



AGENDA  
FOR THE ORDINARY MEETING  
OF COUNCIL  
TO BE HELD IN  
THE COUNCIL CHAMBERS, YALGOO  
ON 31 MARCH 2017  
COMMENCING 11.00 AM



# SHIRE OF YALGOO

## NOTICE OF ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE YALGOO COUNCIL CHAMBERS, YALGOO ON 31 MARCH 2017 COMMENCING AT 11.00 AM.

**Silvio Brenzi**

Chief Executive Officer



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Agenda for the Ordinary Meeting of the Yalgoo Shire Council,  
to be held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on 31 March 2017, 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**

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

MEMBERS

STAFF

GUESTS

OBSERVERS

LEAVE OF  
ABSENCE

APOLOGIES

**3. DISCLOSURE OF INTERESTS**

Disclosures of interest made before the Meeting



## **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**

##### **Minutes of the Ordinary Meeting**

**That the Minutes of the Ordinary Council Meeting held on 24 February 2017 be confirmed.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

## 9. REPORTS OF COMMITTEE

Reports of the Audit Committee held on 24 March 2017.

### 9.1 Report on Appointment of Auditors

Author:	Dominic Carbone	
Interest Declared:	No interest to disclose	
Date:	23 March 2017	
Attachments	P1	Quotation for Audit Services RSM Australia Pty Ltd ATD BIRDANCO Practice Trust Trading as RSM;
	P30	Circular N <sup>o</sup> 31 – 2016 Department of Local Government and Communities;
	P31	General Conditions of Contract.

#### Matter for Consideration

That the Audit Committee make a recommendation to Council for the appointment of an Auditor for a term of one (1) financial year in accordance with Sections 7.3 (1) and 7.6 of the Local Government Act 1995.

#### Background

Council at its Ordinary Meeting held on 16 December 2016 adopted the following resolution:

“That Council:

- (1) Approves of the Request for Quotation attached to Report No 5.1, which addresses the requirements of Part 7 of the Local Government Act 1995, and the applicable regulations as set out in the Local Government (Audit Regulations) 1996.
- (2) That the Chief Executive Officer request at least three (quotations) from suitable suppliers of audit services for the 2016-17 financial year”.

#### Statutory Environment

##### *Local Government Act 1995*

#### Division 2 — Appointment of auditors

##### 7.2. Audit:

The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.

##### 7.3. Appointment of auditors:

(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.

\* *Absolute majority required.*

(2) The local government may appoint one or more persons as its auditor.

(3) The local government’s auditor is to be a person who is —

(a) A registered company auditor; or

(b) An approved auditor.

[Section 7.3 amended by No. 49 of 2004 s. 6.]

##### 7.7. Departmental CEO may appoint auditor:

If by 30 November in any year a local government has not appointed an auditor the Departmental CEO may appoint —

- (a) A qualified person; or
- (b) In default of an appointment under paragraph (a), the Auditor General, to be the auditor of the local government's accounts and annual financial report for the relevant financial year.

### **7.8. Terms of appointment of auditors:**

(1) Subject to this Part and to any regulations, the appointment of a person as auditor of a local government is to be made by agreement in writing on such terms and conditions, including the remuneration and expenses of the person to be appointed, as are agreed between that person and the local government.

(2) The remuneration and expenses payable to the auditor of a local government (whether appointed by the local government or by the Departmental CEO under section 7.7) are payable by the local government.

*[Section 7.8 amended by No. 28 of 2006 s. 364.]*

### **Division 3 — Conduct of audit**

#### **7.9. Audit to be conducted**

(1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —

- (a) The mayor or president; and
- (b) The CEO of the local government; and
- (c) The Minister.

(2) Without limiting the generality of subsection (1), where the auditor considers that —

- (a) there is any error or deficiency in an account or financial report submitted for audit; or
- (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
- (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication, or matter, are to be included in the report by the auditor.

(3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —

- (a) prepare a report thereon; and
- (b) forward a copy of that report to the Minister, and that direction has effect according to its terms.

(4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

*[Section 7.9 amended by No. 49 of 2004 s. 7.]*



**Local Government (Audit) Regulations 1996**

**Agreements with auditors, contents of:**

An agreement between a local government and an auditor is to include —

- (a) the objectives of the audit; and
- (b) the scope of the audit; and
- (c) a plan for the audit; and
- (d) details of the remuneration and expenses to be paid to the auditor; and
- (e) the method to be used by the local government to communicate with, and supply information to,

**9. Performance of audit:**

(1) An audit is to be carried out in accordance with the “Auditing Standards” and “Auditing Guidance Statements” adopted from time to time by the Australian Society of Certified Practising Accountants and The Institute of Chartered Accountants in Australia.

(2) An auditor is to carry out such work as is necessary to form an opinion as to whether —

- (a) the accounts are properly kept; and
- (b) the annual financial report —
  - (i) is prepared in accordance with the financial records; and
  - (ii) represents fairly the results of the operations of the local government and the financial position of the local government at 30 June in accordance with the Australian Accounting Standards and the Act.

**10. Report by auditor:**

(1) An auditor’s report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.

(2) The report is to give the auditor’s opinion on —

- (a) the financial position of the local government; and
- (b) the results of the operations of the local government.

(3) The report is to include —

- (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
- (b) any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law; and
- (c) details of whether information and explanations were obtained by the auditor; and
- (d) a report on the conduct of the audit; and
- (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
  - (i) the asset consumption ratio; and
  - (ii) the asset renewal funding ratio. (4A) In subregulation (3)(e) — asset consumption ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2); asset renewal funding ratio has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 50(2).

(4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report.

*[Regulation 10 amended in Gazette 21 Jun 2013 p. 2449-50.]*

### Consultation

Nil

### Comment

In accordance with part (2) of Council's resolution detailed in the background to this report, the following Audit firms were invited to submit a quotation:

- Hall Chadwick,
- Moore Stephens,
- RSM.

The responses submitted by the above-mentioned firms are as follows:

- Hall Chadwick, no response received;
- Moore Stephens, email received stating that the firm was not submitting a response to the Shire's Request for Quotation, (RFQ) as it currently stands for five main reasons:
  - a) It is only for one year (even though the Department (of Local Government and Communities) has recently sent a letter advising, due to the delay in the new Audit Bill to extend to 30 June 2018 – are you aware of this?); and
  - b) You have a 50% price weighting which, given we approach our Local Government audits from the viewpoint of quality first with value for the outcome provided, will exclude us before we even submit (this assessment is based on our past experiences in quoting in the industry.
- RSM, a detailed Request for Quotation (RFQ) submitted as requested by the Shire.

The submission received from RSM complies with Regulation 7 of the Local Government (Audit) Regulations 1996 on the basis that it addresses the following:

- a) The objectives of the Audit;
- b) Scope of the Audit;
- c) A plan for the Audit;
- d) Details of the remuneration and expenses to be paid to the auditor; and
- e) The method to be used by the Local Government to communicate with and to supply information.

The fee for the Audit Services to be provided by RSM amounts to \$17,264 (excluding GST) plus travel and accommodation to be reimbursed at cost, travel will be based on motor vehicle travel to Yalgoo from Geraldton. Progress payments to apply.

RSM registered Company Auditor is Mr David Wall.



## 9.2 Report on Compliance Audit Return 2016

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	8 March 2017
Attachments :	P36 2016 Draft Compliance Audit Return

### Matter for Consideration

That Council give consideration to the draft Compliance Audit Return 2016 and certified by the President and Chief Executive Officer and a copy to be forwarded to the Department of Local Government by 31<sup>st</sup> March 2017.

### Background

Regulation 14 and 15 of the Local Government (Audit) Regulations 1996 requires that the Council carry out a Compliance Audit for the period 1<sup>st</sup> January to the 31<sup>st</sup> December in each year and be submitted to the Executive Director by the 31<sup>st</sup> March of the following year.

### Statutory Environment

#### *Local Government Act 1995*

#### 7.13. Regulations as to audits

- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —
  - (i) of a financial nature or not; or
  - (ii) under this Act or another written law.

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

##### 14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3)
  - (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (4) (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
  - (5) (a) presented to the council at a meeting of the council; and
  - (6) (b) adopted by the council; and
  - (7) (c) recorded in the minutes of the meeting at which it is
  - (8) adopted.

15. Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
  - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
  - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
  
- (2) In this regulation —  
certified in relation to a compliance audit return means signed by —
  - (a) the mayor or president; and
  - (b) the CEO.

**Business Implications**

Nil

**Consultation**

Nil

**Comment**

The Shire of Yalgoo is required to carry out an Annual Compliance Audit for the period 1<sup>st</sup> January 2016 to 31<sup>st</sup> of December 2016. The Draft Compliance Return for 2016 has been completed online at the Department of Local Government and Communities website and is attached for consideration. Areas of non-compliance have been identified and are detailed in the return with comments in relation too. The Compliance Return is to be adopted by Council and certified by the President and the Chief Executive Officer along with a copy of the relevant section of the Minutes be forwarded to the Director General by the 31st March 2017.

**Voting Requirements**

Simple Majority

**AUDIT COMMITTEE RECOMMENDATION**

**Report on Compliance Audit Return 2016**

**That the Audit Committee recommend to Council that the draft 2016 Compliance Audit Return be adopted and certified by the President and Chief Executive Officer and forwarded to the Department of Local Government along with the relevant section of the Minutes**

**Moved:**

**Seconded:**

**Motion put and carried / lost**

### 9.3 Report on 2016-17 Annual Budget Review

Author:	Dominic Carbone	
Interest Declared:	No interest to disclose	
Date:	15 March 2017	
Attachments	P45	Statement of Financial Activities , Statement of Surplus/ Deficit, Statement of Closing Funds, Budget Analysis Worksheets

#### Matter for Consideration

That council review the 2016-17 Annual Budget Review

#### Background

Regulation 33A of the Local Government Act (Financial Management) Regulations 1996 requires that a Local Government between 1<sup>st</sup> February and 31<sup>st</sup> March in each year carry out a review of its Annual Budget for that year. A copy of the review and the determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

Council adopted a 10% or \$10,000.00 variance or whatever is the greater for the reporting of material variances identified in the annual budget review.

#### Statutory Environment

##### 33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
  - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government’s financial position as at the date of the review; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

##### 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.

- (1a) In subsection (1) —











## **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

### 11.1.1 Progress Report on the Capital Works Program 2016 - 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	21 March 2017
Attachments	Nil

#### Matter for Consideration

To receive the Progress Report on the 2016 – 2017 Capital Works Program.

#### Background

The Shire in adopting its 2016 – 2017 Annual Budget has allocated funds amounting to \$3,182,204 for the purpose of acquiring capital assets and undertaking infrastructure works.

#### Statutory Environment

Nil

#### Strategic Implications

Timely delivering of the various capital projects which will deliver the objectives of the Community Strategic Plan.

#### Policy Implications

Nil

#### Financial Implications

To deliver the Capital Works Program within the budgeted allocations.

#### Consultation

Nil

#### Comment

The Capital Works Projects for the 2016-2017 financial year are detailed below:

**CAPITAL WORKS PROGRAMME 2016-17**

The following assets and works are budgeted to be acquired or undertaken during the year:

		2016-17 ANNUAL BUDGET	2016-17 JULY-FEB BUDGET	2016-17 JULY-FEB ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	YTD \$	\$	
<b>By Program</b>						
<b>Governance</b>						
000000- Admin Cente - Refurbish Morning Tea / Public Meeting Room	F & E	5,000	0	320	(320)	The CEO to provide a verbal update on the status of the capital projects as at 28 February 2017 Commenced in January 2017
000000-Council Chamber Chairs Replacement	F & E	10,000	0	0		
000000-Council Chamber Improvements	F & E	5,000	0	5,302	(5,302)	TV purchased then anticipated
000000- Admin Centre - New Front Reception Counter	F & E	8,140	0	8,140	(8,140)	Project completed
000000- Admin Centre - Internal Painting	L & B	15,000	0	13,455	(13,455)	Partly completed part of the works carried out earlier then anticipated
000000- Admin Centre - Records Fit Coolroom Panel to Sea Container	L & B	16,800	0	0		Consultant Kim Boulton
C175103- Admin Centre - Covered Area Carpark	L & B	11,000	0	12,020	(12,020)	Project completed minor overexpenditure
000000- Motor Vehicle CEO	P & E	90,000	0	86,698	(86,698)	Purchased Savings \$ 3,302 purchased earlier then anticipated
C175001- Mobile Phones HCP and Caravan Park	F & E	0	0	2,160	(2,160)	Expenditure not in 2016-17 Budget authorised by Council as per Section 6.8 of the LG Act
C175002- Mobile Phone CGTS	F & E	0	0	1,368	(1,368)	Expenditure not in 2016-17 Budget authorised by Council as per Section 6.8 of the LG Act
C175203- Laptop HP Spectre CEO	F & E	0	0	2,599	(2,599)	Expenditure not in 2016-17 Budget authorised by Council as per Section 6.8 of the LG Act
C175205 - Telephone System - Office	F & E	0	0	12,056	(12,056)	Project completed subject to an insuranse claim
<b>Housing</b>						
000000- CCTV - Yalgoo Town site	F & E	60,248	60,248	0	60,248	To commence
C175102-Staff Housing - 3 Storage Shed	L & B	17,400	0	17,710	(17,710)	Project completed minor over expenditure Budgetted \$17,400 works carried out earlier than anticipated
000000-Staff Housing - 19b Stanley Street Security Screens	L & B	2,000	0	0		
000000-Staff Housing - 6 Henty street Replace Carpet with Floor Board	L & B	7,000	7,000	6,042	958	Project completed savings \$958
000000-Staff Housing - 8 Henty street Colorbond Fence Front	L & B	3,000	3,000	1,111	1,889	Project completed savings \$1,889
000000-Staff Housing - Power to 3 Storage Sheds	L & B	8,000	8,000	0	8,000	Project completed not yet invoiced
000000-Staff Housing -75 Weekes Street Landscaping	L & B	5,000	5,000	0	5,000	Project yet to commence
000000-Staff Housing -8 Henty Street Landscaping	L & B	5,000	5,000	0	5,000	Project yet to commence
000000-Staff Housing - 19b Stanley Street Floorboards, Gate,Skylight	L & B	4,500	4,500	0	4,500	Project yet to commence
<b>Community Amenities</b>						
C175101- Mobile Ablution Block	L & B	15,000	0	11,067	(11,067)	Project completed Budgetted \$15,000 Savings \$3,933 works carried out earlier than anticipated

<b>Recreation and Culture</b>						
000000 - Arts and Crafts Building	L & B	381,837	0	166,155	(166,155)	In progress
C175110 - Furniture - Hall Lotterywest	F & E	0	0	4,283	(4,283)	Project completed funded via Lotterywest
C165233 - Community Hall - Detailed Plan for Renovations	L & B	10,000	0	5,308	(5,308)	Project completed savings \$4,692 Budgetted \$10,000
000000 -Community and Youth Centre CLGF 2012-13 Unspent	L & B	44,222	0	0		
000000- Kubota Utility Parks	P & E	28,000	0	27,965	(27,965)	
000000- Truck 3 Tonne Parks	P & E	64,000	0	57,390	(57,390)	Purchased savings \$6,610 purchased earlier than anticipated
000000- Replace Playground Equipment - Shamrock Park	Recreation	45,000	45,000	0	45,000	Project yet to commence
000000- New Fence - Shamrock Park	Recreation	5,000	5,000	0	5,000	Project yet to commence
000000 - 2 Replacement Irigation Pumps	Recreation	8,000	8,000	0	8,000	Project yet to commence
000000 - Community/ School Oval Shared Use Development	Recreation	400,000	0	0		
000000- Paynes Find Beautification	Other	78,658	78,658	0	78,658	Project yet to commence
000000- Paynes Find Solar Lights	Other	0	0	45,000	(45,000)	To be funded from Paynes Find Beautification above as approved by Council
<b>Transport</b>						
000000- Ablution Block Depot	L & B	20,000	20,000	0	20,000	Project yet to commence
000000- Electric Boundary Fence Depot	L & B	45,500	45,500	42,690	2,810	Project yet to commence
000000- Tailer Float Reconditioning	P & E	30,000	0	29,813	(29,813)	Project completed savings \$187 purchased earlier than anticipated
000000- Mobile Batching Plant	P & E	68,700	0	74,300	(74,300)	Project completed overspent \$5,600 purchased earlier than anticipated
000000- 3qm Agitator Truck Second Hand	P & E	35,000	0	27,727	(27,727)	Project completed underspent \$7,273 purchased earlier than anticipated
000000- Motor Vehicle Works Foreman	P & E	75,000	0	68,823	(68,823)	Project completed underspent \$6,177 purchased earlier than anticipated
000000- Works Truck	P & E	92,000	0	82,970	(82,970)	Project completed overspent \$9,030purchased earlier than anticipated
<b>ROADS TO RECOVERY GRANTS</b>						
000000- Paynes Find Airstrip Fence	Other	45,000	0	0		
000000- Yalgoo/Morawa Road - Widen	Roads	400,000	400,000	0	400,000	Project yet to commence
000000- Yalgoo/Ningham Road - Shoulder Binding	Roads	180,000	180,000	177,438	2,562	Project completed within budget estimates
000000- Yalgoo/Ningham Road - Seal	Roads	212,310	212,310	0	212,310	Project yet to commence
000000- Yalgoo/Morawa Road - Reseal Program	Roads	5,255	0	0		Complted not yet invoiced
<b>RRG SPECIAL GRANT RD WORKS</b>						
C165106 - Yalgoo/Ningham Road -Reform and Resheet to 8M Wide Slk 25-32	Roads	322,564	0	320,040	(320,040)	Project completed earlier then anticipated within budget estimates
C165105- Yalgoo/North Road -Reform and Resheet	Roads	142,350	0	347,869	(347,869)	Project completed overexpenditure
<b>MUNICIPAL FUND</b>						
000000- Warne River Crossover	Roads	20,000	20,000	0	20,000	Project yet to commence
000000- Ningham Homestead Road Floodway Crossover	Roads	20,000	20,000	0	20,000	Project yet to commence
<b>Economic Services</b>						
000000- Caravan Park Multiple Store Shelving	F & E	1,200	1,200	0	1,200	Project yet to commence
000000- Caravan Park Washing Machine Replacement	F & E	0	0	2,450	(2,450)	Not budgetted replacement
C175104- Shade Structure Caravan Park	L & B	2,520	0	2,520	(2,520)	Project completed within budget estimates
000000- Caravan Park Sealing of Parking Bays and Driveways	L & B	22,000	0	0		
000000- Caravan Park Sealing of Rammed Earth Walls	L & B	15,000	0	12,000	(12,000)	Project completed underspent \$3,000 completed earlier than anticipated

000000- Caravan Park Auto Reticulation System	L & B	30,000	0	0		Obtaining quotations
000000- Shelter and Seating Jokker Tunnel	L & B	15,000	15,000	10,946	4,054	Material Delivered
000000- Shelter and Visitors Board at Railway Station	L & B	15,000	0	10,946	(10,946)	Material Delivered
000000- Entry Road Sheeting Jokker Tunnel	Other	15,000	0	24,003	(24,003)	Project completed overspent \$3,000 completed earlier than anticipated
		<b>3,182,204</b>	<b>1,143,416</b>	<b>1,720,683</b>	<b>(577,267)</b>	

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Progress Report on the Capital Works Program 2016 - 2017**

**That Council receive the Progress Report on the Capital Works Program 2016 – 2017 as at February 2017.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**



## 11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

### 11.3 FINANCE

#### 11.3.1 Investments as at 28 February 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	23 March 2017
Attachments	Nil

#### Matter for Consideration

That Council receive the Investment Report as at 28 February 2017.

#### Background

Money held in the Municipal Fund of the Shire of Yalgoo that is not required for the time being may be invested under the Trustee Act 1962 Part III.

#### Statutory Environment

##### Local Government Act 1995

##### 6.14. Power to invest

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).
- (2) Regulations in relation to investments by local governments may —
  - (a) make provision in respect of the investment of money referred to in subsection (1); and
  - [(b) *deleted*]
  - (c) prescribe circumstances in which a local government is required to invest money held by it; and
  - (d) provide for the application of investment earnings; and
  - (e) generally provide for the management of those investments.

##### Local Government (Financial Management) Regulations 1996

##### 19. Investments, control procedures for

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —
  - (a) the nature and location of all investments; and
  - (b) the transactions related to each investment.

**19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

(1) In this regulation —

**authorised institution** means —

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or
- (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

**foreign currency** means a currency except the currency of Australia.

(2) When investing money under section 6.14(1), a local government may not do any of the following —

- (a) deposit with an institution except an authorised institution;
- (b) deposit for a fixed term of more than 12 months;
- (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (d) invest in bonds with a term to maturity of more than 3 years;
- (e) invest in a foreign currency.

**Strategic Implications**

Nil

**Consultation**

Nil

**Comment**

The worksheet below details the investments held by the Shire as at 28 February 2017:

SHIRE OF YALGOO INVESTMENTS AS AT 28 FEBRUARY 2017								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT Nº	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$993,974.08
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$40,847.32
NAB	N/A	Term Deposit	89-977-1574	6 mths	16.10.2016	16.04.2017	2.55%	\$60,386.09
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,491.58
<b>TOTAL</b>								<b>\$1,146,698.90</b>
<b>RESERVE FUNDS</b>								
NAB	N/A	Term Deposit	97-511-445	5 mths 22 dys	16.09.2016	10.03.2017	2.60%	\$155,386.05
NAB	N/A	Term Deposit	89-972-5236	6 mths	16.10.2016	16.04.2017	2.55%	\$450,536.59
NAB	N/A	Term Deposit	11-186-3992	5 mths 19 dys	19.09.2016	10.03.2017	2.60%	\$1,028,730.92
<b>TOTAL</b>								<b>\$1,634,653.56</b>
<b>TRUST</b>								
NAB	N/A	Trust a/c	50-832-4559	Ongoing	N/A	N/A	Variable	
<b>TOTAL</b>								<b>\$21,838.51</b>

<b>INVESTMENT REGISTER</b>						
<b>01 FEBRUARY 2017 TO 28 FEBRUARY 2017</b>						
<b>NATIONAL AUSTRALIA BANK</b>						
<b>ACCOUNT N°</b>	<b>DATE OF MATURITY</b>	<b>INTEREST RATE</b>	<b>OPENING BALANCE</b>	<b>INTEREST EARNED TO 28.02.2017</b>	<b>INVESTMENT TRANSFERS</b>	<b>CLOSING BALANCE 28.02.2017</b>
86-538-7363	Ongoing	Variable	\$40,656.41	\$172.12	0	\$40,847.32
89-977-1574	16.04.2017	2.55%	\$409,475.52	\$910.57	\$350,000	\$60,386.09
24-831-4222	Ongoing	Variable	\$51,251.03	\$240.55	0	\$51,491.58
77-142-8128	10.03.2017	2.60%	\$153,109.12	\$2,276.93	0	\$155,386.05
89-972-5236	16.04.2017	2.55%	\$448,595.14	\$1,941.45	0	\$450,536.59
14-662-6305	10.03.2017	2.60%	\$1,013,656.59	\$15,074.33	0	\$1,028,730.92

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Investments as at 28 February 2017**

**That the Investment Report as at 28 February 2017 be received.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

### 11.3.2 Accounts for Payment February 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	21 March 2017
Attachments	Nil

#### Matter for Consideration

Council approve the Accounts for Payment list for the period 1 February 2017 to 28 February 2017 as detailed in the report below.

#### Background

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requires the Chief Executive Officer to present a list of accounts paid and/or payable to Council and such to be recorded in the minutes of the meeting.

#### Statutory Environment

*Local Government Act 1995*

##### 6.10 Financial Management regulations

Regulations may provide for –

- a. The security and banking of money received by a local government' and
- b. The keeping of financial records by a local government; and
- c. The management by a local government of its assets, liabilities and revenue; and
- d. The general management of, and the authorisation of payments out of –
  - I. The municipal fund; and
  - II. The trust fund, of a local government.

#### Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
  1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –
    - I. The payee's name; and
    - II. The amount of the payment; and
    - III. The date of the payment; and
    - IV. Sufficient information to identify the transaction.
  2. A list of accounts for approval to be paid is to be prepared each month showing –
    - a. For each account which requires council authorisation in that month –
      - I. The payee's name; and
      - II. The amount of the payment; and
      - III. Sufficient information to identify the transaction; and
    - b. The date of the meeting of the council to which the list is to be presented.

3. A list prepared under subregulation (1) or (2) is to be –
  - a. Presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - b. Recorded in the minutes of that meeting.

**Strategic Implications**

Nil

**Financial Implications**

Nil

**Consultation**

Nil

**Comment**

The list of accounts paid for the period 1 February 2017 to 28 February 2017 are as follows

**SHIRE OF YALGOO**  
**LIST OF ACCOUNTS PAID AND PAYABLE**  
**FOR THE PERIOD 1 FEBRUARY 2017 TO 28 FEBRUARY 2017**

<b>DATE</b>	<b>PAYEE</b>	<b>PARTICULARS</b>	<b>AMOUNT</b>
<b>PAID</b>			<b>\$</b>
01/02/2017	Shire of Yalgoo Municipal Fund	Payroll deduction to pay off debt	150.00
01/02/2017	WA Shire Councils Union	Payroll deduction union fee	61.50
01/02/2017	Shire of Yalgoo Municipal Fund	Payroll deduction to pay off debt	50.00
01/02/2017	Child Support Agency	Payroll deduction to child support	239.92
01/02/2017	WA Super	Super contributions	4,803.70
01/02/2017	Australian Super	Super contributions	365.41
01/02/2017	AMP Flexible Lifetime Super	Super contributions	312.78
01/02/2017	Colonial First State	Super contributions	320.72
01/02/2017	Concept OneThe Industry Superannuation Fu	Super contributions	265.56
03/02/2017	Akolade Pty Ltd	E132117 - HCP Staff & Training Expenses	2,528.90
03/02/2017	AMPAC Debt Recovery (WA) Pty Ltd	E031020 - Debt Collection Costs	531.90
03/02/2017	Austral Mercantile Collection Pty Ltd	E031020 - Debt Collection Costs	132.00
03/02/2017	Canine Control	E052015 - Animal Ranger Expenses	929.50
03/02/2017	Courier Australia	Freight Parts	27.71
03/02/2017	Crowe's Electrical	Electrical repairs - Covered Sports	6,086.81
03/02/2017	David Roche	Reimbursements fire vehicle expenses and Mtce Paynes Find complex	534.02
03/02/2017	Geraldton Toyota	E145077 - Vehicle Expenses - YALGOOCEO service and parts	1,059.39
03/02/2017	Hallinan Refrigeration & Airconditioning	Staff housing and Yalgoo Hall mtce and repairs	2,220.41
03/02/2017	Jonesys Cafe	E116110 - Celebration	731.40
03/02/2017	Judith Hill.	E132118 - HCP Project Activity Expenses - Reimbursement	54.17
03/02/2017	Logic IT Solutions	E145055 - Computer Mtce/Support	1,052.95
03/02/2017	Midwest Fire & Safety	Fire control inspections	4,775.00
03/02/2017	OCLC Ltd	E115015 - Library Other Expenses	1,467.28
03/02/2017	Onedex Communications Pty Ltd	C175109 - Solar Lights Paynes Find	11,000.00

03/02/2017	PaynesFind Road House & Tavern	E143060 - Travel & Accommodation	179.00
03/02/2017	Pirtek Geraldton	E144015 - Parts & Repairs - Backhoe	119.55
03/02/2017	Shakespeare Solutions Pty Ltd	C175114 - Council Chambers Refurbish wall hangings	351.60
03/02/2017	Shire of Mount Magnet	E132007 - Tourism Promotion - contribution	5,500.00
03/02/2017	Staples Australia Pty Limited	E145045 - Printing & Stationery	102.43
03/02/2017	Sun City Plumbing	Plumbing repairs - 19B Stanley Street	3,297.14
03/02/2017	Sun City Print	Stationery fire vehicle checklist books	382.80
03/02/2017	Veolia Environmental Services	Household and commercial refuse collection	3,004.45
03/02/2017	Western Independent Foods	E132005 - Caravan Park Expenditure	162.17
03/02/2017	Westrac Equipment Pty Ltd	Parts,repairs,fuel and oil - plant YA800,YA424 and depot	2,081.95
03/02/2017	Shire of Morawa	Digging of grave	240.00
13/02/2017	Austral Mercantile Collection Pty Ltd	E031020 - Debt Collection Costs	1,969.19
13/02/2017	Australian Taxation Office	L0137 - PAYG Tax Payable	24,933.00
13/02/2017	Battery Mart	E144015 - Parts & Repairs -YA465	651.20
13/02/2017	Bunnings Building Supplies Pty Ltd	E132005 - Caravan Park Expenditure	227.92
13/02/2017	John Speedy Cabinets	C175115 - New Reception Counter and Office Mtce	11,627.00
13/02/2017	Judith Hill.	E132118 - HCP Project Activity Expenses - reimbursement	97.30
13/02/2017	Marketforce	General and election advertising	4,817.68
13/02/2017	Midwest Chemical & Paper	E132005 - Caravan Park Expenditure	308.24
13/02/2017	Moore Stephens (WA)	Consultancy reconcile rates	909.15
13/02/2017	Red Earth Marketing	2016-17 Co-op Marketing Services Contribution	2,200.00
13/02/2017	Staples Australia Pty Limited	E145045 - Printing & Stationery	216.50
13/02/2017	Stratco (WA) Pty ltd	C175113 - 8 Henty St Fence	1,111.44
13/02/2017	Sun City Plumbing	Plumbing repairs 18a,18b,18c Shamrock St and 19a,19b Stanley	2,645.17
13/02/2017	U R Safe Pty Ltd	C175116 - Depot Security	46,959.00
13/02/2017	Westrac Equipment Pty Ltd	E144015 - Parts & Repairs - YA424 TCM F/E loader	229.44
13/02/2017	Wicked Prints	Supply 3 Shirts and prints	125.40
13/02/2017	Yalgoo General Store.	Supplies celebration,refreshments and staff amenties	2,744.53
16/02/2017	Payroll	Various	37,175.73
28/02/2017	Payroll	Various	37,227.32
28/02/2017	Atyeo's Environmental Health Services PL	Consultancy EHO and Building	3,638.88
28/02/2017	Austral Mercantile Collection Pty Ltd	E031020 - Debt Collection Costs	537.68

28/02/2017	Australian Taxation Office	L0137 - PAYG Tax Payable	27,927.00
28/02/2017	BOQ Asset Finance & Leasing Pty Ltd	Photocopier rental	329.50
28/02/2017	Canine Control	E052015 - Animal Ranger Expenses	929.50
28/02/2017	Communication Systems Geraldton	C175205 - New Telephone System for Office	13,261.05
28/02/2017	E & MJ Rosher Pty Ltd	C175407 - Kubota Utility	30,798.70
28/02/2017	Five Star Business Equipment & Comms	E145060 - Office Equip Mtce - photocopier	531.51
28/02/2017	Gail Trenfield.	Members Meeting Fees and Communication Allowance	527.67
28/02/2017	Geraldton Fuel Company	Fuel and oil supplies	14,155.21
28/02/2017	Geraldton Toyota	E144015 - Parts & Repairs -YA840 toyota hilux	206.25
28/02/2017	GNC Quality Precast Geraldton	E091008 - Housing Expenses - R & M	2,461.80
28/02/2017	Harvey Norman Electrics	C175110 - Furniture for Hall Refurbish	1,915.00
28/02/2017	Harvey Norman Furniture & Bedding	C175110 - Furniture for Hall Refurbish	2,796.00
28/02/2017	Hitachi Construction Machinery(Australia)	E144015 - Parts & Repairs - YA465 cat 140h grader	368.79
28/02/2017	Home Additions & Improvements	E025.10 - Sign Reprs/Replace	120.00
28/02/2017	J R & A Hersey	E144052 - Workshop consumables	1,895.99
28/02/2017	Joanne Kanny	Members Meeting Fees,Communication Allowance and Travelling	756.57
28/02/2017	Landgate	E031010 - Valuation Expenses	98.80
28/02/2017	Master Builders WA	E143050 - Staff Training	650.00
28/02/2017	Mid West Chambers of Commerce & Industry	Conference Expenses	660.00
28/02/2017	Neil Grinham	Meeting Fees,Communication , Travelling and Presidents Allowance	2,106.55
28/02/2017	Ocean & Earth Training Specialists	E143050 - Staff Training	2,233.20
28/02/2017	PaynesFind Road House & Tavern	E143060 - Travel & Accommodation	843.00
28/02/2017	Pirtek Geraldton	E144015 - Parts & Repairs - YA457 JCB backhoe	1,093.16
28/02/2017	Raul. Valenzuela	Meeting Fees,Communication and D/Presidents Allowance	1,198.92
28/02/2017	Ray Pratt	E144015 - Parts & Repairs - YA778 Foreman's vehicle	130.00
28/02/2017	Ray Winfield.	E116110 - Celebration	30.00
28/02/2017	Robert Grinham	Members Meeting Fees and Communication Allowance	1,037.16
28/02/2017	S & H Cranes P/L	E141005 - Private Works Expenses - crane Hire	371.25
28/02/2017	Social Innovations Pty Ltd	E145085 - Consultancy	7,040.00
28/02/2017	Sun City Plumbing	E091008 - Housing Expenses - R & M 6 Henty Street	407.83
28/02/2017	ThinkWater Geraldton	Reticulation repairs caravan park	4,902.80
28/02/2017	Veolia Environmental Services	Household and commercial refuse collection	4,005.94



28/02/2017	W & E Rowe Contractors	E122055 - Rural Road Maintenance	3,432.00
28/02/2017	WA Local Government Association	E145030 - Staff Training	567.00
28/02/2017	Westrac Equipment Pty Ltd	E144015 - Parts & Repairs - YA890 multi tyred roller and YA395 vib roller	3,456.01
28/02/2017	RSM Bird Cameron	E145080 - Audit Fees	9,523.25
28/02/2017	Shire of Yalgoo Municipal Fund	Payroll deduction to pay off debt	100.00
28/02/2017	WA Shire Councils Union	Payroll deduction union fee	123.00
28/02/2017	Child Support Agency	Payroll deduction to child support	547.82
28/02/2017	Shire of Yalgoo Municipal Fund	Payroll deduction to pay off debt	1,311.05
06/02/2017	Horizon Power	E091007 - Housing Expenses - electricity	31.28
06/02/2017	Horizon Power	E091007 - Housing Expenses - electricity 75 Weekes	359.96
06/02/2017	Horizon Power	E091007 - Housing Expenses - electricity 74 Weekes	212.88
06/02/2017	Horizon Power	E143064 - Depot Mtce (Works) Expenses - electricity	3,033.72
06/02/2017	Horizon Power	Electricity various buildings and facilities	2,263.22
09/02/2017	Commander Australia Limited	E145110 - Telephone-Internet	39.95
15/02/2017	Concept Media Pty Ltd	Advertising Caravan Park	440.00
15/02/2017	Horizon Power	E122011 - Lighting of Streets	732.54
15/02/2017	Telstra Corporation Ltd	E145110 - Telephone-Internet	183.71
14/02/2017	Colin Steven Caporn	L01241 - Rates Refund	135.37
14/02/2017	Colonial First State Super	Super contributions	149.32
14/02/2017	Jervois Mining	L01241 - Rates Refund	225.63
1/02/2017	NAB	Merchant Fees	123.79
1/02/2017	Credit Card	Payment	1,828.43
1/02/2017	Credit Card	Transfer to Credit Card	5,000.00
6/02/2017	Credit Card	Transfer to Credit Card	7,000.00
9/02/2017	Department of Transport	Licencing	890.15
14/02/2017	Department of Transport	Licencing	231.30
20/02/2017	Department of Transport	Licencing	58.40
20/02/2017	Department of Transport	Licencing	41.80
22/02/2017	Credit Card	Transfer to Credit Card	15,000.00
22/02/2017	Department of Transport	Licencing	322.35
23/02/2017	NAB	Bank Fees	68.24
28/02/2017	Department of Transport	Licencing	41.80

28/02/2017	Department of Transport	Licencing	451.60
28/02/2017	NAB	Bank Fees	43.60
			419,232.21

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Accounts for Payment February 2017**

**That Council approve the list of accounts paid for the period 1 February 2017 to 28 February 2017 amounting to \$419,232.21 and the list be recorded in the minutes.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

### 11.3.3 Financial Activity Statements and Accounts Paid for the Period ended the 28 February 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	23 March 2017
Attachments	<ul style="list-style-type: none"> <li>• Statement of Comprehensive Income ending the 28 February 2017;</li> <li>• Statement of current Financial Position;</li> <li>• Financial Activity Statement;</li> <li>• Summary of Current Assets and Current Liabilities as of 28 February 2017;</li> <li>• Detailed worksheets;</li> <li>• Other Supplementary Financial Reports:                             <ul style="list-style-type: none"> <li>○ Reserve Funds;</li> <li>○ Loan Funds;</li> <li>○ Trust Fund</li> </ul> </li> </ul>

#### 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.

#### 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*

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**

Dominic Carbone – Dominic Carbone & Associates

### **Comment**

The Shire prepares the monthly financial statements in the statutory format along with the other supplementary financial reports comprising of:

- Statement of Comprehensive Income;
- Statement of Financial Position;
- Reserve Funds;
- Loan Funds; and
- Trust Fund.

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**

#### **R34 (1) Financial Activity Statements for the Period ended the 28 February 2017.**

**That Council adopts the Financial Activity Statement for the period ended 28 February 2017.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

## 11.4 ADMINISTRATION

### 11.4.1 Report on the Recording of Council Meetings

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	23 March 2017
Attachments	P1 General Disposal Authority for Local Government Records

#### Matter for Consideration

That Council give consideration to adopting Policy 1.10 – Council Meeting Digital Recording of Proceedings.

#### Background

Council at its Ordinary Council Meeting held on 24 February 2017 adopted the following resolution:

*“That Council record all meetings to assist with Minute documentation. This is for Council reference only and not for public distribution”.*

#### Statutory Environment

##### **Local Government Act 1995**

##### **5.97. Freedom of Information Act 1992 not affected**

Nothing in this Division affects the operation of the *Freedom of Information Act 1992*.

##### **Freedom of Information Act 1992**

##### **Part 2 – Access to Documents**

##### **Division 1 – Right of Access and applications for access**

##### **10. Right of access to documents**

- (1) A person has a right to be given access to the documents of an agency (other than an exempt agency) subject to and in accordance with this Act.
- (2) Subject to this Act, a person’s right to be given access is not affected by —
  - (a) any reasons the person gives for wishing to obtain access; or
  - (b) the agency’s belief as to what are the person’s reasons for wishing to obtain access.

##### **27. Ways in which access can be given**

- (1) Access to a document may be given to the applicant in one or more of the following ways —
  - (a) by giving a reasonable opportunity to inspect the document; or
  - (b) by giving a copy of the document; or
  - (c) in the case of a document from which sounds or visual images can be reproduced, whether or not with the aid of some other article or device — by making arrangements for the sounds or visual images to be heard or viewed; or

- (d) in the case of a document from which words can be reproduced in the form of sound — by giving a written transcript of the words recorded in the document; or
  - (e) in the case of a document in which words are contained in the form of shorthand writing or in encoded form — by giving a written transcript of the words contained in the document; or
  - (f) in the case of a document from which words can be reproduced in the form of a written document — by giving a written document so reproduced; or
  - (g) in the case of electronically, mechanically or magnetically stored information — by giving a written expression of the information in the form in which it is commonly available in the agency, or if there is no such common form, then in a form no less comprehensible than could be made available to the persons in the agency.
- (2) If the applicant has requested that access to a document be given in a particular way the agency has to comply with the request unless giving access in that way —
- (a) would interfere unreasonably with the agency’s other operations; or
  - (b) would damage or harm the document or would be inappropriate because of the physical nature of the document; or
  - (c) would involve an infringement of copyright belonging to a person other than the State, in which case access may be given in some other way.
- (3) If the applicant has requested that access to a document be given in a particular way and access is given in some other way, the applicant is not required to pay a charge in respect of the giving of access that is greater than the charge that the applicant would have been required to pay if access had been given in the way that was requested.
- (4) This section does not prevent the agency from giving access to a document in any way agreed on between the agency and the applicant.

**State Records Act 2000**

***Section 3 - Terms used***

***record*** means any record of information however recorded and includes —

- (a) anything on which there is writing or Braille; and
- (b) a map, plan, diagram or graph; and
- (c) a drawing, pictorial or graphic work, or photograph; and
- (d) anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them; and
- (e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- (f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically;

**Financial Implications**

Nil





**11.4.2 Report on Bi-Monthly Community Development Officer Program**

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	10 March 2017
Attachments	NIL

**Matter for Consideration**

That Council receive the Bi-Monthly Community Development Program Report.

**Background**

At the Ordinary Council Meeting held on 27<sup>th</sup> January 2017 the following Motion was resolved:

That the Chief Executive Officer have the Community Development Officer prepare bi-monthly reports to Council on what activities have been held in town, the outcomes and what future events are proposed.- C2017-0115

**Statutory Environment**

Nil

**Financial Implications**

Nil

**Consultation**

Nil

**Comment**

The table below outlines current Events and Programs, Program outcomes and additional information.

Events and Program	Program and Outcome	Notes
January School holiday program 2.5 weeks, From the 9 <sup>th</sup> to the 24 <sup>th</sup> January 2017	8 <sup>th</sup> to 12 <sup>th</sup> Anti Bullying program Monday to Thursday 8 am to 12 16 <sup>th</sup> Book bus excursion to Mullewa pools picnic lunch Box fit classes and movies for afternoon activities 17 <sup>th</sup> First Aid class all day covering snake bites, and basic children’s first Aid. Arts & crafts afternoon program finish at 4 30 pm 18 <sup>th</sup> to the 20 <sup>th</sup> Cooking and baking program am Afternoon movies for all ages /pools up for children 21 <sup>st</sup> to 22 <sup>nd</sup> January Fair Game sports and recreation	14 to 18 participants 6 adult volunteers 2 Facilitators 2 program developers and facilitators 3 Fair game staff 16 children
Tidy Towns for this year 2017 Enter in most categories	Open for registration 6 categories	Community town ship and Station owners and the

		wider community
Lottery West funding application To refurbish the Community Hall Arts and Crafts Centre New Day Care centre	Funding application put in to refurbish all 3 buildings. Process prior to application Talk to community members for feedback re: what is needed for all buildings Find Quotes to refurbish all three buildings Liaise and report to CEO Silvio re progress Liaise with Karen Cosgrove re assistance and guidance Approval given January 2017 for whole amount of funding Contact Harvey Norman Geraldton purchase couch ,TV and stereo for the community hall	MEEDAC Artist and workers  Women’s group school Principle and teachers/teachers aid Community members  Children re the rules around usage of
National Indigenous Mental Health forum 13 <sup>th</sup> January to 15 January 2017	13 speakers on the day 1 16 speakers on the day 2 Work shops on day 3	Report to follow
Doray Minerals training project HR recruitment officer	Liaise with Centacare and Community Development Officer to recruit new applicants from Yalgoo whom are willing to go work in the mines	1successful applicant Margarete Ann Hodder
Lottery West Funding Furnishing the Community Hall Arts & Craft building New Day Care play centre	Application put in last year Go find quotes for furnishing 3 big project buildings Liaise at all times with CEO and community members and lottery west staff on regular basis Liaise with Harvey Norman staff on a regular basis re: progress /regress to continue with quotes /or not. 6 months of emails, quotes etc. Funding approved to furnish all 3 buildings	Informing all artist Community members Stakeholders Parent and children Elderly community members
EMR Golden Groove Bayalgu Indigenous Pre Employment program	Received email from Clint Henderson Went out to community to hand out applications and talk about the program .Service providers to assist their clients with applications. Email Clint to come out to facilitate a work shop	Given out 10 applications 03 /03/2017 On gong project
Events Projects & Programs Coming up in next 3 months	Outcomes	Data
Women’s Time Out Forming and Storming Fortnightly gatherings Saturday 4 <sup>th</sup> February 2017	9am to 1pm each fortnight Judi as the Sewing Facilitator Linaire organising hall set up, and meetings with ladies Second hand clothing for sale ,raising money to feed children lunches (more talk on that ) Ladies to bring a plate along share morning tea or bake in kitchen Rules set in place, every one to have input White board needed for rules Flyers out into community re information A facilitator invited to share ideas and programs Amanda Edwards from Edith Station came today to discuss her idea of harvesting seeds to sell to restaurants in Perth and other restaurants in other towns.	11 participants 2 Facilitators Ongoing

	<p>Whom would be interested in starting their own business .It cost \$60.00                  She needs help sorting and milling seeds how many women from Yalgoo would like to be involved.</p>	
Banners in the Terrace 2017	<p>Thursday 23 March 2017                  Liaise with members of community members                  For every one to have a chance n submitting a photo for the Banner.                  Liaise with the Stake holders, Station owners and paster owners.                  CDO.CEO Shire president to pick out best photo                  Submit the best photo for Digital category 2017</p>	<p>Started on the 07/03/2017                  ongoing</p>
GRAMS Family Fun Day 25 March Nukara Farm 115 Nanson	<p>Centacare arrange booking the bus                  C.D.O.&amp; community organise volunteers                  Posters to put out                  22 seater, Numbers for attendance \$5.00 per person                  Behaviour based program, school attendance for primary and high school students .This is all based on your behaviour in school and in your community.                  Family day out for all ,social interaction and to represent Yalgoo community</p>	<p>On going</p>
ANZAC Day 26 April	<p>Dawn ceremony 6am                  Flag raising 6 30am                  Welcome to country                  Trumpet CD put on play                  BBQ sausages and bread</p>	<p>Ongoing</p>
Winja Wajarri Barna ltd project Shannon from Geraldton delivered 5 programs for the Shire CDO to deliver to individuals and families whom are interested in applying for Youth & Educational Senior Welfare program Medical Hardship Cultural program	<p>I gave out 6 senior applications and have had all participants fill out their applications                  I gave out 1 application for hard ship</p> <p>2 cultural applications                  People whom have received assistance                  Phyllis Simpson = Fridge freezer and art resources                  Charmaine Hodder = Arts &amp; craft resources                  Margarete Hodder = Fridge /freezer                  Gladdie Hodder = Fridge /Freezer still waiting                  Maureen Hodder =Fridge /freezer still waiting                  Val Clinch = Fridge /freezer still waiting</p>	<p>6 Elderly women                  Male x 1</p> <p>Cultural applications x 2</p> <p>Ongoing</p>
Bulldust insert April 6 <sup>th</sup>	<p>Present all programs ,projects and new up coming activities along with photos</p>	<p>Ongoing</p>
Beyond Gardens team May 23 <sup>rd</sup> Gary Heady would like to present a work shop with the support of the Shire to be joint	<p>Present a free gardening workshop on Monday 23 May                  Use the community hall for the work shop</p>	<p>Sent to CEO</p>



**11.4.4 Report on Matters Outstanding as at 24 March 2017**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	23 March 2017
Attachments	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
16 Dec 16	Closure of Noongal Homestead Access Road	1. Initiates the closure of Noongal Road in accordance with Section 58 of the Land Administration Act 1997. 2. Advertise for the proposed road closure for 35 days and seek comments from providers of public utility services and the public. 3. Following the public advertising period, considers the proposal in light of any objections or if no objections are received the matter be referred to the Minister for Lands for implementation. 4. Inform the owners of Noongal Station that all costs associated with the closure and amalgamation including advertising will be at their own expense.	Letter has been sent to Owners of Noongal Station advising of Council resolution. Awaiting response from owner before proceeding further.
22 Jan 16	2014-2015 Budget-Imposition of Rates and Minimum Proposal Requiring Ministerial Approval	That Council: 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	Letter sent to DLGC asking Ministerial approval for rates in the dollar that exceed 2:1.

		UV-Exploration and Prospecting 18:99 cents 2/. The Department of Local Government and Communities be advised of (1) above.	
18 Aug 16	Establishment of an Emergency Services Training Centre in Yalgoo.	That Council engage the services of a suitable consultant to undertake a review of the Business Case for the construction of a Volunteer Emergency Services Training and Operations Centre/VESTOC in Yalgoo	Consultant yet to be engaged. To be followed up.
27 Oct 16	Employees Collective Enterprise Agreement	Council resolved to authorise CEO to obtain necessary approvals.	The EBA is being reviewed by WALGA to reflect State legislation. The 14 days for the Unions to respond has expired.
16 Dec 16	Settlement of Insurance Claim – Council Property Lot 17 Shamrock Street, Yalgoo	<ol style="list-style-type: none"> <li>1. Accept the offer of \$96,350 net GST and policy excess made by LGIS;</li> <li>2. CEO to sign the “form of release”;</li> <li>3. CEO to obtain quotations in accordance with Policy 7.2 (4) for the demolition of the dwelling located on Lot 17 Shamrock Street, Yalgoo. Appoint a suitable contractor.</li> </ol> CEO to prepare funding applications for the construction of two additional staff houses (units) on the site.	Offer has been accepted. Form of Release authorised. Quotations obtained. Yet to appoint contractor. Consultant has been engaged to begin preparation of funding applications. Waiting on a response from Horizon about disconnecting power.
16 Dec 16 & 26 Feb 17	Closure of Thoroughfare Adjacent to Lots 27, 25, 23 and 19 Gibbons Street , Yalgoo	Proceed with the proposal for the closure of the lane-way located at the rear of Lots 27, 25, 23, 21 and 19 Gibbons Street; Yalgoo. Chief Executive Officer initiates the process as outlined in the report.	Process has been initiated.
16 Dec 16	Sewerage system for the Shire staff housing Units	CEO to enquire into the status of the sewerage for the Shire staff housing units.	Connection of Sewerage system to leach drains to be completed week of 27 <sup>th</sup> February 2017
16 Dec 16	Appointment of Auditors for 2016-17 Financial Year	Council resolved to approve Request for Quotation and that the CEO obtain quotations from at least three suitable suppliers.	Matter subject to a Report for Audit Committee on 24 March 2017 & on this Agenda.
27 Jan 17	Extraordinary Election	Council resolved to not seek approval from the Electoral Commissioner to allow the extraordinary vacancy to remain unfilled in accordance with Section 4.17(3) and (4A) of the Local Government Act 1995	Received response from the Electoral Commissioner 23 March 2017 setting 10 June 2017 as the date for the

			Extraordinary Election.
24 Feb 17	Wild Dog Bounty Scheme	That the following amendment be made to clause 2 (b) – “Shire of Yalgoo staff and immediate staff”, to read, “Shire of Yalgoo designated staff and immediate family”.	Amendment has been made.
24 Feb 17	Purchase of Lots 134 & 135 Piesse Street, Yalgoo	That Council give consideration to the purchase of Lots 134 & 135 Piesse Street, Yalgoo, and to make an offer not exceeding \$2,000.00 each, to the owner of Matzin Capital Pty Ltd	Council offer accepted. Authorisation of expenditure incorporated in 2016-2017 Budget Review.
24 Feb 17	Recording of Council Meeting Minutes	That Council record all meetings to assist with Minute documentation. This is for Council reference only and not for public distribution.	Matter is subject to a Report in this Agenda

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Report on Matters Outstanding as at 24 March 2017**

That Council receives Report N<sup>o</sup> 11.4.5 Report on Matters Outstanding as at 24 March 2017.

**Moved:**

**Seconded:**

**Motion put and carried /lost**

## 12. NOTICE OF MOTIONS

### 12.1 PREVIOUS NOTICE RECEIVED

The CEO Silvio Brenzi received a Motion to present to Council from Cr R Grinham as follows:

That the CEO undertake a review of the Shire of Yalgoo policies over the next three months.

It would be appreciated if this motion be listed in the Ordinary Council Meeting Agenda on the 31 March 2017.

## 13. URGENT BUSINESS

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

### STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

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

The following legislative extracts were downloaded from [www.auslii.edu.au](http://www.auslii.edu.au) on 8 November 2010.

#### Local Government Act 1995

##### 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 28 April 2017 commencing at 11.00 am.

**16. MEETING CLOSURE**

