



AGENDA  
FOR THE ORDINARY MEETING  
OF COUNCIL  
TO BE HELD IN  
THE COMMUNITY CENTRE, PAYNES FIND  
ON 22 SEPTEMBER 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 CHAMBER ON 27 OCTOBER 2017 COMMENCING AT 11.00 AM.

**Silvio Brenzi**

Chief Executive Officer

Dominic Carbone

Acting Chief Executive Officer



## CONTENTS

<b>1.</b>	<b>DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....</b>	<b>2</b>
<b>2.</b>	<b>RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE .....</b>	<b>2</b>
<b>3.</b>	<b>DISCLOSURE OF INTERESTS.....</b>	<b>2</b>
<b>4.</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>3</b>
<b>4.1</b>	<b>RESPONSE TO QUESTIONS TAKEN ON NOTICE.....</b>	<b>3</b>
<b>4.2</b>	<b>QUESTIONS WITHOUT NOTICE .....</b>	<b>3</b>
<b>5.</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>3</b>
<b>6.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>7.</b>	<b>ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED.....</b>	<b>3</b>
<b>7.0</b>	<b>MEETINGS ATTENDED BY ELECTED MEMBERS.....</b>	<b>3</b>
<b>8.</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>4</b>
<b>8.1</b>	<b>ORDINARY COUNCIL MEETING .....</b>	<b>4</b>
<b>9.</b>	<b>REPORTS OF COMMITTEE MEETINGS .....</b>	<b>4</b>
<b>10.</b>	<b>PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters .....</b>	<b>4</b>
<b>10.0</b>	<b>INFORMATION ITEMS .....</b>	<b>4</b>
<b>11.</b>	<b>MATTERS FOR DECISION .....</b>	<b>4</b>
<b>11.0</b>	<b>MATTERS BROUGHT FORWARD .....</b>	<b>4</b>
<b>11.1</b>	<b>TECHNICAL SERVICES .....</b>	<b>5</b>
<b>11.2</b>	<b>DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH .....</b>	<b>9</b>
<b>11.3</b>	<b>FINANCE.....</b>	<b>9</b>
<b>11.3.2</b>	<b>Investments as at 31 August 2017 .....</b>	<b>15</b>
<b>11.4</b>	<b>ADMINISTRATION.....</b>	<b>20</b>
<b>11.4.2</b>	<b>Pay Rates for Election Officers .....</b>	<b>22</b>
<b>12.</b>	<b>NOTICE OF MOTIONS .....</b>	<b>25</b>
<b>13.</b>	<b>URGENT BUSINESS .....</b>	<b>25</b>
<b>14.</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....</b>	<b>25</b>
<b>15.</b>	<b>NEXT MEETING .....</b>	<b>27</b>
<b>16.</b>	<b>MEETING CLOSURE.....</b>	<b>27</b>



Agenda for the Ordinary Meeting of the Yalgoo Shire Council,  
to be held in the Community Centre, Paynes Find  
on 22 September 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 25 August 2017 be confirmed.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

## **9. REPORTS OF COMMITTEE MEETINGS**

Nil

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

### **10.0 INFORMATION ITEMS**

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

## **11. MATTERS FOR DECISION**

### **11.0 MATTERS BROUGHT FORWARD**

## 11.1 TECHNICAL SERVICES

### 11.1.1 Progress Report on the Capital Works Program 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments	Nil

#### **Matter for Consideration**

To receive the Progress Report on the 2017-2018 Capital Works Program.

#### **Background**

The Shire in adopting its 2017-2018 Annual Budget has allocated funds amounting to \$3,137,461 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 2017-2018 financial year are detailed be:

**CAPITAL WORKS PROGRAMME 2017-18**

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

	2017/18 ANNUAL BUDGET	2017/18 JULY ACTUAL YTD	VARIANCE FAV (UNFAV)	COMMENTS
	\$	\$	\$	
<b><u>By Program</u></b>				The CEO to provide a verbal update on the status of the capital projects as at 31 July 2017
<b>Governance</b>				
000000-Refurbish Morning Tea /Public Meeting Room	5,000	0	5,000	Project not commenced
000000- Computus Shelving for Record Management	4,000	0	4,000	Project not commenced
000000-Admin Mobile Phones,laptop,Computers,Office Equip.	5,000	0	5,000	Project not commenced
000000-Council Chamber -Table	4,000	0	4,000	Project not commenced
000000- Admin Centre - Garden Reticulation	7,000	0	7,000	Project not commenced
000000- Admin Centre -Records Fit Coolroom Panels to Sea Container	16,800	0	16,800	Project not commenced
000000- Motor Vehicle CEO	86,030	0	86,030	Project not commenced
000000- Motor Vehicle CGTS	66,485	0	66,485	Project not commenced
<b>Law Order Public Safety</b>				
000000-CCTV Yalgoo Townsite	60,248	0	60,248	Project not commenced
<b>Housing</b>				
000000-Staff Housing - Security	65,000	0	65,000	Project not commenced
000000-Two Units 17 Shemrock Street	300,000	0	300,000	Project not commenced
<b>Recreation and Culture</b>				
000000 - Furn. & Equip - Art Centre	15,430	14,984	446	CEO to provide comment at the meeting
000000 - Furn. & Equip - Day Care Centre	15,596	12,007	3,589	CEO to provide comment at the meeting
000000 - Arts and Crafts Building	40,488	49,182	(8,694)	CEO to provide comment at the meeting
000000-Power Supply Mens Shed and Rifle Club	19,000	0	19,000	Project not commenced
000000-Payne Find Complex - External Painting	8,000	0	8,000	Project not commenced
000000-Payne Find Complex - Internal Painting	4,000	0	4,000	Project not commenced
000000 -Community and Youth Centre CLGF 2012-13 Unspent	44,222	0	44,222	Project not commenced
000000 - Community Hall - Air Conditioner	10,500	0	10,500	Project not commenced
000000-Ride on Mower	25,000	0	25,000	Project not commenced
000000- Community/School Oval Shared Use Development	937,000	0	937,000	Project not commenced
<b>Transport</b>				
000000- Machinery Shed Depot	135,000	0	135,000	Project not commenced
000000-Flood Control -Fuel	27,300	0	27,300	Project not commenced
000000- Depot -Electric Boundary Fence and Gate	25,000	0	25,000	Project not commenced
000000- Catapillar Wheel Loader 950M	314,350	0	314,350	Project not commenced
000000- Paynes Find Airstrip Fence	45,000	0	45,000	Project not commenced
000000-Solar Lights Paynes Find	12,000	0	12,000	Project not commenced
000000-Paynes Find Beautification	18,658	0	18,658	Project not commenced
ROADS TO RECOVERY GRANTS				
000000- Yalgoo/Morawa Road - Widen to 7m	530,119	0	530,119	Project not commenced
RRG SPECIAL GRANT RD WORKS				
000000- Yalgoo/Ninghan Road - Seal to width 4m SLK48.8 to SLK 36.6	293,500	0	293,500	Project not commenced



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

	2017/18 ANNUAL BUDGET	2017/18 JULY ACTUAL YTD	VARIANCE FAV (UNFAV)	COMMENTS
	\$	\$	\$	
<b>By Program</b>				
<b>Transport</b>				
MUNICIPAL FUND				
000000- North Road - Crossing	10,000	0	10,000	Project not commenced
<b>Economic Services</b>				
000000-Caravan Park - Sealing of Parking Bays and Driveways	22,000	0	22,000	Project not commenced
000000 - Storage and POS Facility - Caravan Park	18,800	0	18,800	Project not commenced
000000- Shelter and Seating Jokker Tunnel	4,054	0	4,054	Project not commenced
000000- Shelter and Visitors Board at Railway Station	4,054	0	4,054	Project not commenced
<b>Other Property and Services</b>				
000000-Mens Shed Upgrade	15,000	0	15,000	Project not commenced
	<b>3,213,634</b>	<b>76,173</b>	<b>3,137,461</b>	

The CEO to provide a verbal update on the status of the capital projects as at 31 July 2017

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Progress Report on the Capital Works Program 2017 - 2018**

**That Council receive the Progress Report on the Capital Works Program 2017 – 2018 as at July 2017.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

## 11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

Nil

## 11.3 FINANCE

### 11.3.1 Accounts for Payment August 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments	Nil

#### Matter for Consideration

Council approve the Accounts for Payment list for the period 1 August 2017 to 31 August 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 August 2017 to 31 August 2017 are as follows:

<b>_ID</b>	<b>Cheque Date</b>	<b>Creditor's Name</b>	<b>Invoice Details</b>	<b>Total Amount \$</b>
Bill Pmt -Cheque	8/2/2017	BOQ Asset Finance & Leasing Pty Ltd	copier leasing	329.50
Bill Pmt -Cheque	8/2/2017	Courier Australia	FREIGHT CHARGES	56.99
Bill Pmt -Cheque	8/2/2017	Dominic Carbone & Associates	consultancy service	5830.00
Bill Pmt -Cheque	8/2/2017	Five Star Business Equipment & Comms	copier reading -maintenance	659.71
Bill Pmt -Cheque	8/2/2017	Trenfield, Gail	Members Meeting Fee and Communications Allowance	881.67
Bill Pmt -Cheque	8/2/2017	Geraldton Toyota	YA778 40,000 km service	1,099.66
Bill Pmt -Cheque	8/2/2017	Geraldton Trophy Centre	engraving brass plate - Cr Gregory Payne	130.35
Bill Pmt -Cheque	8/2/2017	Kanny, Joanne	Members Meeting Fee,Communications Allowance & Travel	992.57
Bill Pmt -Cheque	8/2/2017	K9 Electrical	security alarm monitoring	162.23
Bill Pmt -Cheque	8/2/2017	LGIS.	Various Insurance	15,411.00
Bill Pmt -Cheque	8/2/2017	LGISWA	Various Insurance	32,991.25
Bill Pmt -Cheque	8/2/2017	Local Health Authorities Analytical	2017/2018 Analytical Services	388.85
Bill Pmt -Cheque	8/2/2017	Midwest Chemical & Paper	CLEANING SUPPLIES for Caravan Park	734.69
Bill Pmt -Cheque	8/2/2017	Grinham, Neil	Members Meeting Fee,Communications,Travel and President Allowance	2,637.31
Bill Pmt -Cheque	8/2/2017	Raul. Valenzuela	Members Meeting Fee and Communications Allowance	1,067.92
Bill Pmt -Cheque	8/2/2017	Pratt, Ray	YA778 - Fuel Filter	36.90
Bill Pmt -Cheque	8/2/2017	Grinham, Robert	Members Meeting Fee,Communications Allowance & Travel	863.49
Bill Pmt -Cheque	8/2/2017	Social Innovations Pty Ltd	Funding Application	1210.00
Bill Pmt -Cheque	8/2/2017	Staples Australia Pty Limited	financial year planner 2017/18	28.35
Bill Pmt -Cheque	8/2/2017	Telstra Corporation Ltd	Telephone-Internet	386.38
Bill Pmt -Cheque	8/2/2017	Veolia Environmental Services	service collection fee	4,005.94
Bill Pmt -Cheque	8/2/2017	W & E Rowe Contractors	stockpiling - Burnerbinmah pit and Nalbara Pit	11440.00
Bill Pmt -Cheque	8/2/2017	Westside Painting Service	patch/prepare and paint unit - 18d Shamrock	4510.00
Bill Pmt -Cheque	8/2/2017	Yalgoo Hotel Motel	Accommodation & Meals - Bill Atyeo and Food Supply for Meeting 21 June 2017	546.00
Bill Pmt -Cheque	8/2/2017	PAYNE, GREGORY ARTHUR	Members Meeting Fee,Communications and Travel	902.27

<b>_ID</b>	<b>Cheque Date</b>	<b>Creditor's Name</b>	<b>Invoice Details</b>	<b>Total Amount \$</b>
Bill Pmt -Cheque	8/2/2017	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	2017/18 membership - Steven 2017/18 membership - Silvio	702.00
Bill Pmt -Cheque	8/2/2017	TYREPOWER GERALDTON	YA800 wheel alignment and tyres	1351.00
Bill Pmt -Cheque	8/2/2017	SCOTT PRINTING	A4 PERFORATED PAPER	299.20
Bill Pmt -Cheque	8/2/2017	CARROLL & RICHARDSON	2 SHIRE OF YALGOO FLAGS	770.00
Bill Pmt -Cheque	8/2/2017	CARAVAN INDUSTRY ASSOCIATION WA (INC)	General Membership: 1 July 2017 - 30 June 2018	1100.00
Bill Pmt -Cheque	8/2/2017	Atyeo's Environmental Health Services PL	EHO and Building Control Consultancy	4296.80
Bill Pmt -Cheque	8/11/2017	BOC Limited	OXYGEN INDUST G SIZE DISSOLVED ACETYLENE D SIZE DI	105.73
Bill Pmt -Cheque	8/11/2017	Bunnings Building Supplies Pty Ltd	Caravan Park: GAS BOTTLE EXCHANGE	23.90
Bill Pmt -Cheque	8/11/2017	Canine Control	Animal Ranger Expenses	949.03
Bill Pmt -Cheque	8/11/2017	Civic Legal	Legal Expenses	25,465.50
Bill Pmt -Cheque	8/11/2017	Communication Systems Geraldton	Admin: REPAIR BROKEN DATA CABLE	1,458.05
Bill Pmt -Cheque	8/11/2017	CONCEPT MEDIA PTY LTD	TOURISM ADVERTISING	440.00
Bill Pmt -Cheque	8/11/2017	Courier Australia	FREIGHT CHARGES	21.40
Bill Pmt -Cheque	8/11/2017	Rocke, David	PURCHASE OF INK CARTRIDGES & COPIER PAPER	312.00
Bill Pmt -Cheque	8/11/2017	REFUEL AUSTRALIA	JULY FUEL CHARGES 2017	18,927.26
Bill Pmt -Cheque	8/11/2017	Hallinan Refrigeration & Airconditioning	Caravan Park: Defrost Timer	45.00
Bill Pmt -Cheque	8/11/2017	J R & A Hersey	WORKSHOP CONSUMABLES	434.83
Bill Pmt -Cheque	8/11/2017	LGIS.	VEHICLE INSURANCE	71,235.40
Bill Pmt -Cheque	8/11/2017	LGISWA	PROPERTY INSURANCE	28,071.23
Bill Pmt -Cheque	8/11/2017	Grinham, Neil	Travel Allowance	1,544.56
Bill Pmt -Cheque	8/11/2017	Parker Aluminium Windows	REPAIR BROKEN WINDOW TO: CHAPEL, MUSEUM, CARAVAN PARK	3309.90
Bill Pmt -Cheque	8/11/2017	Proudlove's Smash Repairs	VEHICLE EXCESS - YA0	300.00
Bill Pmt -Cheque	8/11/2017	State Library of Western Australia	BETTER BEGINNINGS PROGRAM-2017/2018/ LOST & DAMAGED BOOKS-2017/2018	242.00
Bill Pmt -Cheque	8/11/2017	Sun City Plumbing	ANNUAL BACK FLOW VALVE TEST	190.00
Bill Pmt -Cheque	8/11/2017	Sun City Print	BUSINESS CARDS FOR SILVIO,RAUL,GREG,NEIL	296.00

<b>_ID</b>	<b>Cheque Date</b>	<b>Creditor's Name</b>	<b>Invoice Details</b>	<b>Total Amount \$</b>
Bill Pmt -Cheque	8/11/2017	Telstra Corporation Ltd	Telephone-Internet	9,462.55
Bill Pmt -Cheque	8/11/2017	The West Australian	TOURISM ADVERTISING	834.00
Bill Pmt -Cheque	8/11/2017	Totally Workwear Geraldton	WORK CLOTHES - FIONA	242.21
Bill Pmt -Cheque	8/11/2017	WA Local Government Association	CULTURAL PLANNING & LOCAL GOV WORKSHOP - JOANNE KANNY	150.00
Bill Pmt -Cheque	8/11/2017	WestCoast SeaFood	MORNING TEA FOR COUNCIL MEETINGS	162.00
Bill Pmt -Cheque	8/11/2017	PENNANT HOUSE	ARTWORK	576.40
Bill Pmt -Cheque	8/11/2017	Westrac Equipment Pty Ltd	YA457 PARTS	1,193.64
Bill Pmt -Cheque	8/11/2017	WURTH	WORKSHOP CONSUMABLES	466.18
Bill Pmt -Cheque	8/11/2017	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	LG PROFESSIONALS WOMEN FORUM REGISTRATION	995.00
Bill Pmt -Cheque	8/11/2017	ABROLHOS STEEL	FENCING MATERIAL	1,570.17
Bill Pmt -Cheque	8/11/2017	TOLL	FREIGHT CHARGES	103.59
Bill Pmt -Cheque	8/11/2017	WALDORF APARTMENT HOTEL AUSTRALIA	Local Government Week: Accommodation for Joanne Kanny	2784.00
Bill Pmt -Cheque	8/11/2017	CONSTRUCTION TRAINING FUND	BCITF LEVY	105.75
Bill Pmt -Cheque	8/11/2017	LOTTERYWEST	refund of unspent grant - 421009263	3,427.82
Bill Pmt -Cheque	8/11/2017	MURRAY RIVER NORTH PTY LTD	PROGRESS CLAIM #5	37,055.65
Bill Pmt -Cheque	8/11/2017	PINPOINT CLEANING SOLUTIONS	MONTHLY CLEAN ON SHIRE BUILDINGS JULY	2145.00
Bill Pmt -Cheque	8/11/2017	DEPARTMENT OF MINES, INDUSTRY REGULATIONS & SAFETY	BUILDING PERMIT FEE DEMOLITION PERMIT FEE	129.74
			<b>TOTAL</b>	<b>265,349.52</b>

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Accounts for Payment August 2017**

**That Council approve the list of accounts paid for the period 1 August 2017 to 31 August 2017 amounting to \$265,349.52 and the list be recorded in the Minutes.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**



### 11.3.2 Investments as at 31 August 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments	Nil

#### Matter for Consideration

That Council receive the Investment Report as at 31 August 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 31 August 2017:

SHIRE OF YALGOO INVESTMENTS AS AT 31 AUGUST 2017								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N <sup>o</sup>	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$1,850,187.71
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$40,970.99
NAB	N/A	Term Deposit	89-977-1574	1 month 14 days	13.08.2017	27.09.2017	1.50%	\$61,503.91
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,647.49
<b>TOTAL</b>								<b>\$2,004,310.10</b>
<b>RESERVE FUNDS</b>								
NAB	N/A	Term Deposit	97-511-445	3 months 20 days	30.06.2017	28.09.2017	2.42%	\$158,650.69
NAB	N/A	Term Deposit	89-972-5236	90 days	30.06.2017	28.09.2017	2.40%	\$440,410.14
NAB	N/A	Term Deposit	11-186-3992	3 months 20 days	30.06.2017	28.09.2017	2.42%	\$1,050,564.24
<b>TOTAL</b>								<b>\$1,649,625.07</b>
<b>TRUST</b>								
NAB	N/A	Trust a/c	50-832-4559	Ongoing	N/A	N/A	Variable	\$21,738.51
<b>TOTAL</b>								<b>\$21,738.51</b>

INVESTMENT REGISTER						
01 JULY 2017 TO 31 AUGUST 2017						
NATIONAL AUSTRALIA BANK						
ACCOUNT N <sup>o</sup>	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.08.2017	INVESTMENT TRANSFERS	CLOSING BALANCE 31.08.2017
86-538-7363	Ongoing	Variable	\$40,929.28	\$41.71	0	\$40,970.99
89-977-1574	13.08.2017	1.50%	\$61,392.89	\$111.02	0	\$61,503.91
24-831-4222	Ongoing	Variable	\$51,594.90	\$52.59	0	\$51,647.49
97-511-4454	20.10.2017	2.10%	\$158,650.69	0	0	\$158,650.69
89-972-5236	28.09.2017	2.40%	\$440,410.14	0	0	\$440,410.14
11-186-3992	28.09.2017	2.42%	\$1,050,564.24	0	0	\$1,050,564.24

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Investments as at 31 August 2017**

**That the Investment Report as at 31 August 2017 be received.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

### 11.3.3 Financial Activity Statement for the Period ended the 31 July 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments (Green Cover) Pages 1 - 61	<ul style="list-style-type: none"> <li>• Statement of Comprehensive Income ending the 31 July 2017;</li> <li>• Financial Activity Statement; ending 31 July 2017</li> <li>• Summary of Current Assets and Current Liabilities as of 31 July 2017;</li> <li>• Statement of Current Financial Position as at 31 July 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>

#### TO BE PROVIDED TO MEMBERS PRIOR TO 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.

#### 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**

2.4 Material Variance

## **Financial Implications**

The Financial Activity Statements reflect the financial situation of the Shire as at year to date.

## **Consultation**

Nil

## **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 column.

## **Voting Requirements**

Simple Majority

## **OFFICER RECOMMENDATION**

**C2017–0509    R34 (1) Financial Activity Statement for the Period ended the 31 July 2017.**

**That Council adopts the Financial Activity Statement for the period ended 31 July 2017.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

## 11.4 ADMINISTRATION

### 11.4.1 Report on Matters Outstanding as at 14 September 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 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
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. 2017/18 Budget request for funds for preliminary designs.
27 Oct 16	Employees Collective Enterprise Agreement	Council resolved to authorise CEO to obtain necessary approvals.	The EBA has been reviewed by WALGA to reflect State legislation. The final document has been received, distributed to staff, and voted on. An application will now be made to the Industrial Relations Commission for registration of the EBA.
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.	Advice from URBIS received. Letters sent out to all Landowners on 12 <sup>th</sup> April 2017 advising of status (scope of works and fees - URBIS). Waiting on response from all Landowners. Responses

			received did not support closure. Report for Council consideration in September 2017 on this agenda.
31 Mar 17	Under-taking a Review of the Shire of Yalgoo Policies	That the CEO under-take a review of the Shire Policies over the next three months	In Progress. WALGA offering support.
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	In progress
25 Aug 2017	Lot 9 & 10 Henty Street	CEO to complete transactions in relation to lot 9 and 10 Henty Street as per the advice provided by C S Legal	Matter subject to a report on this Agenda
25 Aug 2017	Letter to Prime Minister	CEO to write a letter as per the request received from the Shire of Plantagenet	CEO to provide an update at the meeting.
25 Aug 2017	Development of Detailed Plans for Oval and Rifle Range Project	Council authorised the CEO to develop detailed plans in relation to option 1.	CEO to provide an update at the meeting.
25 Aug 2017	Termination of Centracare Playgroup Programme	Council to continue to provide the service for a period up to 6 months and a further report to be presented to Council in relation to the ongoing delivery of the Playgroup Programme and its funding.	Report to Council on or before February 2018.
25 Aug 2017	Arts and Cultural Committee Meeting	Meeting scheduled for 26 September 2017 at 1.00 pm for the purpose of reviewing community applications and set future meeting date.	Meeting date set.
25 Aug 2017	Draft Consultation Plan for Telstra Site 6612005	Council authorised the CEO to prepare a draft Consultation Plan for Telstra Site No. 6612005	CEO to provide an update at the meeting.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Report on Matters Outstanding as at 14 September 2017**

**That Council receives Report N<sup>o</sup> 11.4.1 Report on Matters Outstanding as at 14 September 2017.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

**11.4.2 Pay Rates for Election Officers**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments	Nil

**Matter for Consideration**

For Council to adopt the pay rates for the Returning Officer, Presiding Officers and Poll Clerk for the Local Government Election which will be held on Saturday 21<sup>st</sup> October 2017.

**Background**

The payments will be paid as a separate item, outside the normal pay.

**Statutory Environment**

Local Government Act 1995

4.4 Ordinary elections

- (1) When the term of office of an elector mayor or president or a councillor is going to end under the Table to section 2.28 an election to fill the office is to be held;
- (2) An election under this section is called an ordinary election;
- (3) This section does not apply to the office of mayor or president if, under section 2.11, the next mayor or president is to be elected by the council.

**Consultation**

Nil

**Comment**

The Shire is conducting an in-person election on Saturday 21 October 2017.

Council is requested to approve the pay rates for officers engaged for the elections being the Returning Officer, two Presiding Officers and the Polling Clerk.

The calculated method advised, as detailed by the Local Government Officers Award, states as follows:

18.1 Persons engaged by a respondent on duties associated with the conducting of a ballot of ratepayers shall be subject to the provisions of this clause in lieu of all other provisions contained in this award.

18.2 The salary applicable to each classification shall be in accordance with clause 13.5.

18.2.1 Polling Clerk

Level 3

$$\$43,568/1976 = \$22.048 \times 1.50\% \text{ (Penalty Loading)} = \$33.07/\text{hr}$$

18.2.2 Presiding Officer

Level 4

$$\$46,639/1976 = \$23.603 \times 1.50\% \text{ (Penalty Loading)} = \$35.40/\text{hr}$$



#### 18.2.4 Returning Officer

(1) Where there are less than 10,000 electors on the electoral roll appropriate to the ballot.

Level 7

$\$56,554/1976 = \$28.62 \times 1.50\% \text{ (Penalty Loading)} = \$42.93/\text{hr}$

#### **Voting Requirements**

Simple majority

#### **OFFICER RECOMMENDATION/COUNCIL DECISION**

##### **C2015-1004 Pay Rates for Election Officers**

**That Council adopt the pay rates for the officers engaged for the Local Government Election being the Returning Officer @ \$42.93/hr, two Presiding Officers @ \$35.40/hr and the Polling Clerk @ \$33.07/hr.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

**11.4.3 Report on Closure of Pedestrian Access Way and Right of Way**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments	Nil

**Matter for Consideration**

That Council takes no further action in relation to the permanent closure of the laneway located at the rear of lots 27, 25, 23, 21 and 19 Gibbons Street, Yalgoo.

**Background**

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

*“That Council*

1. *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.*
2. *Subject to (1) above the Chief Executive Officer initiate the process outlined in the report”.*

**Statutory Environment**

- Procedural Guidelines – Closure of Pedestrian Access Ways and Right of Way having a Connectivity Function.
- Planning Bulletin No. 57/2009A.
- Government Land Policy No. 5.1.12

**Business Implication**

Nil

**Consultation**

URBIS the Shire’s Planning Consultant.

**Comment**

Correspondence was sent out to all the landowners on 12 April 2017 advising them of the scope of works and fees in relation to the proposed closure. Responses have now been received from the landowners stating that they do not support the Closure.

**Voting Requirement**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**That Council take no further action in relation to the Closure of the laneway located at the rear of lots 27, 25, 23, 21 and 19 on the basis that the landowners do not support the Closure.**

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_ **Motion put and carried/lost**

## 12. NOTICE OF MOTIONS

### 12.1 PREVIOUS NOTICE RECEIVED

## 13. URGENT BUSINESS

Nil

## 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](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.

**CONFIDENTIAL**

**14.1 REPORT ON SALE OF LAND – NON PAYMENT OF RATES LOTS 9 AND 10  
HENTY STREET, YALGOO**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 September 2017
Attachments	Legal Advice C S Legal

**15. NEXT MEETING**

The next Ordinary Meeting of Council is due to be held in the Council Chambers Shire of Yalgoo Friday 27 October 2017 commencing at 11.00 am.

**16. MEETING CLOSURE**