



MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, YALGOO
ON 27 MAY 2016
COMMENCING AT 11.00 AM



DISCLAIMER

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

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



CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3
3.	DISCLOSURE OF INTERESTS.....	3
4.	PUBLIC QUESTION TIME	4
4.1	RESPONSE TO QUESTIONS TAKEN ON NOTICE.....	4
4.2	QUESTIONS WITHOUT NOTICE.....	4
5.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	4
6.	APPLICATIONS FOR LEAVE OF ABSENCE	4
	C2016-0501 Councillor Leave of Absence	4
7.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED.....	4
7.1	MEETINGS ATTENDED BY ELECTED MEMBERS.....	4
8.	CONFIRMATION OF MINUTES	6
8.1	ORDINARY COUNCIL MEETING.....	6
	C2016-0502 Minutes of the Ordinary Meeting	6
9.	REPORTS OF COMMITTEE	6
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters	6
10.0	INFORMATION ITEMS.....	6
10.1	PRESENTATION	7
11.	MATTERS FOR DECISION.....	8
11.0	MATTERS BROUGHT FORWARD.....	8
11.1	TECHNICAL SERVICES.....	8
11.2	DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH	9
11.3	FINANCE.....	9
11.3.1	Financial Activity Statements and Accounts Paid for the Month of March 2016.	9
	C2016-0503 R34 (1) Financial Activity Statements for the Month of March	
	2016	10
	C2016-0504 R13 (1) List of Accounts Paid for the Month of March 2016.....	10
11.3.2	Additional Grant – Regional Road Group Funds	11
	C2016-0505 Additional Grant – Regional Road Group Funds.....	12
11.4	ADMINISTRATION.....	13
11.4.1	Report on Matters Outstanding as at 17 May 2016.....	13
	C2016-0506 Report on Matters Outstanding as at 17 May 2016.....	14
11.4.2	Shire of Yalgoo Airstrips Grades Policy.....	15
	C2016-0507 Shire of Yalgoo Airstrips Grading Policy.....	17
11.4.3	Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu.	18
	C2016-0508 Minister for Local Government Decision on the Proposal to	
	Transfer Part of Paynes Find and Adjacent Pastoral Stations	
	from the Shire of Yalgoo to the Shire of Dalwallinu.	20
11.4.4	Snapshot of the Shire of Yalgoo MyCouncil Website	21
	C2016-0509 Snapshot of the Shire of Yalgoo MyCouncil Website.....	22
11.4.5	Disability Access and Inclusion Plan (DAIP) Progress Report	23
	C2016-0510 Disability Access and Inclusion Plan (DAIP) Progress Report	23
12.	NOTICE OF MOTIONS.....	24
12.1	PREVIOUS NOTICE RECEIVED.....	24

12.1.1	Notice of Motion N ^o 1	24
	C2016-0511 Report on the Bulldust Newsletter.....	24
12.1.2	Notice of Motion N ^o 2	25
	C2016-0512 Report on the Operational Running Structure of the Office	25
12.1.3	Notice of Motion N ^o 3	26
	C2016-0513 Timing of Council Meetings to be held in Paynes Find.....	26
12.1.4	Notice of Motion N ^o 4	27
	C2016-0514 Review of the Current Delegate Listing and Tourism Delegation.	27
12.1.5	Notice of Motion N ^o 5	28
	C2016-0515 Review of the Current Tourism Strategy and Future Plans.	28
12.2	NOTICE GIVEN AT THE MEETING FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF COUNCIL	29
13.	URGENT BUSINESS	29
	C2016-0516 Report on Damage to Shire of Yalgoo Properties.	29
	C2016-0517 Prepare a Local Law for the Recovery of Costs from Damage to Shire of Yalgoo Properties.	29
	C2016-0518 Donation to the Mid West Agriculture Society	30
	C2016-0519 Donation to the Maranalgo Endurance Ride held in Paynes Find	30
14.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	31
14.0	STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC.....	31
15.	NEXT MEETING	32
16.	MEETING CLOSURE	32



Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on 27 May 2016, commencing at 11.00 am.

PLEASE TURN OFF ALL MOBILE PHONES PRIOR TO THE COMMENCEMENT OF THE MEETING

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President Neil Grinham declared the Ordinary Meeting open at 11:16 am.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Neil A Grinham, Shire President Cr M Raul Valenzuela, Deputy Shire President Cr Percy J Lawson Cr Joanne Kanny Cr Gail Trenfield
STAFF	Silvio Brenzi, CEO Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) Karen Malloch, Executive Assistant (EA)
GUESTS	Dean Cook, General Manager, Datacom Systems Ltd
OBSERVERS	
LEAVE OF ABSENCE	Cr Robert Grinham
APOLOGIES	

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting
Nil

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

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Robert Grinham wrote to the President requesting “leave of absence” from Council duties from 18 March 2016 until further notice due to medical and health reasons.

C2016-0501 Councillor Leave of Absence

Moved: Cr J Kanny

Seconded: Cr R Valenzuela

That Council endorses the “Leave of Absence” for Cr R Grinham from the original application date of 18 March 2016 for a period of six months (19 August 2016) pursuant to s2.25(2) of the Local Government Act 1995. If further time is required, an extension will be sought from the Minister for an extension.

CARRIED: 5/0

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.1 MEETINGS ATTENDED BY ELECTED MEMBERS

When	Where	What	Whom
Wednesday 27 April 2016	Geraldton	MW Economic Development Forum	Cr Raul Valenzuela
Monday 2 May 2016	Mt Magnet	Murchison Regional Vermin Council (MRVC)	President Neil Grinham
Tuesday 3 May 2016	Perth	Datacom/Yalgoo Meeting	Silvio Brenzi CEO
Monday 2 – Thurs 5 May 2016	Yalgoo	Rostered Visit	Dominic Carbone
Tuesday 3 May 2016	Yalgoo Chambers	Councillor training	Cr G Trenfield, Cr J Kanny, Cr P Lawson, Cr R Valenzuela, Dominic Carbone, Steven Cosgrove CGTS
Friday 6 May 2016	Cue	WALGA Country Zone / Cue Parliament	President Neil Grinham Silvio Brenzi CEO, Cr Raul Valenzuela

Thursday 12 May 2016	Geraldton	Mid West Industry Road Safety Alliance (MWIRSA) Meeting	Silvio Brenzi CEO
Friday 13 May 2016		Gundawa Conservation Association meeting	Cr Raul Valenzuela
Monday 16 – Friday 20 May 2016	Nowra NSW	56 th Floodplain Management Australia Conference	President Neil Grinham Cr Raul Valenzuela
Monday 16 – Friday 20 May 2016	Melbourne	Local Government Summit	Silvio Brenzi CEO, Steven Cosgrove CGTS
Tues 17 – 19 May 2016	Yalgoo	Rostered Visit	Bill Atyeo

ADJOURNMENT: Lunch 12:00 pm – 1:00 pm.

The meeting adjourned at 12:00 pm in order for the Councillors and staff to view the new re-branded Shire Grader and for lunch.

The Shire President, Neil Grinham re-opened the Ordinary Meeting at 1:00 pm.

Remaining in the meeting were:

Cr Neil Grinham, Shire President

Cr Raul Valenzuela, Deputy Shire President

Cr Percy Lawson

Cr Joanne Kanny

Cr Gail Trenfield

Silvio Brenzi, Chief Executive Officer (CEO)

Steven Cosgrove, Coordinator Governance & Technical Services (CGTS)

Karen Malloch (EA)

Guest: Dean Cook, GM Datacom Systems Ltd

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING

Background

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

Voting Requirements

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0502 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 22 April 2016 be confirmed.

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion put and carried 5/0

9. REPORTS OF COMMITTEE

Nil

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

10.0 INFORMATION ITEMS

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

- 1) The President made the following comments regarding the Special Meeting of the Murchison Regional Vermin Council (MRVC):

At the last meeting of the Murchison Regional Vermin Council (MRVC) Mr Dominic Carbone was appointed as the Acting Chief Executive Officer for the MRVC, which consists of five councils. The MRVC primarily maintains the N^o 1 Vermin fence including the new N^o 2 fence and reviews the procedures for wild dog control. A Business Plan is presently being finalised which will be presented to the Minister of Environment.

- 2) The President informed the councillors about attendance at the 56th Floodplain Management Australia Conference in Nowra, NSW.

A special welcome was extended from the management to the two Yalgoo delegates, due to their interest and attendance from such a long distance away. The conference primarily revolved around the emergency management responses and the mitigation and impact of such a disaster on local communities.

- 3) The CEO gave a brief over view of the Mid West Industry Road Safety Alliance (MWIRSA) Meeting.

The MWIRSA meeting focussed on safety usage especially concerning heavy haulage procedures, the interaction between traffic and heavy vehicles. Safety concerns are particularly relevant due to the approaching wild flower season and safety awareness advertising is planned for public awareness.

- 4) Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) attended the Local Government Summit.

Steven informed councillors the key points from the Summit were discussion of Regional Local Governments: their future in Australia, the role of Local Government in supporting and engaging communities and the impact of digital transformation.

- 5) The CEO informed Council that an application for the Tidy Towns Competition has been submitted.

Linaire Hodge, the Shire Community and Youth Development Officer, submitted an application on behalf of Yalgoo in the Tidy Towns competition in the category: "Community Action and Well-being". Yalgoo has been chosen as a finalist, and the Tidy Town judges did the final judging on Tuesday 31 May 2016. Certificates of Participation have been awarded to the Shire and the CYDC awarded "Participation Certificates" to all of the people in the community who have dedicated their time and effort to beautifying the town. It has been a beneficial program for Yalgoo.

- 6) The President listed correspondence he has received on behalf of the Shire and conference programs should the councillors wish to view them:

- (i) "Strategic Directions for the WA Sport and Recreation Industry 2016 – 2020";
- (ii) ALGA "Local Governments' Plan for an Innovative and Prosperous Australia 2016";
- (iii) WALGA letter from Troy Pickard (President);
- (iv) "Making Communities Safer in Times of Flood – the Story of the Floodplain Management Authorities of NSW"
- (v) "Murchison Country Zone of WALGA – Cue Parliament – Agenda 6th May 2016;
- (vi) Letter from St John Ambulance regarding the lack of communication towers between Mt Magnet and Paynes Find;
- (vii) Letter from Luke Bailey on behalf of the Gunduwa Conservation Association seeking support for Youth Programs.

10.1 PRESENTATION

Dean Cook, General Manager – Local Government Solutions Australia Datacom Solutions Pty Ltd

Mr Cook visited Yalgoo to give Councillors an over-view on the use, development and proposed installation of the OZONE Local Government financial software.

Ozone is a suite of fully integrated customer services, financial and regulatory modules, all bound by a single database of contacts and land. Ozone modules have a focus on finance for local government.

OZONE is designed for a highly regulated environment such as local government, and the modules either can stand alone or be integrated into one solution. All modules are developed using the latest Microsoft technologies and are presented through Datacom's graphical Microsoft.NET client.

The OZONE Finance Modules (with a focus on finance for local government) which are to be installed by the Shire are as follows:

Ozone modules.

- **Accounts Payable:** Manages all functions for payments of creditors' invoices.
- **Accounts Receivable:** A centralised debtors invoicing system for management of all sundry debts.
- **Asset Management:** Accounting functions for management and depreciation of assets.
- **Cash Receipting:** Point-of-sale cash receipting with EFTPOS support.
- **Corporate Planning:** Long-term planning and forecasting of budgets and projects.
- **Debt Management:** A central database providing the ability to establish profiling for managing and escalating unpaid debts.

- **Electronic Banking:** Manages electronic banking functions including downloading of statements from all major trading banks.
- **General Ledger:** A core module for financial accounting, budgeting and reporting.
- **Job Costing:** Job costing financial accounting and reporting.
- **Payroll:** Employee payroll processing for salaries, wages, and contracts.
- **Personnel:** A human resources module retaining employee personnel records.
- **Purchase Orders:** Manages electronic purchase order functions and commitments.
- **Rates Processing:** Manages rating assessment and instalment processes.
- **Water Billing:** Manages water billing process from readings (electronic- or paper-based), raising of charges, and invoicing.

In order to comply with Western Australia regulations, a few changes in the rates and GST elements are presently being designed and adapted prior to installation.

There will be training and testing conducted with Shire staff prior to the final implementation in approximately January – February 2017.

The “Go Live” date for the Payroll element is 1 July 2016 and the proposed date for the total “Go Live” of the entire “OZONE ERP System is March 2017.

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

Nil

ATTENDANCE: 1.47 pm Cr R Valenzuela left the meeting.

1.48 pm Cr R Valenzuela rejoined the meeting.

ATTENDANCE: 1.48 pm Dean Cook, General Manager – Local Government Solutions left the meeting.

ATTENDANCE: 1.49 pm Cr G Trenfield left the meeting.

1.51 pm Cr G Trenfield rejoined the meeting.

11.1 TECHNICAL SERVICES

The CEO verbally informed the Council on a few projects in the Shire involving services personnel.

The projects receiving R2R and RRG funding are well under way and all will be concluded at the end of June, all going well. They are:

- (i) the re-seal of the Morawa Road, (approximately 10 kms between areas 0 – 11 – the Geraldton-Mt Magnet Roads to the turn-off to MMG Golden Grove) has already finished. The original 14 mm seal has been resealed with a 10 mm aggregate;
- (ii) the shoulder binding of the entire required length of the 8 m seal section of the Ninghan Road commences 8 June 2016;
- (iii) the re-sheeting of the Ninghan Road Stage 3 will also be completed by the end of June 2016.
- (iv) Signage: “Red Dust Holdings” Builders & Contractors Equipment Hire - Utakarra, WA won the quotation to erect the signage in the Yalgoo Shire that will commence on 14th June 2016.

11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

The CEO informed the Council that an Environmental Health, Development and Planning report will be prepared for the 17 June 2016 Ordinary Council Meeting.

ATTENDANCE: 2:15 pm Silvio Brenzi CEO left the meeting.

2:16 pm Silvio Brenzi CEO rejoined the meeting.

11.3 FINANCE

11.3.1 Financial Activity Statements and Accounts Paid for the Month of March 2016.

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 May 2016
Attachments	Financial Statements for the Month of March 2016
(Red Cover Page)	Financial documents were provided to members at the meeting.

Matter for Consideration

Adoption of the monthly financial statements.

Background

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.

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.

11.3.2 Additional Grant – Regional Road Group Funds

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	17 May 2016
Attachments (Red Cover)	Email – Surplus Regional Road Groups Funds - Outcome

Matter for Consideration

That Council note the additional grant of \$120,000 received from the 2015-16 Regional Road Group allocations for the Yalgoo North Road and make a \$60,000 allocation from the Shire's own resources to part fund the project.

Background

Nil

Statutory Environment

Local Government Act 1995

s.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.*

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —
 - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

[Section 6.8 amended by No. 1 of 1998 s. 19.]

Business Implications

Additional funds of \$120,000 received from the Regional Road Group requiring a matching by the Shire of \$60,000.

Consultation

Nil

Comment

The Shire was successful in obtaining an additional grant of \$120,000 from the Regional Road Group for the following roadworks:

Yalgoo North Road; widen formation to accept an eight metre wide pavement, SLK to be advised. The Shire is required to match the funding for the project on a 2:1 basis, \$60,000. The Council is requested to authorise the expenditure and part fund the project from the anticipated estimated Net Surplus of \$79,098 identified in the Annual Budget Review.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0505 Additional Grant – Regional Road Group Funds

That Council:

- 1. Pursuant to Section 6.8 of the Local Government Act 1995 approve the following expenditure:**
 - **Yalgoo – North Road; widen formation to accept an 8 M wide pavement - \$180,000.**
- 2. The 2015-16 Annual Budget be amended as follows:**
 - **Increase Income Account N^o TBA – Grant RRG Yalgoo North Rd \$120,000;**
 - **Increase Income Account N^o TBA – Net Surplus \$60,000; and**
 - **Increase Expenditure Account N^o TBA – Yalgoo North Rd Widen Formation \$180,000.**

Moved: Cr R Valenzuela Seconded: Cr G Trenfield Motion put and carried by Absolute Majority 5/0

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 17 May 2016

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	17 May 2016
Attachments (Yellow Cover)	Nil

Matter for Consideration

That Council note the report on outstanding matters.

Background

The report is compiled from resolutions of Council relating to reports presented to Council, Notice of Motions, and Urgent Business.

Statutory Environment

Nil

Business Implications

Nil

Consultation

Nil

Comment

Matters outstanding are detailed below with comments in relation to status.

Matters Outstanding			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
22 nd January 2016	2014-2015 Budget- Imposition of Rates and Minimum Proposal Requiring Ministerial Approval	That Council:	Correspondence has been forwarded to DLGC in accordance with Part 2 of council resolution. Council solicitors have been instructed to submit an application to SAT in accordance with part 1 of the resolution. Awaiting Solicitor's advice on outcome Ongoing
		1/. Make application to the State Administrative Tribunal in accordance with Section 6.82 of the Local Government Act 1995 to have the following rates quashed:	
		- GRV-Town Vacant Land Minimum \$600	
		- UV-Mining/Mining Tenement 35:75 cents	
		- UV-Exploration and Prospecting 18:99 cents	
2/. The Department of Local Government and Communities be advised of (1) above.			
22 nd January 2016	Application for funding – National Stronger Regions Fund	That the Chief Executive Officer prepares a funding application for the following project - The upgrade and extensions to the Shire of Yalgoo Community Hall.	Appropriate consultants have been engaged to prepare the application for funding by the due date. To be completed in May 2016 Current

22 nd January 2016	Application for Funding Round Five of the Heavy Vehicles Safety and Productivity Program.	That council engage the services of a suitable external consultant to prepare the application for funding for the new rest areas at Paynes Find for Round Five of the Heavy Vehicle Safety and Productivity Program.	Appropriate consultants have been engaged to prepare the application for funding by the due date. To be completed in May 2016 Current
19-February-2016	Technical Services Report	The CEO organise an appropriate meeting to investigate the use of solar panels in Yalgoo	CEO to confirm Ongoing
22 April 2016	Public Question Time: Airstrip Grading of Stations' Airstrips	The addition of Maranalgo Stations' airstrip to the Schedule and amend the Shire's Administrative Policy.	The matter is subject of a report in this Agenda Item N ^o 11.4.2
22 April 2016	Public Question Time: Grading of the Maranalgo Road.	That Maranalgo Rd is assessed for grading prior to Maranalgo Station Endurance Ride.	CEO to action the matter. Complete
22 April 2016	Public Question Time: Ninghan Station Creek Crossing	Funding of partly completed crossing.	CEO to action an assessment of the crossing, prices and quotations to be obtained for inclusion in the 2016-17 Draft Annual Budget. Ongoing
22 April 2016	Public Question Time:	That the following matters be investigated: <ul style="list-style-type: none"> • Warne River crossing; • Goodinow Rd repairs; • Supply of gravel for back filling around the Community Centre between the building and brick surface. 	CEO to action the matter. Current
22 April 2016	Disposal of Council Property: Plant & Equipment	Provision of funds in the 2016-17 Draft Annual Budget for the replacement of Concrete Agitator Truck and Batching Plant.	Items to be incorporated in the 2016-17 Draft Annual Budget. Ongoing

ATTENDANCE: 2.49 pm Cr R Valenzuela left the meeting.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0506 Report on Matters Outstanding as at 17 May 2016

That Council receives Report 11.4.1 Report on Matters Outstanding as at 17 May 2016.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 4/0

ATTENDANCE: 2.50 pm Cr R Valenzuela rejoined the meeting

11.4.2 Shire of Yalgoo Airstrips Grades Policy

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	17 May 2016
Attachments (Yellow Cover)	Nil

Matter for Consideration

Council to review Policy No^o 13.2 Airstrip Grades.

Background

At the Ordinary Council Meeting held on 22 May 2016 the following question was asked:

“In relation to the Yalgoo Policy Manual – 20 February 2014 - 13.2 Airstrip Grades:
Can Maranalgo Station Airstrip be added to this schedule?”

The answer provided at the meeting reads as follows:

“Station airstrips and the roads of Station properties are graded once a year.

An application can be made and sent to the Shire requesting the grading of the Maranalgo Airstrip and road.

A recommendation will be made to amend the Shire of Yalgoo Policy Manual at the next Ordinary Meeting of Council on May 27, 2016”.

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

Additional cost of grading Maranalgo Station airstrip.

Consultation

Nil

Comment

The Shire’s Airstrip Grading Policy states the following:

13.2 Airstrip Grades

Policy Statement

1. All private homestead airstrips within the Shire of Yalgoo receive one free grade annually if the work is carried out at a time when the council graders are working within the area.
2. Only one airstrip for each holding, individual station or collective, is eligible for grading.
3. The CEO is to compile a list attached to this policy, and amend the details as advised from time to time.

COMMENT

20 February 2014: requires review, EMWI/EA sought information from stations in Jan 2014 and did not receive adequate response to updated for the Feb policy review.

A register of the airstrips to be graded (as a Listing to this Policy) to be developed.

Station	Advised	Located	RFDS?
Burnerbinmah	04.07.08	Near homestead	n/s
Jingemarra	30.06.08	Near homestead	Possibly
Warriedar	02.07.08	Near homestead	n/s
Carlaminda or Noongal (TBC)	11.07.08	Carlaminda – near shearing shed Noongal – near homestead	No – need to be longer
Thundelarra	22.07.08	Western side of homestead	n/s
Gabyon / Pindathuna	Phone	Pindathuna	
Ninghan	11.09.08		
Wagga Wagga		PHONE FIRST	

Council is requested to amend the policy in the following manner:

By deleting part 3 of the policy that states:

“The CEO is to compile a list attached to this policy and amend the details as advised from time to time”, the comment section and “register of airstrips to be graded”.

Insert a new (3) to read as follows:

“On an annual basis each homestead to advise the Shire in writing as to whether their airstrip requires grading and the CEO shall include the request in the Schedule of Works subject to (1) above and advise each homestead accordingly”.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Shire of Yalgoo Airstrips Grading Policy

That Council:

Amend Policy 13.2 Airstrips Grading in the following manner:

Delete:

1. **(3). The CEO is to compile a list attached to this policy, and amend the details as advised from time to time;**
2. **Comment and Register of the airstrips to be graded.**

Insert:

- (3) On an annual basis each homestead to advise the Shire in writing as to whether their airstrip requires grading and the CEO shall include the request in the Schedule of Works subject to (1) above and advise each homestead accordingly.**

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion AMENDED

The CEO viewed his concerns over the wording of the Officer Recommendation and explained to the Councillors what the current policy is and the reasons for amending the recommendation. Following debate and clarification, the Councillors agreed to amend the Shire airstrip grading policy as follows:

NEW MOTION/COUNCIL DECISION

C2016-0507 Shire of Yalgoo Airstrips Grading Policy

That Council:

Amend Policy 13.2 Airstrips Grading in the following manner:

- 1. That airstrips located on privately run stations be graded once per calendar year, when the Shire of Yalgoo work teams are in the area;**
- 2. DPAW / Government owned / managed stations are to be graded as “private works” at the current charge rates if requested.**
- 3. To advertise the “Airstrips Grading Policy” changes to the pastoral stations within the Shire of Yalgoo.**

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion put and carried 5/0

11.4.3 Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu.

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	17 May 2016
Attachments (Yellow Cover)	1. Letter from the Minister for Local Government. 2. Local Government Advisory Board Assessment.

Matter for Consideration

Council notes the decision of the Minister for Local Government and the Local Government Advisory Board recommendation.

Background

The Shire of Dalwallinu submitted a proposal to the Local Government Advisory Board on 24 September 2015 to amend its district boundary within the Shire of Yalgoo.

The total area of the proposed boundary change amendment is approximately 7,614 square kilometres and comprises the townsite of Paynes Find and the pastoral leases of Maranalgo Mt Gibson, Ninghan, and Pullagaroo (south block).

Statutory Environment

Local Government Act 1995

Schedule 2.1 —Provisions about creating, changing the boundaries of, and abolishing districts

[Section 2.1(2)]

2. Making a proposal

- (1) A proposal may be made to the Advisory Board by -
 - (b) an affected local government; or

(2) A proposal is to —

- (a) set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; and
- (b) be accompanied by a plan illustrating any proposed changes to the boundaries of a district; and
- (c) comply with any regulations about proposals.

Business Implications

Nil

Financial Implications

Potential loss of approximately 50% of the Shire’s rate base that could have a devastating impact on the Shire’s ability to provide services and facilities to the community of Yalgoo.

Consultation

Nil

Comment

Letter dated 20 April 2016 received from the Hon. Tony Simpson MLA, Minister for Local Government, Community Services and Volunteering, Youth, stating that he has accepted the recommendation of the Local Government Advisory Board not to transfer part of Paynes Find and adjacent pastoral stations from the Shire of Yalgoo to the Shire of Dalwallinu. He also stated that in principle he has decided not to accept boundary changes that do not have the support of all affected local governments.

The Local Government Advisory Board concluded its assessment of the proposal in April 2016 and made the following recommendation:

“That in accordance with Clause 6(1)(a) of Schedule 2.1 of the Local Government Act 1995, the Minister for Local Government rejects the proposal submitted by the Shire of Dalwallinu to amend the Shire’s district boundary to transfer that part of Paynes Find and adjacent pastoral stations currently located in the Shire of Yalgoo to the Shire of Dalwallinu.”

The Minister in his letter has shown great wisdom by stating in principle that he does not accept boundary changes that do not have the support of all affected local governments. Perhaps if the Shire of Dalwallinu applied the same principle a lot of time and money could have been saved or put to better use.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu.

That Council:

- 1. Receive Report N^o 11.4.3 Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu.**
- 2. Thank all concerned for the letters of support and submissions in relation to the proposal.**

Moved: Cr G Trenfield

Seconded: Cr R Valenzuela

Motion AMENDED

The President, CEO and the Councillors expressed their dissatisfaction with the Shire of Dalwallinu’s proposal to amend its’ district boundaries and illustrated the poor regard they held towards the affected parties.

The whole issue has resulted in major disruption to normal Shire Local Government business, created immense costs that will adversely affect the Yalgoo community, especially due to the Shire’s inability to be compensated for such an ill-advised and unnecessary venture.

Giving consideration to the above-mentioned report, amendments were proposed to the Officer’s Recommendation as follows:

- In (2) above include the words “in writing”; and
- By the inclusion of a new (3) to read as follows:

“To forward this Council Decision and the Report N^o 11.4.3 - the Minister for Local Government Decision on the “Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu” to the Shire of Dalwallinu and additionally submit it as a media release to the local papers”.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0508 **Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu.**

That Council:

- 1. Receive Report N^o 11.4.3 Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu.**
- 2. Thank all concerned “in writing” when replying to the letters of support and submissions in relation to the proposal.**
- 3. To forward this Council Decision and the Report N^o 11.4.3 - the Minister for Local Government Decision on the “Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu” to the Shire of Dalwallinu and additionally submit it as a media release to the local papers.**

Moved: Cr J Kanny

Seconded: Cr R Valenzuela

Motion put and carried 5/0

11.4.4 Snapshot of the Shire of Yalgoo MyCouncil Website

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 May 2016
Attachments (Yellow Cover)	Financial Health Indicator Score <ul style="list-style-type: none"> • Operating Revenue • Operating Expenditure by Program • Rate Growth • Circular N^o 09-2016 • Web Based Financial Health Indicator Chart(FHI) – Functional Specifications

Matter for Consideration

That Council receive the report.

Background

The Minister for Local Government on 29 April 2016 launched the MyCouncil website. The website provides a snapshot of all Western Australia's local governments and allows members of the public to make comparisons of data over time and between Councils. MyCouncil presents data taken directly from Local Government Annual Financial Statements and their submissions to the Local Government Grants Commission Annual Return. MyCouncil data will be updated annually in the first quarter of the Calendar year.

Statutory Environment

Local Government Act 1995

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

Business Implications

Nil

Consultation

Nil

Comment

MyCouncil is an initiative of the Western Australian Government to strengthen local government accountability and performance. The website provides a geographic, demographic, and financial snapshot of each local government.

MyCouncil Financial Health Indicator measures a local government overall financial health utilising FHI methodology developed by the Western Australian Treasury Corporation.

The Financial Health Indicator (FHI) is calculated from seven financial ratios that local governments are required to report annually. The approach awards a score out of 10 for each financial ratio. The weighted average of the ratios is used to calculate the overall result. An FHI of 70 and above indicates sound financial health. In 2014-15 the Shire of Yalgoo achieved an FHI of 79 compared to 2013-14 FHI of 37 and in 2012-13 an FHI of 86.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0509 Snapshot of the Shire of Yalgoo MyCouncil Website

That Report Nº 11.4.4 Snapshot of the Shire of Yalgoo MyCouncil Website be received.

Moved: Cr R Valenzuela

Seconded: Cr PJ Lawson

Motion put and carried 5/0

12. NOTICE OF MOTIONS

- **ATTENDANCE:** 3:25 pm President Neil Grinham left the meeting.
3:27 pm President Neil Grinham rejoined the meeting.

12.1 PREVIOUS NOTICE RECEIVED

12.1.1 Notice of Motion N° 1

The President Neil Grinham read the Notice of Motion from Cr Raul Valenzuela as stated below:

1. That the Chief Executive Officer prepare a report on improving the form, structure and appearance of the Shire of Yalgoo publication, the “Yalgoo Bulldust” in particular the report to address the following matters:
 - Ways of improving the content of the publication;
 - The regularity of the publication;
 - Current Annual production costs;
 - Current staff resources; and
 - Additional resources required and associated estimated costs.
2. Subject to (1) above the report be presented to Council at its June 2016 Ordinary Meeting of Council for consideration.

The President requested that Cr R Valenzuela move his Motion. Cr R Valenzuela moved the Motion accordingly which was seconded by Cr J Kanny.

The consensus of Members was that the “Bulldust Newsletter” is important to the community and is worth being revised, updated and continued as a means of conveying information, news items, advertising and reports to the public.

There being no further debate the President put the Motion to a vote:

COUNCIL DECISION

C2016-0511 Report on the Bulldust Newsletter

- 1 **That the Chief Executive Officer prepare a report on improving the form, structure and appearance of the Shire of Yalgoo publication, the “Yalgoo Bulldust” in particular the report to address the following matters:**
 - **Ways of improving the content of the publication;**
 - **The regularity of the publication;**
 - **Current Annual production costs;**
 - **Current staff resources; and**
 - **Additional resources required and associated estimated costs.**
- 2 **Subject to (1) above the report be presented to Council at the 17 June 2016 Ordinary Meeting of Council for consideration.**

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

12.1.2 Notice of Motion N^o 2

The President Neil Grinham read the Notice of Motion from Cr J Kanny as stated below:

1. That the Chief Executive Officer prepares a report on the operational running structure of the office of the Shire of Yalgoo. In particular the report to address the following matters:
 - What position each person holds and a general description of duties.
 - Organisational structure when the CEO is not present.
 - Proposed training and improvements.
2. Subject to (1) above the report be presented to Council at its' 17 June 2016 Ordinary Meeting of Council for consideration.

Cr Joanne Kanny moved the Motion accordingly, which was seconded by Cr P Lawson.

The CEO Silvio Brenzi provided a table outlining the administrative structure within the Shire and explained to the Councillors about the position descriptions, roles, and strategies. Although the structure is clearly delineated, there is also some flexibility so an overlap of roles can occur when a staff member is absent. The Councillors were happy with the explanation and decided it wasn't necessary to make any changes and the CEO has the matter in hand.

Subject to the CEO explanation it was then moved as follows:

COUNCIL DECISION

C2016-0512 Report on the Operational Running Structure of the Office

1. That the Chief Executive Officer prepares a report on the operational running structure of the office of the Shire of Yalgoo. In particular the report to address the following matters:
 - What position each person holds and a general description of duties.
 - Organisational structure when the CEO is not present.
 - Proposed training and improvements.
2. Subject to (1) above the report be presented to Council at its' 17 June 2016 Ordinary Meeting of Council for consideration.

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion lost 0/5

12.1.3 Notice of Motion N^o 3

The President Neil Grinham read the Notice of Motion from Cr J Kanny as stated below:

1. That the President considers a review of the current timing of the council meetings held at Paynes Find. In particular the review to address the following matters:
 - A new start time of 10.00 am (if Paynes Find residents are happy with change)
 - If a new time is not considered, then a shorter agenda will be tabled to reduce closing time.
2. Subject to (1) above the review be conducted at Council at its June 2016 Ordinary Meeting of Council for consideration.

Cr Joanne Kanny moved the Motion accordingly, which was seconded by Cr R Valenzuela:

Cr Joanne Kanny explained her reasoning behind the motion, that due to the 2 ¼ hours travelling time each way from Yalgoo to Paynes Find, an earlier meeting time would enable Councillors to return to Yalgoo prior to night fall.

The CEO presented some other alternatives to reducing the length of meetings such as visiting near-by Shires to observe the structure of their meetings, reducing discussion times, and presenting Notice of Motions earlier to enable them to be included in the agenda for consideration.

Members accepted that an earlier meeting time would be beneficial but as only one more meeting will be held at Paynes Find this year (Friday 23 September 2016), it would be prudent to retain the meeting time for September and to amend the Council Meeting times for next year at

- **ATTENDANCE:** 3:55 pm Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) left the meeting.
3:57 pm Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) rejoined the meeting.

It was then moved:

COUNCIL DECISION

C2016-0513 Timing of Council Meetings to be held in Paynes Find

1. That the President considers a review of the current timing of the council meetings held at Paynes Find. In particular the review to address the following matters:
 - A new start time of 10.00 am (if Paynes Find residents are happy with change).
 - If a new time is not considered, then a shorter agenda will be tabled to reduce closing time.
2. Subject to (1) above the review be conducted at Council at its' June 2016 Ordinary Meeting of Council for consideration.
3. That Council review the start time for Council Meetings to be held in Paynes Find at the Ordinary Council Meeting on Friday 16 December 2016 for the 2017 Calendar year.

Moved: Cr J Kanny

Seconded: Cr R Valenzuela

Motion put and carried 5/0

12.1.4 Notice of Motion N^o 4

The President Neil Grinham read the Notice of Motion from Cr J Kanny as stated below:

1. That the President considers a review of the current delegate listing. In particular the review considers that:
 - A new councillor has been sworn in.
 - A current councillor is currently on leave of absence.
 - A possible addition of a tourism delegation.
2. Subject to (1) above the review be conducted at Council at its June 2016 Ordinary Meeting of Council for consideration

Cr Joanne Kanny moved the motion accordingly which was seconded by Cr P Lawson

The consensus of Members was that the Motion would be more adequately addressed in the next **Notice of Motion 12.1.5**

It was then moved:

COUNCIL DECISION

C2016-0514 Review of the Current Delegate Listing and Tourism Delegation.

- 1 That the President considers a review of the current delegate listing. In particular the review considers that:**
 - A new councillor has been sworn in.**
 - A current councillor is currently on leave of absence.**
 - A possible addition of a tourism delegation.**
- 2 Subject to (1) above the review be conducted at Council at its' 17 June 2016 Ordinary Meeting of Council for consideration**

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion lost 0/5

12.1.5 Notice of Motion N^o 5

The President Neil Grinham read the Notice of Motion from Cr J Kanny as stated below:

1. That the Chief Executive Officer prepares a report on the current tourism strategy for Yalgoo. In particular the report to address the following matters:
 - a. Improvements to be made to tourist attractions. (Church, museum, Jokers Tunnel, railway building etc).
 - b. Future plans to encourage tourism.
 - c. Possible access to funding to aid tourism.
2. Subject to (1) above the report be presented to Council at its June 2016 Ordinary Meeting of Council for consideration.

Cr J Kanny moved the Motion accordingly, which was seconded by Cr G Trenfield.

The CEO stated that Item 1.a. will be reviewed in the scope of “operational works” and Item 1.b. forms part of the Shire’s future plans for the development of the Caravan Park the Arts and Culture Centre and projects for future tourism funding.

Members requested an addition which reads as follows “a Tourism Delegate and Proxy” be added to the Shire of Yalgoo’s Delegations list when it is next reviewed at the Ordinary Meeting of Council on Friday 21 October 2016.

The mover and seconder agreed with the proposed amendment to be incorporated as part of the original motion.

It was then moved:

COUNCIL DECISION

C2016-0515 Review of the Current Tourism Strategy and Future Plans.

That Council request the Chief Executive Officer:

- 1./ **To prepare a report on the current tourism strategy for Yalgoo. In particular the report to address the following matters:**
 - a./ **Improvements to be made to tourist attractions; (Church, museum, Jokers Tunnel, railway building etc).**
 - b./ **Future plans to encourage tourism.**
 - c./ **Possible access to funding to aid tourism.**
 - d./ **A “ Tourism Delegate and Proxy” be added to the Shire of Yalgoo’s Delegations list when it is next reviewed at the Ordinary Meeting of Council on Friday 21 October 2016.**
- 2./ **Subject to (1) above the report be presented to Council at its’ June 2016 Ordinary Meeting of Council for consideration.**

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion lost 5/0

ATTENDANCE: 4:20 pm Cr J Kanny left the meeting.
 4:21 pm Cr J Kanny rejoined the meeting.

ATTENDANCE: 4:24 pm Cr G Trenfield left the meeting.
 4:25 pm Cr G Trenfield rejoined the meeting.

12.2 NOTICE GIVEN AT THE MEETING FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF COUNCIL

Nil

13. URGENT BUSINESS

The President requested that Council give consideration to two Items of Urgent Business presented by Cr R Valenzuela. The two items relate to the on-going vandalism and break-ins at Shire properties.

13.1

Cr R Valenzuela proposed that an assessment be done, to calculate the costs and damage incurred to Shire property and infrastructure, so an estimate of financial loss can be made.

It was then moved by Cr R Valenzuela and seconded by Cr J Kanny:

COUNCIL DECISION

C2016-0516 Report on Damage to Shire of Yalgoo Properties.

That Council request the CEO to prepare a report on the damage to the Shire property and infrastructure over the financial year 2015 – 2016 detailing costs incurred for repairs.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

13.2

Cr R Valenzuela proposed that the Shire should have a policy to recover the costs of damage to Shire property and infrastructure.

It was then moved by Cr R Valenzuela and seconded by Cr J Kanny:

COUNCIL DECISION

C2016-0517 Prepare a Local Law for the Recovery of Costs from Damage to Shire of Yalgoo Properties.

That Council request the CEO to investigate the legal requirements to create a Local Law to recover the costs associated with damage to Shire property and infrastructure.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

13.3

The CEO received two items of correspondence seeking support and donations from the Shire of Yalgoo. The Mid West Agriculture Society requested a donation and the Mrs Aneika Parker, Maranalgo Station, sought a donation towards the Maranalgo Endurance Ride that was held in Paynes Find on 4 June 2016.

It was then moved:

COUNCIL DECISION N^o 1

C2016-0518 Donation to the Mid West Agriculture Society

That Council donates one hundred dollars (\$100) to the Mid West Agriculture Society from Account N^o E 041065 – Members Donations.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

OFFICER RECOMMENDATION/COUNCIL DECISION N^o 2

C2016-0519 Donation to the Maranalgo Endurance Ride held in Paynes Find

That Council donates one thousand dollars (\$1000) to the Maranalgo Endurance Ride which was held in Paynes Find from Account N^o E 041065 – Members Donations.

Moved: Cr R Valenzuela

Seconded: Cr G Trenfield

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.

Local Government Act 1995

s5.23. 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.

s5.92 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.

s5.93. 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

s6. Use of information

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

15. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chambers in Gibbons Street on Friday 17 June 2016 commencing at 11.00 am.

16. MEETING CLOSURE

There being no further business the President closed the meeting at 4:44 pm.

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