentry, Earthmoving and Heavy haulage. The intent is to readvertise the required services independently. This is to create a more specialised selection process that suits the Shire of Yalgoo and also allows a more stringent selection matrix which includes pricing and allowances that are currently in place.

Staff:

1. A resignation of a Plant operator was received and an advertisement has been placed with the closing date of 10/12/14. The applications have been assessed and interviews with prospective applicants will be arranged.
2. A small crew of 3 outside staff will remain working over the Xmas break other than designated public holidays. The DCEO will also remain contactable on mobile for this period.

11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

ATTENDANCE: *11:34am Shire President Cr Neil A Grinham joined the meeting.*

11.3 FINANCE

11.3.1 Financial Activity Statements and Accounts Paid for the Month of October 2014

File:	
Author:	Heather Boyd EMC
Interest Declared:	No interest to disclose
Date:	3 December 2014
Attachments (White)	P1 Financial Activity Statements - <i>R34 (1)</i> P29 Major Project Progress Reports - <i>C2012-0320</i> <ul style="list-style-type: none"> • BD008 Staff Housing: Weekes St • CA002: Caravan Park: Major Upgrade • RC003 Yalgoo Community Hub: Community and Youth Centre P32 Schedule of Payments - <i>R13(1)</i>

Matter for Consideration

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

Background

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

Statutory Environment

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

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

Regulation 34 states:

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

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

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

Strategic Implications

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

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

Policy Implications

- 2.1 Capitalisation of Assets
- 2.4 Material Variance

Financial Implications

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

Consultation

Shire accountants UHY Haines Norton.

Comment

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

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

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

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1204 R34 (1) - Financial Activity Statements for the Month of October 2014

That Council adopts the financial activity statements for the period ending 31 October 2014, as attached.

Moved: Cr AB Fawkes Seconded: Cr PJ Lawson Motion put and carried 4/0

ATTENDANCE: 11:36am Shire President Cr Neil A Grinham left the meeting.

ATTENDANCE: 11:38am Shire President Cr Neil A Grinham rejoined the meeting.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1205 R13 (1) - List of Accounts Paid for the Month of October 2014

That Council receives the Schedule of Payments for accounts paid in the month of October 2014.

Moved: Cr NA Grinham

Seconded: Cr AB Fawkes

Motion put and carried 4/0

11.3.2 Internal Audit Report on Regulation 17 of the Audit Regulations 1996

File:	
Author:	Heather Boyd, EMC
Interest Declared:	No interest to disclose
Date:	3 December 2015
Attachments (yellow)	P1 Internal Audit - Addressing Regulation 17 of the Audit Management Regulations 1996
	P5 Internal Audit - Addressing WA Local Government (Audit) Regulations 1996

Matter for Consideration

That Council endorses the decision of the Audit Committee and note the findings of the internal audit required under Regulation 17 of the Audit Regulations 1996.

Background

The Western Australian Government has implemented a new requirement in the Audit Regulations 1996 whereby all Local Government Authorities are required to undertake an internal audit on the appropriateness and effectiveness of its systems and procedures in relation to:

- Risk Management
- Internal Controls
- Legislative Compliance

Statutory Environment

Local Government Act 1995

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

LOCAL GOVERNMENT (AUDIT) REGULATIONS 1996 - REG 17

17 . CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

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

Consultation

- Dr Ross Theedom, Chief Executive office
- Silvio Brenzi, Deputy Chief Executive Officer Technical Services
- Mrs Margret Hemsley RiskID

Comment

The internal audit of the systems and processes of the Shire of Yalgoo were undertaken during the week commencing 26 October 2014. Staff within the administration area were interviewed using a questionnaire developed by Mrs Hemsley. The questionnaire enabled a clear picture of the level of implementation of required systems and procedures to be developed. A copy of the report was provided to the Audit Committee at a meeting on 12 November 2014.

Whilst the Shire can be shown to have implemented a range of accountability measures designed to minimise risk, there is clear evidence that there is a significant amount of work required to achieve an acceptable level of risk minimisation.

Over the coming year, the administration intends to implement a range of new measures, most notably a business continuity plan and a disaster recovery plan, as well as progress existing measures and training of staff on what measures are in place and what they need to look for in that area.

The implementation of a new financial management system will also provide significant stimulus to improving risk management systems and procedures.

At the Audit Committee meeting on 12 November 2014 the Committee noted the findings of the internal audit as required under Regulation of the Audit Regulations 1996.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1206 Internal Audit Report on Regulation 17 of the Audit Regulations 1996

That Council endorses the decision (A2014-1104) of the Audit Committee at the Audit Committee meeting on 12 November 2014 to note the findings of the internal audit required under Regulation 17 of the Audit Regulations 1996.

Moved: Cr AB Fawkes Seconded: Cr NA Grinham Motion put and carried 4/0

11.3.3 Plant Budget Amendment – Auger

File:	
Author:	Heather Boyd, EMC
Interest Declared:	No interest to disclose
Date:	3 December 2014
Attachments (yellow)	Nil

Matter for Consideration

To consider a budget amendment to allow for the purchase of a post hole Auger to be fitted to the Backhoe.

Background

In October 2014 the Hydraulic Auger attachment for the Backhoe was required for use. It was found that it had been damaged more than 6 months previously and had been left sitting in the yard without repairs being undertaken. The Auger is considered unrepairable now. An Auger is now required for drilling holes for road maintenance and to prepare residential blocks for fencing and new housing. A new Auger is available from Westrac and this is valued at \$10,000.

Statutory Environment

Local Government Act 1995

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

6.8. Expenditure from municipal fund not included in annual budget

(1) 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; or

(b) is authorised in advance by resolution*; or

(c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

Additional expenditure of \$10,000 on a capital purchase, with a recommendation that it be funded from the Plant Repairs and Maintenance budget.

Consultation

- Silvio Brenzi Deputy Chief Executive Officer Technical Support
- Dr Ross Theedom, Chief Executive Officer

Comment

Currently the road crew, when needing to make holes for road signs and guide posts have to transport the backhoe out to the site specifically to drill holes for posts. To this end an Auger was fitted to the maintenance truck. This Auger is sufficient for light duties/operations; however the Backhoe Auger is heavy duty and will be able to drill through rock in Yalgoo.

With new operational efficiencies at the depot, planning for equipment that will be needed by the crew while away from Yalgoo ensures that there are less man hours needed than had previously been experienced.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1207 Plant Budget Amendment – Auger

That Council:

- 1. Authorises a capital budget amendment of \$10,000 for the purchase of a post hole Auger to be used on the backhoe; and**
- 2. Authorises the purchase to be funded from the Plant Repairs and Maintenance budget.**

Moved:Cr AB Fawkes Seconded: Cr NA Grinham Motion put/carried by absolute majority 5/0

11.4 ADMINISTRATION

11.4.1 Reconsideration of Decision to Close the Right of Way Adjoining the Yalgoo Hotel

File:	
Author:	Dr Ross Theedom, CEO
Interest Declared:	No interest to disclose
Date:	19 November 2014
Attachments (yellow)	P8 Emails and Plan from Department of Lands

Matter for Consideration

To reconsider decision C2013–1011 closing the Right of Way adjoining freehold Lots 47 and 62 on Deposited Plan 223238, Yalgoo, so as to enable the landholder to purchase the land.

Background

In October 2013 Council considered an agenda item seeking the closure of the right of way adjoining the Yalgoo Hotel so as to enable the Landlord to purchase the land. Council approved this item under decision 2013–1011.

In May 2014, August 2014 and again in October 2014, the Department of Lands has sought information on progress with the closure. In October 2014, the State Lands Office of the Department of Lands was advised that the matter would be put to Council again due to changed circumstances. (Emails and plan attached.)

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.

Land Administration Act 1997

s.58 Closing roads

(1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.

(2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.

(3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.

(4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —

- (a) by order grant the request; or
 - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
 - (c) refuse the request.
- (5) If the Minister grants a request under subsection (4) —

- (a) the road concerned is closed on and from the day on which the relevant order is registered; and
- (b) any rights suspended under section 55(3)(a) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road —
 - (a) becomes unallocated Crown land; or
 - (b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.

Business Implications

Strategic Community Plan	ECONOMY: 3.1.1 Ensure land is available to suit a variety of residential and business purposes.
Corporate Business Plan	
Long Term Financial Plan	
Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	s.58 of the Land Administration Act 1997 requires the local government to advertise before applying to close a road, and to consider any objections raised. The landholder who has requested that the road be closed will need to meet the Shire’s costs including advertising.

Consultation

- Bill Atyeo, Environmental Health and Building Officer
- Heather Boyd, Executive Manager Corporate and Community

Comment

Over the last six (6) months, under the aegis of Council, there has been a general review of the operations of the Shire of Yalgoo and a reconsideration of some Council decisions based on changed circumstances and/or new information. One decision (C2013-1011) that would have seen the closure of part of the Laneway system adjoining the Yalgoo Hotel and sale of the land to the landholder has fallen into this reconsideration process.

The reason for the reconsideration relates to the potential introduction of a sewerage system in Yalgoo. New information has shown that the cost of a sewerage system for the town could be significantly less than originally estimated. The system for which information has been provided uses existing infrastructure, such as septic tanks, to minimise costs of construction. A small macerator pump is inserted into a septic tank at each dwelling or business or a small tank is installed with the pump on new constructions and these pumps push effluent from the septic/holding tanks through small dimension pipes to the treatment plant. The sewerage pipes are much smaller than conventional sewer lines and are also at much shallower depths. This minimises costs and also makes them easier to install. The system outlined is used extensively on mining operations and has been found to be very efficient.

The installation of such a sewerage system would be further enhanced, by using existing laneways that are at the rear of all properties. This would ensure that there would be minimal impact on road infrastructure and could be progressed easily without impacting on road users or householders/commercial businesses. Work could be undertaken behind houses and would only have an effect on the Community where it crossed a road.

If Council decides to leave decision C2013-1011 in place, this creates a problem with the construction of a sewerage line for Gibbons and Campbell Streets, or at least all properties south of Queens Street. It should be noted that there has been a closure behind the Rage Cage but this would have little impact as the Shire can ensure any construction on the adjoining blocks leaves an easement so that the sewerage line could be installed. If closure of the laneway adjoining the Yalgoo Hotel occurs, Council does not have the ability to influence that parcel of land and this could result in compulsory acquisition of the land required or a significantly higher cost of installation due to the need to dig up Gibbons Street and Campbell Street to service these dwellings and/or businesses in these streets.

Whilst the installation of a sewerage system is a medium term project, the securing of the land for the installation of this infrastructure is vital so that when the project proceeds there is no impediment to it progressing quickly. For this reason, Council is being requested to rescind decision C2013-1011.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1208 Reconsideration of Decision C2013-1011 to Close the Right of Way Adjoining the Yalgoo Hotel

That Council rescind decision C2013-1011 that approves closure of the Right of Way adjoining the Yalgoo Hotel.

Moved: Cr AB Fawkes

Seconded: Cr NA Grinham

Motion put and carried 5/0

11.4.2 Yalgoo Community Hub Business Case

File:	
Author:	Dr Ross Theedom, CEO
Interest Declared:	No interest to disclose
Date:	9 December 2014
Attachments (yellow)	P13 Yalgoo Community Hub Business Case

Matter for Consideration

That Council note the conclusions outlined in the Yalgoo Community Hub Business Case and endorse option 3, the development of a modified Hub facility that is financially sustainable and meets community expectations of a new hub building in Yalgoo

Background

In the August 2014 Council meeting, the Chief Executive Officer was directed to develop a business case in relation to the construction of the Yalgoo Community Hub.

C2014-0814 Community Hub Project

That Council direct a business case be developed and presented to the December 2014 Ordinary Council Meeting and that the project not be undertaken until Council has considered the Business Case

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	1.1.1.3
Corporate Business Plan	
Long Term Financial Plan	1.1.3, 3.3.4
Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	

Consultation

Ms Marg Hemsley, LG People and RiskID

Mr Silvio Brenzi, DCEO

Ms Heather Boyd, EMC

Parry and Rosenthal, Architects

Mr Keith O'Connor, Heritage Builder

Mr James Lyall, AUSCO

Comment

A business case has been prepared as directed by Council (attached). The business case looked at three options:

1. Yalgoo Community Hub project as designed.
2. Renovation of existing buildings to provide accommodation for the activities identified as going into the Community Hub building.
3. Modified Yalgoo Hub building, using different materials and design to reduce costs yet deliver required function areas.

The business case outlines the various benefits and constraints relating to each selected option. It also provides an estimated cost for the construction of each option. The capital costs for each option are:

1. Yalgoo Community Hub project as designed - \$6.9 million plus \$180,000 to \$280,000 for renovation of Shire Hall and Railway Station.
2. Renovation of existing buildings - \$180,000 to \$280,000.
3. Modified Yalgoo Hub building - \$1,065,000 plus \$180,000 to \$280,000 for renovation of Shire Hall and Railway Station.

The addition of the option 2 costs in options 1 and 3 relates to the fact that these buildings will need to be renovated regardless of which option is selected.

Given the community expectations and the resource constraints placed on the Shire from a small rates base and FAGS grant, the business case recommends that option 3 be selected. Once completed, it will provide a new, financially sustainable and community acceptable option.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION
C2014-1209 Yalqoo Community Hub Business Case
That Council note the Yalgoo Community Business Case and adopt option 3, the recommended outcome that will see the construction in stages of a new Community Hub in Campbell Street plus the renovation of the Shire Hall and Railway Station.
Moved: Cr AB Fawkes Seconded: Cr NA Grinham Motion put and carried 5/0

ATTENDANCE: 11:55am EMC Heather Boyd left the meeting.

ATTENDANCE: 11:56am EMC Heather Boyd rejoined the meeting.

ADJOURNMENT: Lunch 12:08pm – 1:05pm.

The meeting adjourned for lunch at 12:08pm.

The Shire President, Neil Grinham re-opened the Ordinary Meeting at 1:05pm with all who were in attendance before the adjournment being present at the resumption.

11.4.3 Proposed Financial Management System

File:	
Author:	Dr Ross Theedom, CEO
Interest Declared:	No interest to disclose
Date:	9 December 2014
Attachments (yellow)	Nil

Matter for Consideration

That Council endorse the purchase of the Ozone Financial Management Package at a cost of \$50,000 per annum for a five year period.

Background

The Shire of Yalgoo currently operates a range of accounting and management systems to ensure good governance and financial management. These systems, whilst performing reasonably well, do not offer the Shire a way forward in relation to the stronger governance and regulatory framework that is being implemented by the WA State Government. The current systems also do not provide Council with sufficient quality information in a timely manner or enable the Administration to easily interrogate the capture data for operational purposes.

Given the limitations of the current systems, Council has sought a solution that will provide highly efficient financial and management systems in a timely manner at a cost that is affordable now and in the future.

To achieve this requirement, the Administration sought information and quotations on the cost of purchasing, training and installing a new fully integrated financial management system. Five companies were approached:

- Tech 1
- Civica (Authority)
- Council First
- IT Vision
- Datacom (Ozone)

Tech 1 advised the Shire of Yalgoo that we were too small and that they would not be submitting a quotation, Civica did not formally respond, though early discussions suggested that they also saw us as too small and the Council First package provided a system that offered little in the way of innovation to entice the Administration to progress with this system. This left two systems that were seen as desirable; IT Vision and Datacom’s Ozone system.

Both IT Vision and Datacom were asked to provide proposals and to undertake a face to face presentation of their systems.

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	Objective 4 Outcome 4.3
Corporate Business Plan	Objective 4 Strategy 4.3.1
Long Term Financial Plan	

Business Implications

Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	

Consultation

Silvio Brenzi, DCEO Technical Services

Heather Boyd, Executive Manager Corporate and Community

Diane Hodder, Finance Officer

Comment

Both IT Vision and Datacom provided presentations and proposals to the Shire of Yalgoo. In the initial stages, IT Vision only provided a quotation for the Corporate Software System, whereas Datacom provided the Shire with a fully integrated financial management system which included a Corporate Performance Management System (CPMS) that is fully embedded into its financial management package. At the final stage of the process, the Chief Executive Officer (CEO) became aware of a new module IT Vision had developed that matched Datacom’s CPMS. The CEO requested a quotation for this so that Council would be considering similar products. (The level of integration of IT Vision’s CPMS with its Corporate Software System is unknown as it has not been demonstrated to Shire staff.)

In assessing the two systems, the Shire Executive was impressed with both products. Each provided a comprehensive financial management system that would meet the Shire’s requirements now and in the long term. Unfortunately, the IT Vision did not have that additional factor and therefore was rated behind the Ozone System from Datacom. The additional package resolves that issue but there is no knowledge of how well it integrates as it is a bolt on system compared to a fully integrated solution as in the Datacom product.

In terms of cost, Datacom has provided the Shire of Yalgoo with an extremely competitive package. They have offered the Shire the opportunity to purchase their product over a five (5) year term so that the future cost for this aspect is known and can be budgeted for easily. The fixed cost is \$50,000 per annum. In the case of IT Vision, their initial cost is significant, being \$151,249. This amount has not been budgeted for and would need to be saved from the current budget. Annual fees are lower but the figures provided are an estimate as the proposal indicates that annual fees will rise by CPI + 1%. Overall, the IT Vision system will cost an additional \$62,896 over the five years. (It is possible that IT Vision would spread the cost of purchase over a five (5) year period but it would still be significantly more expensive than the Ozone System from Datacom.

In both cases, the costs of the systems are ex GST.

Year	I T Vision		Datacom
	Initial Purchase (\$)	Annual (\$)	Annual (\$)*
1	151,249	29,844	50,000
2		31,038	50,000
3		32,380	50,000
4		33,571	50,000
5		34,914	50,000
TOTAL	312,896		250,000

* Includes purchase price and annual fees.

One feature that was attractive to the Shire Executive was the Ozone System’s capacity to manage the Caravan Park more effectively and to enable people to book and pay for accommodation online. Such a function adds value to the Shire and enables the Caravan Park to be run more as a separate business which is something the Council have been keen on.

The other significant feature of the Ozone System is the customer management functions. This will enable the Shire to manage customer requests across multiple channels; track and update the community on the progress of service requests, improve information flows to customers and Councillors when necessary.

Finally, Datacom have provided the Shire of Yalgoo with the complete suite of modules even though some are not required at present. This means that should the need arise, these modules are already paid for and the only cost would be training. So, as the Shire grows, it has the capacity to add additional financial modules at minimal costs.

In terms of the two (2) systems, the Shire of Yalgoo Executive believe that the Datacom Ozone system offers value for money and therefore believes that this is the system that should be implemented.

The only downside to the Ozone System is that we would be the first in Western Australia to implement it and therefore, unlike the IT Vision system we would not be able to ring surrounding Shires for assistance. However, Datacom has 200 staff in Western Australia and have guaranteed the Shire gold plated service to ensure that the implementation and use of the system are above expectations.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1210 Proposed Financial Management System

That Council endorse the purchase of the Ozone Financial Management Package at a cost of \$50,000 per annum for a five year period.

Moved: Cr AB Fawkes

Seconded: Cr MR Valenzuela

Motion put and carried 5/0

11.4.4 Ordinary Meetings of Council Dates 2015

File:	
Author:	Dr Ross Theedom, CEO
Interest Declared:	No interest to disclose
Date:	18 November 2014
Attachments	Nil

Matter for Consideration

For Council to set dates, times and locations for Council and Committee meetings in the calendar year 2015.

Background

Council is required under the Local Government Act to give local public notice of dates and times of Council meetings and those committee meetings which are open to the public.

Council generally meets on the second last Thursday of the month, in the months of February to October. Meetings are not held in January or November, and the December meeting day/date generally changes each year depending on the Christmas shutdown period and other matters. Meetings in May and September are held at Paynes Find.

Statutory Environment

Local Government Act 1995

s.5.3 – Council meeting not to be more than 3 months apart

Local Government (Administration) Regulations 1996

12. Meetings, public notice of (Act s. 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

Business Implications

Strategic Community Plan	
Corporate Business Plan	
Long Term Financial Plan	
Asset Management Plan	
Workforce Plan	
Policy	
Financial (short term/ annual budget)	Cost of advertising in accordance with the regulation.

Consultation

- Heather Boyd, EMC
- Neil Grinham, President

Comment

Council has spoken to the Chief Executive Officer about the scheduled meetings in the 2014 calendar year. They expressed some dissatisfaction at the lack of meetings in some months. As a consequence they asked that the meeting dates be reconsidered for the 2015 calendar year.

In line with that request, the following schedule is recommended for meetings in 2015. In proposing this schedule, the following matters have been considered:

- Councils desire to add in a January meeting to consider the mid year review and policy issues within the Shire
- Addition of the normal May meeting due to the early Easter break.
- Council's desire to hold a July meeting to consider budgetary issues prior to the August signoff.
- Timing of audit committee meetings to receive the governance review and annual financial statements. This then governs the timing of the electors' general meeting which must be held within 56 days of council adopting the annual report.
- It is proposed that the annual electors' meeting be held at 2pm on Friday 04 December and that this also be the day of the staff/councillor Christmas dinner.
- It is proposed that the ordinary meeting in December be held on Thursday 17 December. This will enable Council to consider any matters raised at the annual electors' meeting.

There is no recommendation to Council at this stage for the electors' general meeting because the Act requires the CEO to call this meeting. In the interest of avoiding any doubt for electors, this will not be called until such time as council has adopted the annual report for the period ended 30 June 2014.

However staff will be working towards the above proposed schedule and the above dates should be diarised.

MONTH	DAY / DATE	TIME	COUNCIL	OTHER MEETINGS/ PURPOSE/ COMMENT	LOCATION
Jan	Thurs 22	10am	Ordinary		
Feb	Thurs 19	10am	Ordinary		
Mar	Thurs 13	10am	Audit	Audit: review compliance return and scope review of governance and internal controls (consultant to attend – Marg Hemsley).	Yalgoo
Mar	Thurs 20	10am	Ordinary	Includes receive reports of the audit committee including the compliance annual return.	Yalgoo
Apr	Thurs 23	10am	Ordinary		Yalgoo
May	Thurs 21	9am		Finance: consider program budgets for inclusion in draft detailed 2015/16 budget	Yalgoo
May	Thurs 22	10am	Ordinary	Includes receive report of finance committee regarding program budgets.	Paynes Find
Jun	Thurs 19	10am	Ordinary		Yalgoo
Jul	Thurs 23	9am		Finance: draft detailed budget and review long term financial plan (w/ UHY). Note that this is timed to occur before the annual WALGA convention.	Yalgoo
Jul	Thurs 23	10am	Ordinary		Yalgoo
Aug	Thurs 20	10am	Ordinary	Includes adoption of annual budget.	Yalgoo
Sep	Thurs 17	10am	Ordinary		Paynes Find
Oct	Thurs 22	10am	Ordinary		Yalgoo
Nov	Thurs 19	10am	Audit	Audit: review annual financial statements and receive review of governance	Yalgoo
Dec	Fri 04	2pm	Electors'		Paynes Find
Dec	Thurs 17	10am	Ordinary	Suggest that the staff & councillor Christmas dinner are held on this evening.	Yalgoo

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION #1

Ordinary Council Meeting Dates for 2015

That Ordinary meetings of Council in 2015 be held in the Shire of Yalgoo Council Chambers (with the exception of the three meetings noted below to be held at the Paynes Find Community Centre), commencing at 10.00 am, on the following dates:

- Thursday, 22 January
- Thursday, 19 February
- Thursday, 19 March
- Thursday, 23 April
- Thursday, 21 May (Paynes Find)
- Thursday, 18 June
- Thursday, 23 July
- Thursday, 20 August
- Thursday, 17 September (Paynes Find)
- Thursday, 22 October
- Friday, 4 December (Paynes Find)
- Thursday, 17 December

Moved: Cr AB Fawkes

Seconded: Cr MR Valenzuela

Motion amended

ORIGINAL MOTION #1 AS AMENDED

C2014-1211 Ordinary Council Meeting Dates for 2015

That Ordinary meetings of Council in 2015 be held in the Shire of Yalgoo Council Chambers (with the exception of the three meetings noted below to be held at the Paynes Find Community Centre), commencing at 10.00 am, on the following dates:

- Friday 23 January
- Thursday 19 February
- Thursday 19 March
- Thursday 23 April (Paynes Find)
- Thursday 21 May
- Thursday 18 June
- Thursday 23 July
- Thursday 20 August
- Thursday 17 September (Paynes Find)
- Thursday 22 October
- Thursday 03 December (Paynes Find)
- Thursday 17 December

Moved: Cr AB Fawkes

Seconded: Cr MR Valenzuela

Motion put and carried 5/0

OFFICER RECOMMENDATION/COUNCIL DECISION #2

C2014-1212 Audit Committee Provisional Dates for 2015

That the Audit Committee of Council intends to meet at 10am in the Shire of Yalgoo Council Chambers on the following dates in 2014:

- Thursday 13 March 2015
- Thursday 19 November 2015

Moved: Cr AB Fawkes Seconded: Cr RW Grinham Motion put and carried 5/0

OFFICER RECOMMENDATION/COUNCIL DECISION #3

C2014-1213 Finance Committee Provisional Dates for 2015

That the Finance Committee of Council intends to meet at 9am in the Shire of Yalgoo Council Chambers on the following dates in 2015:

- Thursday 21 May 2015
- Thursday 23 July 2015

Moved: Cr MR Valenzuela Seconded: Cr AB Fawkes Motion put and carried 5/0

11.4.5 Maintenance of Paynes Find Airstrips.

File:	
Author:	Karen Malloch EA
Interest Declared:	No interest to disclose
Date:	3 December 2014
Attachments (yellow)	P27 Copy of letter from Dave Rocke (Paynes Find) 13 November 2014.

Matter for Consideration

To reconsider closing the East/West airstrip at Paynes Find, following research on the previous maintenance finances and the necessity of both air strips remaining open for use in adverse weather and high cross winds which impact badly on the North/South airstrip.

Background

During a brief discussion at the Shire of Yalgoo Ordinary Meeting on 23 October 2014 Councillors considered the feasibility of a professional assessment being made to upgrade the airstrip at Paynes Find or whether an alternative use of one airstrip can be considered, due to the huge ongoing costs involved in maintaining the two airstrips.

Statutory Environment

Local Government Act 1995

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

Strategic Community Plan	<p>“Community Engagement and Consultation Page 11:” “In the smaller community of Paynes Find the general consensus amongst community members is that economic development through increased tourism and stop-overs is paramount... for the long-term sustainability of the community”.</p> <p>“The Four Planning Categories – 1. Social Page 13:” “That fly-ins ...would be positive contribution to the community”.</p> <p>“Outcome 1.4 Improved delivery of existing or new health and support services” “1.4.1 Investigate opportunities for health services to visit Paynes Find”</p> <p>“The Four Planning Categories – 3. Economy Page 18:” “In Paynes Find, the key issues that arose included: Upgrading the airstrip for fly-ins and tourism development.”</p>
Corporate Business Plan	<p>“Social Objective – Desired Outcome Page 19 – Improved delivery of existing ...health and support services” “1.4.1 Investigate opportunities for health services to visit Paynes Find”</p>
Long Term Financial Plan	<p>The Long Term Financial Plan identifies new general asset acquisitions are to be made over the first three years of the Plan provided external funding is received. I.e. Table 12.2 (b) Page 39.</p>
Asset Management Plan	<p>Table 12.2 (b) New General Asset Expenditure Page 39 Paynes Find Airstrip – Animal Exclusion Fence 2018-19 Upgrade \$150,000</p>
Workforce Plan	
Policy	

Financial (short term/ annual budget)	
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Consultation

Dave Rocke, Paynes Find

Comment

Following investigation of previous recorded Shire documents and accounts regarding the Paynes Find and Yalgoo airstrips, it was discovered that the available funds (RADS) were varied and distributed between the two airstrips. Therefore there was some confusion over accurate amounts which were attributed to the maintenance of the individual airstrips. Minimum maintenance has been conducted on the Paynes Find airstrip in the last five years.

Dave Rocke, a member of the Paynes Find community, who is involved with the emergency services in the area, has stated that it is vitally important for Paynes Find to retain the use of both the East/West and North/South airstrips. The prevailing winds dictate the use of the airstrips as once the crosswind component limit has been reached the pilots have no choice over which strip can be used. The airstrips are important to the Royal Flying Doctor Service (RFDS) and the Department of Fire and Emergency Services (DFES) in event of fire. The increase in tourism is also attracting interest and private use of the Paynes Find airstrips.

Dave Rocke is presently researching several low cost alternatives to alleviate drainage problems and fencing of the airstrips. When finalised he will present his documentation to Council for consideration.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/AMENDED

Maintenance of the Paynes Find Airstrips.

That Council agrees to keep the Paynes Find airstrips in full operational order and research available economical options for their maintenance.

Moved: Cr AB Fawkes Seconded: Cr MR Valenzuela Motion lay on the table

Council agreed to Lay the Matter on the Table until further information and an independent report is provided based on the risk factors of the two air strips.

11.4.6 Caravan Park

File:	
Author:	Heather Boyd, EMC
Interest Declared:	No interest to disclose
Date:	4 December 2014
Attachments (yellow)	P28 Caravan Park Statistics

Matter for Consideration

That Council note the statistics on visitor numbers at the Yalgoo Caravan Park.

Background

Council have requested information on tourists that stay at the Yalgoo Caravan Park and these are to be reported on a quarterly basis. These statistics have only been kept accurately since February 2014 when the caravan park managers were employed.

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 statistics for visitors has only been accurately recorded since the appointment of permanent full-time caravan park managers. Prior to this date the statistics were garnered from accommodation receipt books and only recorded back to the start of the 13-14 financial year. Assumptions have been made on figures prior to February 2014.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1214 Caravan Park Statistics

That Council notes the statistics on visitor’s numbers using the Yalgoo caravan park facilities.

Moved: Cr PJ Lawson

Seconded: Cr AB Fawkes

Motion put and carried 5/0

11.4.7 Final Adoption of Local Planning Scheme Amendment No.1

File:	
Author:	Dr Ross Theedom, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	4 December 2014
Attachments	P32 Copies of Submissions, Scheme Amendment Report and Maps, EPA Correspondence

Matter for Consideration

For Council to consider the submissions received during the public advertising period of Scheme Amendment No.1 to Local Planning Scheme No.2, and to consider whether to finally adopt the Amendment. The Amendment proposes to reclassify several portions of land within the Yalgoo townsite and Paynes Find settlement to facilitate additional civic and community uses in Yalgoo as well as additional service commercial, service and tourist uses at Paynes Find.

Whilst not essential, the Amendment aims to more accurately reflect the existing and proposed development on site, whilst providing flexibility for the future development of the land, in the interests of orderly and proper planning. The Amendment is being progressed by the Shire, with the assistance of its consultant planners, Urbis, ahead of consideration by the Western Australian Planning Commission/Hon. Minister for Planning.

Background

Context

Yalgoo Community Precinct

The Yalgoo subject site is 6,550sqm in area and is bound by Campbell Street to the east and Gibbons Street to the west, with vacant land located to the north and low density residential development to the south. There is 1 Unallocated Crown Land lot subject to the rezoning relating to the Yalgoo Scheme Amendment Area. This lot was recently subject to a Crown Land Amalgamation, which amalgamated Lots 49, 50 and 51 (to the east) and the central portion of right-of-way into Lot 207 (Reserve 35346), resulting in a new Unallocated Crown Land Lot 500.

The western portion of the Yalgoo Community Precinct site currently comprises a water park which is located to the north-west of the precinct which was built in 2011, as well as a 'rage cage' sports facility, to accommodate approximately 10 different sports facilities; including soccer, hockey, netball and basketball. The water park consists of a themed playground which incorporates local children's artwork and elements of local flora and various other water activities.

The eastern portion of the Scheme Amendment area is proposed to accommodate a Community Centre, comprising a hall, youth centre, TAFE area, community arts and sewing room, kitchen, offices and a gallery.

Land within the eastern portion of the Scheme Amendment area is currently vacant, comprising some informal access tracks and scattered vegetation.

Paynes Find Commercial Precinct

The Paynes Find subject site comprises 3 fragmented portions of land, including 2 lots (Lots 4234 and 4315) located on the truck layover road, approximately 120m north of Great Northern Highway, and 2 portions of Lot 305, which straddle the Great Northern Highway.

The northern lots currently comprise the tavern/roadhouse facility, which provides a small emergency stop for caravans, with some accommodation provided. The lot to the west (Lot 4315) provides storage for larger machinery and vehicles and comprises a sewerage pond to the west of the northern portion of the Scheme Amendment area, which handles all effluent disposal generated within the developed areas.

In order to appropriately accommodate and cater for the type of vehicles and road trains utilising this remote stretch of Highway and the tourist population visiting Paynes Fid, particular in the wildflower season, the landowner of the roadhouse/tavern facility proposes to install an additional service station, comprising a fast flow diesel bowser to service large road trains and wide loads that utilise this portion of road. This service station is proposed within the northern portion of Lot 305, which is the triangular portion of land located between Great Northern Highway and the truck layover road. There are also aspirations to improve the tourist offer in Paynes Find, potentially through additional short stay accommodation and/or a caravan park.

It is understood the owner of Lots 4234 and 4315 proposes to amalgamate the 2 lots to facilitate additional development, including a licensed caravan park and the relocation of existing accommodation units. It is anticipated that a separate amalgamation application to the WAPC will be progressed by the landowner in this regard.

Discussion

Proposal

The proposal involves several amendments to LPS 2, including:

1. Reclassify Unallocated Crown Land (Lot 500 – Plan 65697, Reserve 35346) from a ‘Residential R10’ zone, ‘No Zone’ and ‘Local Reserve Recreation’ to ‘Local Reserve Civic and Cultural Purpose’, as indicated on the Scheme Amendment Map.
2. Reclassify Lot 305 (Reserve 38039), Lot 4234 (Plan 185840) and Lot 4315 (Plan 190649) from a ‘Local Reserve Recreation’ to a ‘Commercial’ Zone, as indicated on the Scheme Amendment Map.
3. Amend Schedule 2 to include an Additional Use designation (No.3) over Lots 4315 and 4234, for the purposes of ‘short stay accommodation’ and a ‘caravan park’, as follows:

NO	DESCRIPTION OF LAND	ZONE	ADDITIONAL USE	CONDITIONS
3	Lot 4315 and Lot 4234 Great Northern Highway, Paynes Find	Commercial	Short Stay Accommodation Caravan Park	Nil.

4. Delete Clause 4.6 of the Scheme and replace with the following text:

4.6 Restricted Uses

4.6.1 Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

Note: A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.

5. Amend Schedule 3 – Restricted Uses by including a Restricted Use designation applicable to Lot 305 Great Northern Highway, Paynes Find, as follows:

NO	DESCRIPTION OF LAND	ZONE	RESTRICTED USE	CONDITIONS
1	Lot 305 Great Northern Highway, Paynes Find (Reserve 38039)	Commercial	Service Station Motor Vehicle Repair	Nil.

Copies of the Scheme Amendment Maps are attached.

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.

Planning and Development Act 2005 (Part 5, Section 75) and Town Planning Regulations 1967 (Regulation 25 and 25AA)

Amendments to Town Planning Schemes are required to be undertaken in accordance with the provisions of the Planning and Development Act (2005) (as amended) and the Town Planning Regulations (1967) (as amended). The Amendment is being progressed in accordance with

State Planning Framework

The proposed Amendment is generally consistent with the relevant State planning framework. Specifically, any future development applications relating to the Paynes Find area proposing tourist (including caravan park) uses will need to have due regard to Planning Bulletin No.49 (Caravan Parks) and Planning Bulletin No.83 (Planning for Tourism).

Shire of Yalgoo Local Planning Framework

The proposed Amendment is generally aligned with the key objectives of the Shire’s Local Planning Strategy as well as the objectives of the proposed zones/reserves within the Shire’s Local Planning Scheme No.2.

Strategic Implications

As Council would be aware, a Draft Local Planning Strategy has been prepared and the Shire has a gazetted Local Planning Scheme No.2. Both documents have taken into consideration the proposed re-classification and where necessary, responded appropriately to this newly proposed development from a land use perspective.

Policy Implications

Nil

Financial Implications

All costs associated with the preparation and advertising of this amendment have been borne by the Shire.

Consultation

Following Council initiation of the Scheme Amendment (dated 25 October 2013), the documentation was referred to the Environmental Protection Authority (EPA) as required under section 48 of the *Environmental Protection Act 1986*. Correspondence was received back from the EPA on the 23rd December 2013, confirming that the EPA considers that the scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986*. No advice or recommendations were provided (copy of EPA correspondence attached).

Following EPA advice, the Scheme Amendment was advertised for a period of 42 days via the following methods:

- Referral to Government Agencies - Horizon Power, Water Corporation, Main Roads WA, Department of Environment and Regulation, Department of Regional Development, Department of Lands, Department of Mines and Petroleum, Department of Parks and Wildlife, Department of Aboriginal Affairs and the Department of Health.
- Referral to adjoining landowners in Yalgoo and Paynes Find, including an Information Session with residents in Paynes Find.
- Made available on the Shire’s website.
- Made available at the Shire Offices.

The Shire received a total of six (6) submissions from five (5) Government agencies and one (1) private landowner. The various matters raised in the submissions are summarised in the table below (full copies of submissions attached).

TABLE 1 – SCHEDULE OF SUBMISSIONS

No	Submitter	Summary of Content	Officer Response and Comment	Action
1	Department of Aboriginal Affairs (dated 5 March 2014)	<ul style="list-style-type: none"> ▪ The proposed rezoning area does not intersect with any Aboriginal heritage places on the DAA database. ▪ For future proposals for (the) development of land that are occurring, DAA would advise that developers are referred to the Aboriginal Heritage Dye Diligence Guidelines that can assist developers in their determination as to whether there will be impacts to heritage values. 	Noted.	No change proposed.
2	Department of Health (dated 3 April 2014)	<ul style="list-style-type: none"> ▪ No specific comment provided any developments within the amendments are consistent with the provision of the Health Act 1911 and related legislation particularly in relation to on-site wastewater disposal. ▪ This amendment may also provide the opportunity to incorporate other changes to address public health issued. 	Noted. Matters relating to on-site wastewater disposal at Paynes Find have been considered as part of the Amendment, and will be dealt with in further detail as part of any future development applications.	No change proposed.
3	Water Corporation (via email, dated 7 April 2014)	<ul style="list-style-type: none"> ▪ No objection, however provide the following advice. ▪ Yalgoo - The new recently created lot 500 has a 20mm water service which was there previously to serve the old tennis courts. 	Noted. Matters regarding servicing and infrastructure will be dealt with as part of future development proposals.	No change proposed.

		<ul style="list-style-type: none"> ▪ The Corporation has no existing wastewater scheme for Yalgoo. The Corporation has no wastewater infrastructure planning and hence no projects programmed to deliver infrastructure and create a new wastewater scheme. ▪ Paynes Find - The Corporation has no wastewater or water scheme in this area. The Corporation has no infrastructure planning and hence no projects programmed to deliver infrastructure and create a new water or wastewater scheme. 		
4	<p>Main Roads WA</p> <p>(via email, dated 7 April 2014)</p>	<ul style="list-style-type: none"> ▪ Yalgoo rezoning would have no direct impact on the Highway however the rezoning of the lots in Payne’s Find could have some impacts. ▪ Main Roads WA has no objection to the principle of the amendments, although I do have some reservations over the rezoning of the southern part of lot 305 and providing a suitable access to the site. ▪ If the development of the southern part of lot 305 was to require a new access on to the Great Northern Highway then the three intersections around the boundaries of the site could cause conflicts – one located to the west of the site (on the northern, side of the road – Payne’s Find Town Road); one to the east of the site (on the southern side of the road - Maranalgo Road); and a third unsealed intersection (not gazetted as a road) opposite the site providing access to Payne’s Find. ▪ Visibility in the area is good, however because of these added complications, Main Roads would be cautious 	<p>Comments noted.</p> <p>Officers are aware of Main Roads WA’s position to limited access and egress on Major Highways and note that access arrangements to the southern portion of Lot 305 will need to be investigated in detail as part of future development proposals, in consultation with Main Roads WA.</p>	<p>No change proposed.</p>

		<p>about approving any new access to the southern part of lot 305.</p> <ul style="list-style-type: none"> ▪ Ideally, any development on this part of lot 305 would be accessed via Payne’s Find Cemetery Road. ▪ If it becomes apparent that access to the site would not be possible via Maranalgo Road then any potential developer would have to consult with Main Roads to develop an acceptable access arrangement. ▪ While this could be tricky given the proximity of other intersections (as above), it is considered that it would be possible to achieve a satisfactory design, compliant with relevant Austroads Guidance and Main Roads standards, and therefore that we would not object to the proposed scheme amendments on the grounds of inappropriate access arrangements. 		
5	<p>Department of Parks and Wildlife</p> <p>(dated 3 April 2014)</p>	<ul style="list-style-type: none"> ▪ The Department has no comments on Amendment No.1 to the Shire of Yalgoo Local Planning Scheme No.2. ▪ It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework. 	Noted.	No change proposed.
6	<p>Private Landowner</p> <p>(dated 1 May 2014)</p>	<ul style="list-style-type: none"> ▪ Concern relates to the southern portion of Lot 305 being rezoned as commercial land and becoming privately owned. ▪ Although plans to restrict uses noted, submitter fails to see that if a future owner was to appeal this restriction at a later date, commercial and residential developments of all kinds could be permitted. ▪ If in future residential development is allowed on- 	<p>Concerns noted.</p> <p>Officers highlight however that whilst Lot 305 is being reclassified to a ‘Commercial’ zone, uses on site are proposed to be restricted to a ‘service station’ and ‘motor vehicle repair’ only. Accordingly, any other commercial uses and all residential uses are not permitted on the site.</p> <p>Whilst this reclassification does not prevent a future Applicant from lodging a further</p>	No change proposed.

		<p>site, it will impact on submitter financially and will impact on the submitters chosen lifestyle.</p>	<p>Amendment request to permit such uses on the site, this will be subject to a formal Scheme Amendment process, which requires the approval of both the Shire of Yalgoo and the WA Planning Commission.</p> <p>At this current stage, the Shire is not supportive of such commercial and residential uses on this portion of land, recognising its location directly abutting Great Northern Highway. This is reflected in the proposed restricted uses relating to this portion of land.</p> <p>Further, Officers highlight that the proposed Scheme Amendment actually assists in restricting the nature of land uses on site (to service station and motor vehicle repair). Under the current classification (Local Recreation Reserve), all uses are discretionary, having regard for the purpose and intent of the reserve.</p>	
		<ul style="list-style-type: none"> ▪ Western corner of the southern portion of Lot 305 approximately 100m from the boundary of the town Water Reserve Lot 315 which comprises a well, windmill and tank that supplies water for public use. The area floods in times of heavy rain and the likelihood of contaminants from commercial development is very high. ▪ Any new development will impact on the heritage aspect of the cemetery (Lot 4312). 	<p>Noted. Officers acknowledge that future development applications relating to this portion of land will be required to demonstrate the ongoing protection of Water Reserve Lot 315.</p>	<p>No change proposed.</p>
		<ul style="list-style-type: none"> ▪ Submitter is concerned that this change is being undertaken purely for the benefit of the roadhouse/tavern owner. The area of land concerned is far larger than needed for what is proposed to be used for, leaving the remainder open to be rezoned and subdivided in 	<p>Noted. Officers consider the Amendment will deliver broader benefit to the Paynes Find community through delivery of additional service and tourist uses to cater and provide for passing motorist and tourists. The Amendment is also being undertaken to more accurately reflect the existing development</p>	<p>No change proposed.</p>

		<p>the future.</p> <ul style="list-style-type: none"> ▪ Believe that rezoning Lot 305 is not in the best interests of the community and will benefit the public only marginally. There is no evidence to suggest that a larger fuel outlet would be of any benefit to truck operators or the general public. ▪ The greatest benefit to the trucking industry, the travelling public and the Paynes Find community would be to clean up and beautify the existing parking area and carry out some form of dust suppression on Lot 305. 	<p>on the ground.</p> <p>Officers note that dust is an issue within the Paynes Find locality, particularly within proximity to Great Northern Highway, and accordingly dust suppression is a key matters listed for consideration by Council as part of its assessment of future development application.</p>	
		<ul style="list-style-type: none"> ▪ Believe the heritage value of the roadhouse/tavern would be greatly compromised by having an enormous aboveground diesel storage tank out the front of the building 	<p>Noted, however there is no evidence to suggest this will be the case.</p> <p>The Applicant will be required to demonstrate as part of any future development application that the development does not negatively impact on the amenity of the area, including the Paynes Find Roadhouse, which the Shire recognises is of State heritage significance.</p>	<p>No change proposed.</p>

Whilst the above comments are acknowledged and appreciated, Shire Officers are of the opinion that the rezoning of the southern portion of Lot 305 is appropriate in the context of facilitating a key service area in Paynes Find, particularly for passing motorists/trucks and tourists. Limiting uses to those proposed by the Amendment will ensure sensitive land uses achieve a level of separation from the highway. Notwithstanding, it is acknowledged that a range of issues, not limited to dust suppression, access arrangements and the like, will need to be investigated in detail, and in consultation with the Shire and key Government agencies, as part of any future development application/s.

Conclusion

As previously outlined, the proposed Scheme Amendment, whilst not essential in order to facilitate the development at Yalgoo and Paynes Find, was considered necessary in order to achieve orderly and proper planning objectives.

Accordingly, having regard for the nature of submissions received during the public advertising period and the merit of the proposals, Officers consider Scheme Amendment No.1 to Local Planning Scheme No.2 suitable for the purposes of final adoption.

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1215 Final Adoption of Local Planning Scheme Amendment No.1

That Council:

- 1) Pursuant to Section 75 of the *Planning and Development Act 2005 (as amended)* and Regulation 17(1) of the *Town Planning Regulations 1967 (as amended)* resolve to adopt Scheme Amendment No.1 to Local Planning Scheme No.2 by:
 - i. Reclassify Unallocated Crown Land (Lot 500 – Plan 65697, Reserve 35346) from a ‘Residential R10’ zone, ‘No Zone’ and ‘Local Reserve Recreation’ to a ‘Local Reserve Civic and Cultural Purpose’, as indicated on the Scheme Amendment Map.
 - ii. Reclassify Lot 305 (Reserve 38039), Lot 4234 (Plan 185840) and Lot 4315 (Plan 190649) from a ‘Local Reserve Recreation’ to a ‘Commercial’ Zone, as indicated on the Scheme Amendment Map.
 - iii. Amend Schedule 2 to include an Additional Use designation (No.3) over Lots 4315 and 4234, for the purposes of ‘short-stay accommodation’ and a ‘caravan park’, as follows:

NO	DESCRIPTION OF LAND	ZONE	ADDITIONAL USE	CONDITIONS
3	Lot 4315 and Lot 4234 Great Northern Highway, Paynes Find	Commercial	Short Stay Accommodation Caravan Park	Nil.

iv. Delete Clause 4.6 of the Scheme and replace with the following text:

4.6 Restricted Uses

4.6.1 Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

Note:

A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.

v. Amend Schedule 3 – Restricted Uses by including a Restricted Use designation applicable to Lot 305 Great Northern Highway, Paynes Find, as follows:

NO	DESCRIPTION OF LAND	ZONE	RESTRICTED USE	CONDITIONS
1	Lot 305 Great Northern Highway, Paynes Find (Reserve 38039)	Commercial	Service Station Motor Vehicle Repair	Nil.

- 2) That Council authorise the Shire President and the Chief Executive Officer to execute the relevant documentation pursuant to Regulation 22(1) of the *Town Planning Regulations 1967 (as amended)*.
- 3) That Council notes the submissions received during the formal advertising period, as set out in the Schedule of Submissions and the Officer recommendation in respect of each submission.
- 4) That Council forwards the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the signed and sealed Amendment documents for endorsement pursuant to Regulation 22(2) of the *Town Planning Regulations 1967 (as amended)*.
- 5) That Council request the Honourable Minister for Planning to grant final approval to Scheme Amendment No.1 to Local Planning Scheme No.2.
- 6) That Council inform those agencies and persons who made a submission on Scheme Amendment No.1 to Local Planning Scheme No.2 of its decision.

Moved: Cr AB Fawkes

Seconded: Cr NA Grinham

Motion put and carried 5/0

11.4.8 Merge of LEMC

File:	
Author:	Dr Ross Theedom, CEO
Interest Declared:	No interest to disclose
Date:	9 December 2014
Attachments (yellow)	Nil

Matter for Consideration

That the Council endorse the merger of the Yalgoo LEMC meeting into one regional meeting.

Background

Presently there are four (4) Local Emergency Management Committees (LEMC’s); Yalgoo, Murchison, Cue and more recently Sandstone, who have been discussing the possibility of amalgamation. The State Emergency Management Committee (SEMC) has also invited Mt Magnet and Meekatharra to join the group but have to date had no response.

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

Shires in the Murchison Region are small in terms of population and available financial resources. Over the last six (6) months there has been discussions surrounding the amalgamation of the Shire Local Emergency Management Committees to pool resources and the scarce available volunteers. Yalgoo, Cue and Murchison have agreed at the committee level that there is benefit from the amalgamation and as a consequence sought SEMC assistance to progress this issue. SEMC considered the amalgamation beneficial and have started working towards the combination of the three (3) LEMC’s. However, SEMC also believes that the inclusion of Sandston, Meekatharra and Mount Magnet LEMC’s would offer greater advantage and reduce the resource commitments on participating Shires. As a consequence, invitations were sent to the three (3) LEMC’s to gauge their interest. To date Sandstone LEMC and the Shire have agreed to join with Yalgoo, Cue and Murchison LEMC’s.

In order to the amalgamation to proceed, SEMC requires the Shires supporting the LEMC’s to endorse the amalgamation. This agenda item is seeking Councils endorsement for the Yalgoo

LEMC to amalgamate with other interested LEMC's. Cue, Murchison and Sandstone Shires have all endorsed the amalgamation and are awaiting a response from the Shire of Yalgoo.

Issues surrounding the operations and resourcing of the Regional LEMC will be considered once amalgamation has occurred.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1216 Merge of LEMC

That Council endorse the Yalgoo Local Emergency Management Committee joining with Local Emergency Management Committees from Cue, Murchison, Sandstone and potentially Meekatharra and Mt Magnet, to form a Regional Local Emergency Management Committee.

Moved: Cr AB Fawkes

Seconded: Cr PJ Lawson

Motion put and carried 5/0

ATTENDANCE: 2:11pm EMC Heather Boyd left the meeting.

ATTENDANCE: 2:14pm EMC Heather Boyd rejoined the meeting.

11.4.9 Use of Common Seal

File:	
Author:	Karen Malloch, EA
Interest Declared:	No interest to disclose
Date:	8 December 2014
Attachments	Nil

Matter for Consideration

To acknowledge the application of the Common Seal of the Shire to the variance of the Mid West Investment Programme (MWIP) grant for staff housing in the Shire of Yalgoo.

Background

The Department of Regional Development and Land have agreed to vary the original Financial Assistance Agreement (FAA) in order to supply 2, 3 bedroom houses to the Shire of Yalgoo.

The variation was received by the Shire on 24 November 2014. As agreed by Council the variation was signed by the CEO, Dr Ross Theedom and Shire President, Cr Neil Grinham and the Common Seal was affixed.

The completed document was then returned to The Department of Regional Development and Lands.

Statutory Environment

Local Government Act 1995

Section 9.49A (2) of the Local Government Act 1995 prescribes that the common seal of a local government is not to be affixed to any document except as authorised by the local government.

Section 9.49A (3) requires that the common seal is to be affixed to a document in the presence of the President and CEO.

Strategic Implications

NA

Policy Implications

NA

Financial Implications

NA

Consultation

NA

Comment

This is an administrative matter to authorise use of the Common Seal to complete a transaction that the Shire commenced in November 2014 to obtain a variance of the Mid West Investment Programme (MWIP) for staff housing in the Shire of Yalgoo.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1217 Use of Common Seal

That Council acknowledges the use of the Common Seal of the Shire to the variance of the Mid West Investment Programme (MWIP) funding programme for staff housing in the Shire of Yalgoo.

Moved: Cr PJ Lawson

Seconded: Cr AB Fawkes

Motion put and carried 5/0

11.4.10 Date Change of Previous Motion

File:	
Author:	Karen Malloch, EA
Interest Declared:	No interest to disclose
Date:	8 December 2014
Attachments	P54 P13 Ordinary Council Meeting Minutes 20 Feb 2014

Matter for Consideration

To accept the correction of a date in the previously confirmed minutes of the Ordinary Meeting of Council which was held on 20 February 2014.

Background

Recently it has been discovered that an incorrect date in the previously confirmed minutes of the Ordinary Meeting of Council (held on 20 February 2014) should have read 2013 instead of 2014.

The effect of this administrative error is that there are now duplicate February 2014 decision numbers.

Statutory Environment

Local Government Act 1995

s.5.25 (1)
 (f) the content and confirmation of minutes of council or committee meetings and the keeping and preserving of the minutes and any documents relating to meetings;

Local Government (Administration) Regulations 1996

- 11. Content of minutes of Council or committee meetings – s.5.25 (1)(f)
 - (c) details of each motion moved at the meeting, the mover and the outcome of the motion;
 - (d) details of each decision made at the meeting;

Business Implications

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

Consultation

Dr Ross Theedom, CEO

Comment

The minutes have already been bound. The correction must be made recorded in these minutes, the Shire administration files and to the copy posted on the web site.

The error does not affect the content or intent of any decision and is administrative only in nature.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1218 Date Change of Previous Motion.

That the date be corrected in the minutes of the following meeting:

- Replace 2014 (incorrect) with 2013 (correct) in the decision number C2014-0216 of the Ordinary Meeting of Council held on 20 February 2014.

Moved: Cr MR Valenzuela

Seconded: Cr PJ Lawson

Motion put and carried 5/0

ATTENDANCE: 2:26pm Cr PJ Lawson left the meeting.

ATTENDANCE: 2:28pm Cr PJ Lawson rejoined the meeting

11.4.11 Shire of Perenjori Road Use Agreement Endorsement

File:	
Author:	Silvio Brenzi, DCEO
Interest Declared:	No interest to disclose
Date:	03/12/2014
Attachments (yellow)	P55 CA07 Documents P66 Previous Resolution Paper

Matter for Consideration

That Council endorse the Shire of Perenjori Road Use agreement with Top Iron Pty Ltd and supporting Shire of Yalgoo documentation that enables Top Iron to utilise Shire roads.

Background

This Shire has been negotiating with Top Iron Pty Ltd for sometime now for agreement for them to use the first 10km of the Mt Gibson Road as access onto the Great Northern Highway for their RAV 10 class trucks. In order for this to happen, the road has been upgraded to allow RAV 10 access for the vehicles carting the ore. The RAV classification for the road is determined by Main Roads WA and they have to be satisfied with the design and as constructed pavement. An audit will be carried out by Rod Gillis (MRWA) to assess the roads final RAV rating. As the road is a Shire Road we also have to be satisfied with the design and give permission to the upgrade of the road. Once the upgrade is complete, the road still remains open to all traffic and any other RAV class vehicles will need to either obtain a CA07 permit for general freight or a RAV access agreement in the case of other miners.

The Shire has an agreement in place currently for the ongoing maintenance of Mt Gibson Rd by Top Iron. With the completion of the upgrade Top Iron are expecting to start production and subsequent cartage of ore in December 2014. This requires a CA07 approval to use Mt Gibson Rd, Wanarra East and Link Rd and the Perenjori-Rothsay Rd. This has been completed as per Council approval from the meeting held at Paynes Find on the 22nd May 2014. A copy of the item has been attached for this item.

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

Council Recommendation

Dr Ross Theedom, CEO

Silvio Brenzi, DCEO

Dr Andrew Whitehead, Top Iron Pty Ltd

Comment

Top Iron Pty Ltd recently informed the Shire of Yalgoo that they intended to transport their ore through the Shire of Perenjori, utilising only a small segment of Shire Roads (a total of 23 kilometres). Top Iron as a consequence has entered into a road use agreement with the Shire of Perenjori for the maintenance of the roads including the Shire of Yalgoo sections. As the Shire of Yalgoo is not a party to the agreement, the Chief Executive Officer feels that Council should endorse the Shire of Perenjori Agreement so that they are aware of the document in place and also that they agree to the Shire of Perenjori maintaining those sections of road.

In addition to the road use agreement being presented today, the Shire of Yalgoo has also provided a completed CAO7 to Top Iron to enable them to progress the RAV 10 rating approvals through Main Roads. The CAO7 contains a number of conditions that Top Iron will need to adhere to, to ensure that they are able to continue to use Shire of Yalgoo roads. The CAO7 in some ways ensures that the Shire of Yalgoo’s interests are protected given the Shire of Perenjori Road Use Agreement.

The Shire Executive believes that the process adopted will take care of Shire interests and is therefore seeking Council endorsement of the process and the documents presented.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1219 Shire of Perenjori Road Use Agreement Endorsement

That Council:

- **Endorse the Shire of Perenjori Road Use Agreement with Top Iron that allows them to use a small section of Shire of Yalgoo roads; and**
- **Endorse the CAO7 developed by the Shire of Yalgoo’s Technical Services staff and the conditions included in the document.**

Moved: Cr PJ Lawson Seconded: Cr MR Valenzuela Motion put and carried 5/0

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

Nil

13. URGENT BUSINESS

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1220 Admit Urgent Business

That Council admits the following additional matters for discussion and decision.

- 13.1 The absence of local Police over the Christmas period; and
- 13.2 The resignation and relocation of the local Community Nurse, Mrs Carol Hall. Therefore no professional nursing staff will be available in the case of accidents/emergencies during the Christmas holidays in the Shire of Yalgoo.

Moved: Cr MR Valenzuela Seconded: Cr AB Fawkes Motion put and carried 5/0

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1221 Admit Urgent Business

Council requested the CEO, Dr Ross Theedom to make contact with the WA Police and the West Australian Community Health Service (WACHS) to provide staff assistance to the Shire over the Christmas/New Year period.

Moved: Cr NA Grinham Seconded: Cr PJ Lawson Motion put and carried 5/0

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

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

The following legislative extracts were downloaded from www.auslii.edu.au on 8 November 2010.

ATTENDANCE: 2:32pm Cr MR Valenzuela left the meeting.

ATTENDANCE: 2:34pm Cr MR Valenzuela rejoined the meeting.

Local Government Act 1995

5.23. Meetings generally open to the public

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

5.92. Access to information by council, committee members

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

5.93. Improper use of information

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

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

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

Local Government (Rules of Conduct) Regulations 2007

6. Use of information

(1) In this regulation —

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

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

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

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

(a) information that the council member derived from a confidential document; or

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

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

(a) at a closed meeting; or

(b) to the extent specified by the council and subject to such other conditions as the council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

14.2 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

C2014-1222 Close Meeting to the Public

That the meeting be closed to the public (to discuss matters affecting an employee) (LGA s. 5.23 (2) (a)).

Moved: Cr MR Valenzuela

Seconded: Cr AB Fawkes

Motion put and carried 5/0

The meeting was closed to the public at 2:42pm.

The CEO Dr Ross Theedom, Heather Boyd, Executive Manager Corporate (EMC), Silvio Brenzi, DCEO, Karen Malloch, Executive Assistant (EA) and guest Karen Godfrey (Top Iron Pty Ltd) left the meeting.

Remaining in the meeting were:

Cr Neil A Grinham, Shire President

Cr M Raul Valenzuela, Deputy Shire President

Cr Robert Grinham

Cr Adam Fawkes

Cr Percy Lawson

The President presented a verbal report to Council in confidence following closure of the meeting to the public.

Voting Requirements

Simple Majority

NEW MOTION/COUNCIL DECISION

C2014-1223 Re-open Meeting to the Public

That the meeting be re-opened to the public.

Moved: Cr MR Valenzuela Seconded: Cr AB Fawkes Motion put and carried 5/0

The CEO Dr Ross Theedom, Heather Boyd Executive Manager Corporate (EMC), Silvio Brenzi, DCEO, Karen Malloch Executive Assistant (EA) and guest Karen Godfrey (Top Iron Pty Ltd) returned to the meeting at 4:15pm.

OFFICER RECOMMENDATION/COUNCIL DECISION

C2014-1224 Contract of Chief Executive Officer

Council endorses Dr Ross Theedom as the full time Chief Executive Officer (CEO) for the period of his contract.

Moved: Cr MR Valenzuela Seconded: Cr NA Grinham Motion put and carried 5/0

15. GENERAL BUSINESS

NEW MOTION/COUNCIL DECISION

C2014-1225 General Business

Council endorsed a new Agenda item entitled General Business for future Agendas and Minutes.

Moved: Cr NA Grinham Seconded: Cr MR Valenzuela Motion put and carried 5/0

15.1 SHIRE OF YALGOO CHRISTMAS CAROL EVENING.

Cr Adam Fawkes commented on the excellent event Christmas Carols in the Park held on Monday 15 December. Congratulations have been given to Mata Te Hiini our CENTACARE officer in Yalgoo, for all of his hard work and planning to ensure the great support and enjoyment by the community.

15.2 THANKS FROM SHIRE PRESIDENT NEIL GRINHAM.

Cr Neil Grinham passed on his sincere thanks for all of the support and well wishes he received recently during his illness. It was much appreciated.

15.3 ACKNOWLEDGEMENT OF CHRISTMAS WISHES FROM TOP IRON PTY LTD.

Guest Karen Godfrey (Top Iron Pty Ltd), thanked the Shire for its consistent and professional inclusion all year, in information dissemination, discussions and assistance with Top Iron projects. The Shire has created a mutually satisfactory relationship with Top Iron Pty Ltd.

Acknowledgement and thanks for the Christmas wishes was made by President Neil Grinham.

15.4 PAYSLEIPS FOR COUNCILLORS.

President Neil Grinham raised the topic of pay slips for councillors and if it is possible to have a break down of the items for tax purposes?

Response was given by EMC Heather Boyd on options that can be investigated.

15.5 ATTENDANCE AT FUTURE MEETINGS.

President Neil Grinham enquired of Council if they are supportive of him continuing to attend meetings in 2015 as a representative of the Shire?

The general consensus was “Yes” however CEO Dr Ross Theedom would like the Councillors to be mindful of escalating costs of travel and accommodation and endeavour to prioritise their excursions to help minimise costs. Cr Adam Fawkes suggested increasing car pooling and more use of Shire vehicles when available. Cr Raul Valenzuela disagreed. This discussion proved to be a contentious issue due to the remoteness of the Shire and the independence often required by Councillors to pursue their own business in addition to Council work.

The CEO Dr Ross Theedom addressed the meeting about the different focus on rationalising spending that he would like to adopt, in order to prevent over spending in various areas (which occurred in the past), and create an improved financial balance to enable Shire works to continue without any loss of staff.

15.6 ESTABLISHMENT OF A SHIRE TOURISM COMMITTEE.

President Neil Grinham suggested establishing a local tourism committee to coordinate and evaluate the actions of several WA tourism organisations and their impact on the Shire of Yalgoo. A Councillor or staff member could then be nominated to represent the Shire at tourism meetings on a regional level.

Cr Adam Fawkes suggested identifying the tourism components as:

- General tourism;
- Development of the Yalgoo township; and
- Community development.

The CEO Dr Ross Theedom stated further discussion on the matter will be undertaken and the issue re discussed at a later date.

15.7 MURCHISON EXECUTIVE GROUP.

The CEO Dr Ross Theedom gave an overview of agenda items which were discussed at the recent Murchison Executive Group meeting held at Wooleen Station on 24 December 2014.

ATTENDANCE: 5:35pm EMC Heather Boyd left the meeting.

ATTENDANCE: 5:38pm EMC Heather Boyd rejoined the meeting.

15.8 PUBLIC FACILITIES.

President Neil Grinham expressed concern regarding the tourist complaints he has received concerning the hygiene and cleanliness of the Yalgoo public facilities.

The CEO Dr Ross Theedom stated he would like to see the Railway Station facilities closed and the public re directed to the public facilities in the Community Park adjacent to the Shire offices.

Several Councillors objected to this idea as it would disadvantage truck drivers and tourists whom obtain fuel at the Railway Station and do not want to have to travel through the centre of the town ship.

15.9 COUNCILLOR TRAINING.

President Neil Grinham would like to organise computer training, (possibly including Councillors and staff from the Shire of Cue) at Yalgoo in 2015.

It was also suggested that when the WALGA training programme has been finalised, other courses could be contemplated.

The CEO Dr Ross Theedom agreed to research the best alternatives offered by training providers and present the alternatives for discussion before finalising booking dates.

15.10 ROAD INSPECTIONS.

Minutes of the Special Meeting of the Yalgoo Shire Council, on Thursday 16 January 2014 –

C2014-1226 - Road Inspections stated that Council agreed:

- *The process of an annual road inspection by Councillors be resumed;*
- *Council determine an appropriate date for this year's inspection; and*
- *Councillors be invited to nominate roads to be inspected; and*
- *The CEO prepare the inspection itinerary from the roads nominated by Councillors and staff.*

Due to numerous CEO and staff changes the road inspection programme was not started.

President Neil Grinham suggested re instating two road inspections a year – North and South – to be organised by DCEO Silvio Brenzi.

DCEO Silvio Brenzi will advise the Councillors of the road inspection arrangements at the Ordinary Council meeting on 23 January 2015.

15.11 COUNCILLOR CALENDARS AND BUSINESS CARDS.

Councillors enquired about the progress being made on the calendars and business cards.

The CEO Dr Ross Theedom stated that when the calendars and business cards are finished the artwork stage, they will be sent to printers in Geraldton for quotes and should be available in the New Year.

15.12 CARAVAN PARK FRONTAGE.

President Neil Grinham suggested improving the Caravan park frontage to make it more attractive as the main welcoming point for Yalgoo.

The Council discussed various options including planting environmentally friendly trees and vegetation, building up the block, appropriate signage and the problem of flooding.

The topic will be researched further in 2015.

15.13 TOWN SIGNAGE.

President Neil Grinham would like to see new or replacement signs erected around town to identify local facilities, tourist attractions and historical places.

DCEO Silvio Brenzi will attend to the signage in the New Year.

15.14 COMPUTER HARD DRIVES.

President Neil Grinham asked about the progress on wiping the old computer hard drives so they can be installed in a computer room at the Shire Hall for community use.

The CEO Dr Ross Theedom advised that a company used by the Shire will be consigned to scrub the hard drives to enable them to be used.

15.15 POLICIES.

President Neil Grinham suggested Councillors should start thinking about new policies or alterations to existing policies they wish to recommend for consideration at the Ordinary Council meeting to be held on 23 January 2015.

16. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chambers in Gibbons Street on Friday, 23 January 2015 commencing at 10.00 am.

17. MEETING CLOSURE

There being no further business, President Neil Grinham declared the meeting closed at 6:27pm.

DECLARATION

These minutes were confirmed by Council at the Ordinary Meeting held on_____.

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

Common Acronyms

Acronym	Detail
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
DITRD LG	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

Acronym	Detail
DoW	Department of Water
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
LGCC	Local Government Grants Commission
LGMA	Local Government Managers' Association
LGMLA	Local Government Master Lending Agreement
LMDRF	Lord Mayor's Distress Relief Fund
LRC	Local Recovery Coordinator
LRCG	Local Recovery Coordinating Group
LWA	Lotteries West
MCZ	Murchison Country Zone

Acronym	Detail
MEEDAC	Midwest Employment and Economic Development Aboriginal Corporation
MEG	Murchison Executive Group (CEOs)
MEITA	Morawa Education, Industry and Training Alliance
MGM	Mount Gibson Mining (Extension Hill Haematite)
MMG	Minerals and Mining Group (Golden Grove Mine)
MMGHSRMG	Murchison Mid West Gascoyne Human Services Regional Managers Group
MOU	Memorandum of Understanding
MRBA	Meekatharra Rangelands Biosecurity Association
MRVC	Murchison Regional Vermin Council
MRWA	Main Roads WA
MSC	Model Subdivision Conditions Schedule
MWAC	Municipal Waste Advisory Council
MWDC	Mid West Development Commission
MWGAAS	Mid West Group of Affiliated Agricultural Societies
MWIP	Mid West Investment Plan
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

Acronym	Detail
ROMAN	Road Management – software system
SAO	Senior Administration Officer
SAT	State Administrative Tribunal (Salaries & Allowances)
SEC	State Emergency Coordinator
SEMC	State Emergency Management Committee
SEMP	State Emergency Management Policy
SES	State Emergency Service
SEWS	Standard Emergency Warning Signal
SIDE	Schools In Distance Education
SLICP	State Land Information Capture Program
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
WATC	Western Australia Treasury Corporation
WPA	Wool Producers Australia
WWTP	Waste Water Treatment Plan
YPS	Yalgoo Primary School

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