



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, YALGOO
ON 25 AUGUST 2017
COMMENCING AT 11.00 AM



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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on 25 August 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

Shire President Neil Grinham declared the Ordinary Council Meeting open at 11.12 am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Neil Grinham, Shire President Cr Robert Grinham Cr Gail Trenfield Cr Joanne Kanny
STAFF	Silvio Brenzi, CEO Elisha Hodder, Technical Services Support Officer
GUESTS	
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	Cr Raul Valenzuela, Deputy Shire President Cr Greg Payne

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

Nil

4.2 QUESTIONS WITHOUT NOTICE

Nil

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Item 14.1 confidential item

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.0 MEETINGS ATTENDED BY ELECTED MEMBERS

Date	Details	Attended with whom
31 July 2017	Planning Training	Cr Joanne Kanny
1 July 2017	Advance Planning Course	Cr Joanne Kanny
2 – 4 August 2017	WALGA Week	Cr Joanne Kanny
1 August 2017	Meeting with Vince Catania Parliament House – Royalties 4 Region Funding	President Neil Grinham
1 August 2017	Policy Forum – Auditors General DG with Local Government and Communities	President Neil Grinham
1 August 2017	Presidents and Mayors Reception	President Neil Grinham
2 August 2017	Meeting with Department of Planning and Department of Arts and Culture	President Neil Grinham Deputy President Raul Valenzuela CEO Silvio Brenzi
2 August 2017	Meeting with Fair Work Commission	President Neil Grinham CEO Silvio Brenzi
2 August 2017	Attended the State Council Meeting where Jo received her Scholarship	President Neil Grinham Deputy President Raul Valenzuela Cr Joanne Kanny CEO Silvio Brenzi
3 August 2017	Meeting with Mark Batty - MRVC	President Neil Grinham CEO Silvio Brenzi

3 August 2017	Meeting with C .S Legal	President Neil Grinham Deputy President Raul Valenzuela CEO Silvio Brenzi
4 August 2017	Meeting with FIJV	President Neil Grinham CEO Silvio Brenzi
5 August 2017	Morawa Agriculture High School	Cr Greg Payne
7 August 2017	Meeting with Midwest Times –. Media Release about Oval	President Neil Grinham
8 August 2017	Meeting with Geraldton Superintendents – Department of Aboriginal Affairs	President Neil Grinham Deputy President Raul Valenzuela CEO Silvio Brenzi
12 August 2017	MRVC Special Meeting - Budget	President Neil Grinham Cr Robert Grinham

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING

Background

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

Voting Requirements

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0801 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 28 July 2017 be confirmed.

Moved: Cr Robert Grinham

Seconded: Cr Joanne Kanny

Motion put and carried 4/0

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).

10.1 President Neil Grinham advised Council that he will be attending meeting in Geraldton on Monday 28 August 2017 through to the 30 August 2017 with Datacom, LGIS,

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

11.1 TECHNICAL SERVICES

Nil

CEO Silvio Brenzi clarified to Council the reason why 11.1 Technical Services was stated as Nil.

11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

Nil

11.3 FINANCE

11.3.1 Accounts for Payment July 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

Matter for Consideration

Council approve the Accounts for Payment list for the period 30 June 2017 to 31 July 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 30 June 2017 to 31 July 2017 are as follows:

TYPE	DATE	Creditor's Name	Invoice Details	Original Amount
Bill Pmt -Cheque	17/07/2017	ATOM Supply	workshop consumables	226.33
Bill Pmt -Cheque	17/07/2017	Battery Mart	Battery for Cat Backhoe - YA 457	290.40
Bill Pmt -Cheque	17/07/2017	Beaurepaires	Replace & Repair Tyres - YA 465, YA 807	966.40
Bill Pmt -Cheque	17/07/2017	Bunnings Building Supplies Pty Ltd	PIPE FITTINGS Workshop Consumables 3 FUNCTION BALL JOINT SHOWER/MODEL NUMBER 5001732	436.14
Bill Pmt -Cheque	17/07/2017	CONCEPT MEDIA PTY LTD	Tourism Advertising	440.00
Bill Pmt -Cheque	17/07/2017	Great Northern Rural Services.	25mtrs x 1.8 mtrs chain mesh/retic fittings	445.41
Bill Pmt -Cheque	17/07/2017	Linaire Hodge.	accommodation and meals	156.70
Bill Pmt -Cheque	17/07/2017	Midwest Industry Road Safety Alliance	2017/2018 Mid West Road Safety Alliance Contributi	5,000.00
Bill Pmt -Cheque	17/07/2017	Murchison Country Zone WALGA	2017/2018 Membership subscription	2,100.00
Bill Pmt -Cheque	17/07/2017	Grinham, Neil	Travel - Conference 2.07.17 Travel - Media 12.07.1	435.64
Bill Pmt -Cheque	17/07/2017	Spotlight P/L	CARAVAN PARK: LINEN AS PER ATTACHED LIST	1,870.72
Bill Pmt -Cheque	17/07/2017	Cosgrove, Steven	power board & extension cords (2)	40.00
Bill Pmt -Cheque	17/07/2017	Totally Workwear Geraldton	work uniform for Darren Hawkins & Ray Pratt	473.24
Bill Pmt -Cheque	17/07/2017	Truck Centre(WA) Pty Ltd	service & repairs - YA795	1,874.65
Bill Pmt -Cheque	17/07/2017	WA Local Government Association	Membership Renewal 2017/2018	19,256.15
Bill Pmt -Cheque	17/07/2017	Western Independent Foods	ANCHOR FULL CREAM MILK UHT P/C 250X 15MLS	75.14
Bill Pmt -Cheque	17/07/2017	Westnet	business standard email period - 30.06.17-30.06.18	220.00
Bill Pmt -Cheque	4/07/2017	WILSON, KAY M	Alcohol Bond Refund	1,000.00
Bill Pmt -Cheque	17/07/2017	WALGA	BANNER TRAVEL CASE	90.00
Bill Pmt -Cheque	17/07/2017	DATACOM SOLUTIONS (AU) PTY LTD	Expense Recovery	2,544.21
Bill Pmt -Cheque	17/07/2017	ELLIS & SONS CONSTRUCTION	Yalgoo Art Centre	17,044.50
Bill Pmt -Cheque	17/07/2017	U R SAFE PTY LTD	alarm monitoring	165.00
Bill Pmt -Cheque	17/07/2017	MERCURE HOTEL PERTH	accommodation and meals - Neil accommodation and meals - Silvio	749.68
Bill Pmt -Cheque	14/07/2017	WA POLICE	Application for F01 request	30.00
Total for July 2017				55,930.31

TYPE	DATE	Creditor's Name	Invoice Details	Original Amount
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Payments backdated to 30 June 2017 not present to Council in July 2017

Bill Pmt -Cheque	30/06/2017	AMPAC Debt Recovery (WA) P/L	Debt Collection Fees	579.00
Bill Pmt -Cheque	30/06/2017	Courier Australia	Freight	136.09
Bill Pmt -Cheque	30/06/2017	Fairfax Media Publications	Advertising - Tourism Promotion	218.08
Bill Pmt -Cheque	30/06/2017	Geraldton Fuel Company	Fuel and Oil	13,807.35
Bill Pmt -Cheque	30/06/2017	Holcim (Australia) P/L	Concrete	1,942.81
Bill Pmt -Cheque	30/06/2017	Integrity Sampling WA	OH & S	2,675.31
Bill Pmt -Cheque	30/06/2017	Landgate	Valuations	878.70
Bill Pmt -Cheque	30/06/2017	Silvio Brenzi	Reimbursements Conference Expenses	864.96
Bill Pmt -Cheque	30/06/2017	Australian Taxation Office	PAYG Withholding	262.00
Bill Pmt -Cheque	30/06/2017	GNC Quality Precast Geraldton	Housing Repairs and Maintenance	225.50
Bill Pmt -Cheque	30/06/2017	Landgate	Valuations	2,811.00
Bill Pmt -Cheque	30/06/2017	Parker Aluminium Windows	Housing Repairs and Maintenance	453.20
Bill Pmt -Cheque	30/06/2017	Pemco Diesel P/L	Parts and Repairs Cat 140H Grader and Small Plant	1,180.08
Bill Pmt -Cheque	30/06/2017	Percy Lawson	Telecommunication Allowance	875.01
Bill Pmt -Cheque	30/06/2017	PinPoint Cleaning Solutions	Contract Cleaning	2,145.00
Bill Pmt -Cheque	30/06/2017	Tanya Henkel	Heritage Consultant	3,139.76
Bill Pmt -Cheque	30/06/2017	Yalgoo Hotel	Refreshments and Accommodation EHO	921.40
Bill Pmt -Cheque	30/06/2017	Yamatji Marlpa Aboriginal Corporation	Bond Refund	150.00
Bill Pmt -Cheque	30/06/2017	Stabilised Pavements of Aust	Road Repairs Yalgoo- Ninghan Road	396,000.00
Bill Pmt -Cheque	30/06/2017	BOC Limited	Workshop Gases	102.07
Bill Pmt -Cheque	30/06/2017	Horizon Power	Street Lighting	705.59
			Total for June 2017	430,072.91

Grand Total	859,430.73
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Voting Requirements

Simple Majority

CEO Silvio Brenzi highlighted that the format of the report is the first from Ozone, more clearer with the creditors name and invoice details and how the information is brought into the report.

Cr Gail Trenfield enquired about Percy Lawson’s Telecommunication Allowance, CEO Silvio Brenzi advised that Mr Lawson had not claimed his Telecommunication Allowance whilst he was on Council and that the amount was owed to him.

Cr Joanne Kanny enquired about the Heritage Consultant and whether it was for the assessment of the Church. CEO Silvio Brenzi informed Council that the Shire has obligations under the Heritage Act to do certain inspections reports and that Tanya Henkel came up and inspected the Anglian Church, and that the Shire receives a grant in relation to Heritage Consultancy.

President CR Neil Grinham asked on behalf of the Deputy President CR Raul Valenzuela as to what the payment to the WA Local Government Association entails, CEO Silvio Brenzi informed Council accordingly

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0802 Accounts for Payment July 2017

That Council approve the list of accounts paid for the period 30 June 2017 to 31 July 2017 amounting to \$859,430.73 and the list be recorded in the Minutes.

Moved: Cr Joanne Kanny

Seconded: Cr Gail Trenfield

Motion put and carried 4/0

11.3.2 Investments as at 31 July 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

Matter for Consideration

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

SHIRE OF YALGOO INVESTMENTS AS AT 31 JULY 2017								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N ^o	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
MUNICIPAL FUND								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$1,556,842.11
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$40,950.13
NAB	N/A	Term Deposit	89-977-1574	1 month 14 days	30.06.2017	13.08.2017	1.50%	\$61,392.89
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,621.19
TOTAL								\$1,710,806.32
RESERVE FUNDS								
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
TOTAL								\$1,649,625.07
TRUST								
NAB	N/A	Trust a/c	50-832-4559	Ongoing	N/A	N/A	Variable	\$21,738.51
TOTAL								\$21,738.51

INVESTMENT REGISTER						
01 JULY 2017 TO 31 JULY 2017						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.07.2017	INVESTMENT TRANSFERS	CLOSING BALANCE 31.07.2017
86-538-7363	Ongoing	Variable	\$40,929.28	\$20.85	0	\$40,9950.13
89-977-1574	13.08.2017	1.50%	\$61,392.89	0	0	\$61,392.89
24-831-4222	Ongoing	Variable	\$51,594.90	\$26.29	0	\$51,621.19
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/COUNCIL DECISION

C2017-0803 Investments as at 31 July 2017

That the Investment Report as at 31 July 2017 be received.

Moved: Cr Gail Trenfield

Seconded: Cr Robert Grinham

Motion put and carried 4/0

11.3.3 Financial Activity Statement for the Period ended the 30 June 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments (Green Cover) Pages 1 - 61	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 30 June 2017; Statement of current Financial Position; • Financial Activity Statement; • Summary of Current Assets and Current Liabilities as of 30 June 2017; • Detailed worksheets; • Other Supplementary Financial Reports: <ul style="list-style-type: none"> ○ Reserve Funds; ○ Loan Funds; ○ Trust Fund

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/COUNCIL DECISION

C2017–0804 R34 (1) Financial Activity Statement for the Period ended the 30 June 2017.

That Council adopts the Financial Activity Statement for the period ended 30 June 2017.

Moved: Cr Joanne Kanny

Seconded: Cr Robert Grinham

Motion put and carried 4/0

11.3.4 Differential General Rates 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments (Green Cover)	Letter dated 8 August 2017 from the Department of Local Government, Sports and Cultural Industries
Pages	62-63

Matter for Consideration

The purpose of the report is for council to adopt the differential general rates imposed on the rateable property within each differential rating category. The differentiated rating categories determined by the Council are as follows.

Gross Rental Value	Rate in \$	Minimum Rate
Town Imposed	7.45464 cents	\$270.00
Town site Vacant	7.45464 cents	\$620.00

Unapproved Value	Rate in \$	Minimum Rate
Pastoral/Rural	6.575168 cents	\$270.00
Mining/Mining Tenement	37.43025 cents	\$270.00
Exploration/Prospecting	19.88253 cents	\$270.00

In accordance with Section 6.32, 6.33 and 6.36 of the Local Government Act 1995 the following actions were undertaken:

- 1/. The proposed differential general rates and minimums were advertised.
- 2/. No submissions were received.
- 3/. Ministerial approval was obtained in accordance with Section 6.33(3) of the Local Government Act 1995.

The deficiency of expenditure over income for the purpose of striking the rates for the 2017-18 financial year amounts to \$1,736,821 and results in an increase in revenue of \$8,536 when compared to rates levied and interim rates received in 2016-17.

Background

The Council at its Ordinary Meeting held on the 28 July 2017 resolved that it intended to impose the rate in the dollar and minimums for each of the differential rating categories as detailed above.

Statutory Environment

Local Government Act 1995

s.6.32, 6.33 and 6.36

Consultation

Nil

Comment

A letter dated 8 August 2017 received from the Department of Local Government, Sport and Cultural Industries stating that approval has been given to the Shire to impose differential general rates which are more than twice the lowest rate in the dollar for UV Exploration/Prospecting and Mining/Mining Tenement.

Voting Requirements

Absolute Majority

OFFICE RECOMMENDATION/COUNCIL DECISION

C2017-0805 Differential General Rating 2017/2018

That Council adopts the following differential general rates for the 2017/2018 financial year.

Gross Rental Value	Rate in \$	Minimum Rate
Town Improved	7.45464 cents	\$270.00
Town Site Vacant	7.45464 cents	\$620.00

Unapproved Value	Rate in \$	Minimum Rate
Pastoral/Rural	6.575168 cents	\$270.00
Mining/Mining Tenement	37.43025 cents	\$270.00
Exploration/Prospecting	19.88253 cents	\$270.00

Moved: Cr Gail Trenfield Seconded: Cr Joanne Kanny Motion put and carried by Absolute Majority 4/0

11.3.5 Payment of Rate Charge 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

Matter for Consideration

The purpose of the report is for the Council to consider and impose a rate of interest on overdue rates for the 2017/18 financial year.

Background

Section 6.45 of the Local Government Act 1995 states that Rates charged may be made by single payment or a person may elect to make payment by 4 equal or nearly equal instalments, or such other method of payment by instalments as is set in the annual budget. A local Government may impose an additional charge (including an amount by the way of interest where payment of a rate charge is made by instalments).

The Shire has traditionally offered a four instalment payment option.

Financial Management Regulation 67 and 68 permits a council to impose additional charges where payment of rates is by instalments.

Section 6.50 of the Local Government Act 1995 permits a Council to determine when a rate charge becomes due and payable. The due date cannot be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued. Where a person elects to pay a rate charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

It is recommended that the due date of each instalment for the 2017/2018 financial year is as follows:

- 1st Instalment Monday, 16 October 2017
- 2nd Instalment Monday, 18 December 2017
- 3rd Instalment Monday, 19 February 2018
- 4th Instalment Monday, 23 April 2018

Section 6.51 of the Local Government Act permits the Council to impose on a rate or service charge that remains unpaid (including by instalments):

- a) Where no election has been made to pay the rate charge by instalments due
 - (I) After it becomes due and payable; or
 - (II) 35 days after the date of issue of the rate notice whichever is the later.
- b) Where an election has been made to pay the rate charge by instalments and an instalment remains unpaid after its due and payable.

Financial Management Regulation 70 states that the maximum rate of interest on overdue rates to be imposed under Section 6.51 of the Local Government Act is 11%.

It is recommended that Council impose a rate of interest of 11% to apply on overdue rates and service charges.

Section 6.45 permits a Council to impose an additional charge for the recovery of the additional cost of administration for payments made by instalment, including an amount by way of interest. Regulation 68 limits the maximum component to be imposed to be of 5.5%.

In recognition of foregone interest earnings the Shire could otherwise have achieved if rates payments were received in one payment earlier in the financial year, together with the increased administrative burden in managing multiple instalments which includes the costs of printing, postage and handling, it is recommended that the Shire apply an instalment Administration charge of \$10 (GST free). This would only

be applicable to the second/third/fourth instalment as one charge where ratepayers elect to pay by the prescribed instalment due dates, and any alternative payment plan arrangements established.

Financial Consideration

The 2017/2018 Annual Budget has included \$10,000 for the interest charge on overdue rates.

Financial Management Regulation 71 details the method of calculation of interest on overdue rates.

- 1) Interest on rates and service charges and the cost of any proceedings to recover such charges, that remain unpaid after the due date of becoming due and payable (“the due date”) is to be calculated on a simple interest basis for the number of days from the due date until the day before the day on which a payment is received by the local government.
- 2) The principal sum on which interest is calculated for a financial year may include interest accrued but not paid in a previous financial year but is not to include interest accrued in the current financial year.
- 3) If payment is received by the local government during the period 1st July in a financial year until the annual budget for that financial year is adopted, interest referred to in sub regulation (1) for the period is to be at the interest imposed under section 6.51 (1) for the previous financial year.

The 2017/18 Annual Budget has included \$10,000 for charges to be divided on the instalment plan (administration charge plus rate of interest).

Statutory Environment

Local Government Act 1995

s.6.45, 6.51 and Financial Management Regulations 67, 68, 70 and 71.

Consultation

Nil

Comment

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0806 Payment of Rate Charge 2017-18

That Council:

- 1/. Pursuant to Section 6.45 of the Local Government Act 1995, impose an instalment administration charge of \$10 (GST free), and interest of 5.5 %.
- 2/. Pursuant to Section 6.51 of the Local Government Act 1995, Impose an 11% rate of penalty interest on overdue rates that remain unpaid.

Moved: Cr Gail Trenfield Second: Cr Robert Grinham Motion put and carried by Absolute Majority 4/0

11.3.6 Imposition of Fees and Charges for 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

Matter for Consideration

The purpose of this report is for Council to give consideration to adopting the Fees and Charges detailed in the schedule of Fees and Charges incorporated in the 2017/18 Annual Budget.

Background

Pursuant to Section 6.16 of the Local Government Act 1995 and Financial Management Regulation 25, A Local Government may impose and recover a fee for a charge for any goods or services it provides or proposes to provide other than a service for which a service charge is imposed.

Notes to the Annual Budget No 16 – Fees and Charges information, details total Revenue to be derived from fees and charges for each program as required by Financial Management Regulation 25.

Statutory Environment

Local Government Act 1995s 6.16 and Financial Management Regulation 25

Consultation

Nil

Comment

Nil

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0807 Imposition of Fees and Charges for 2017-18

That Council pursuant to Section 6.16 of the Local Government Act 1995, adopts the Fees and Charges detailed in the “Schedule of Fees and Charges” in report 2017/18 Annual Budget.

Moved: Cr Joanne Kanny Seconded: Cr Gail Trenfield Motion put and carried by Absolute Majority 4/0

11.3.7 Rate Payment Incentive Scheme for 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

Matter for Consideration

The purpose of this report is to inform Council of the rate incentive scheme prize to ratepayers for the 2017/18 Financial Year.

Background

Council in past years approved a rate incentive scheme as an incentive for ratepayers to pay their rates by the due date in one lump sum by way of a \$1,000.00 cash payment.

The sum of \$1,000.00 has been allocated in the 2017/18 Annual Budget for an early incentive payment.

The following prize is offered by the Shire:

Cash prize of \$1,000.00 to the first drawn of the ratepayers who have paid their rates by the due date and in one lump sum.

Statutory Environment

Nil

Consultation

Nil

Comment

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0808 Rate Payment Incentive Scheme for 2017-18

That Council:

- 1/. Receive Report No 6.1.4 Rate Payment Incentive Scheme for 2017/18**
- 2/. The draw for the prizes to be conducted on Friday, 27th October 2017.**

Moved: Cr Gail Trenfield

Seconded: Cr Joanne Kanny

Motion put and carried 4/0

11.3.8 Monthly Statement of Financial Activity – Reporting of Material Variance

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

Matter for Consideration

The Local Government Financial Management Regulations 1996 requires a Local Government to prepare monthly Financial Activity Statements and report Material Variance. Council is now required to set the material variance for the 2017/18 financial year.

Background

Regulation 34 of the Local Government (Financial Management) Regulation 1996 require the following in relation to the Financial Activity Statement:

- 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.
 - (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 at the end of month to which the statement relates.

- 2/. Each Statement of Financial Activity to is to be accompanied by documents containing-
 - (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) An explanation of each of the material variances referred to in sub regulation (1) (d) ; and
 - (c) Such other supporting information as is considered relevant by the local government.

- 3/. The information in a Statement of Financial Activity may be shown-
 - (a) According to nature and type classification;
 - (b) By program; or
 - (c) By business unit.

- 4/. A Statement of Financial Activity and the accompanying documents referred to in sub regulation (2) are to be
 - (a) Presented to the Council:
 - (i) At the next ordinary meeting of the Council following the end of the month to which the statement relates; or
 - (ii) If the Statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the Council after that meeting; and
 - (b) Recorded in the minutes of the meeting at which it is presented.

- 5/. Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in Statements of Financial Activity for reporting material variances.

- 6/. In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;

“restricted assets” means an asset the use of which is restricted wholly or partly by a law made or a requirement imposed outside of the control of the local government. Where the restriction is

relevant to assessing the performance, financial position or financing and investment of the local government.

Accordingly in order to meet the reporting requirements of the Statement of Financial Activity Council is required to give consideration to setting the following material variances, as per previous years.

- 10% or \$10,000 whichever is the greater

Statutory Environment

Financial Management Regulation 34

Consultation

Nil

Comment

The Budget Statement of Financial Activity has been prepared and is incorporated in the 2017-18 Annual Budget. The Statement details the estimated sources of revenues and application of funds on a monthly basis year to date. These estimates will be utilised to analyse the material variances on a monthly basis.

Voting Requirements

Simple Majority

OFFICE RECOMMENDATION/COUNCIL DECISION

C2017-0809 Monthly Statement of Financial Activity – Reporting of Material Variance

That Council in accordance with regulation 34 (5) of the Local Government (Financial Management) Regulations and Australian Accounting Standard Number 5, adopts the following material variance for the 2017/18 Financial Year.

-10% or \$10,000 whichever is the greater.

Moved: Cr Robert Grinham

Seconded: Cr Joanne Kanny

Motion put and carried 4/0

11.3.9 2017-18 Annual Budget

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	2017-18 Annual Budget

Matter for Consideration

The purpose of this report is for Council to give consideration and adopt the 2017/18 Annual Budget.

Background

The 2017/2018 Annual Budget has been prepared in accordance with Section 6.2 of the Local Government Act 1995 and Financial Management Regulations Part 3, Regulations 22 to 33.

Council at the Ordinary Council Meeting on 28 July 2017 resolved to incorporate \$15,000 for the Men’s Shed upgrade and that the CEO provide further clarification prior to the adoption of the Annual Budget.

DETAILS

The 2017/2018 Annual Budget comprises the following information, which is contained in the Budget Booklet:

- Budget Statement of Comprehensive Income for the year ending 30 June 2018
 - Budget Rate Setting Statement for the year ending 30 June 2018
 - Budget Cash flow Statement for the year ending 30 June 2018
 - Budget Financial Activity Statement for the year ending 20 June 2018
 - Statement of Rating Information for the year ending 30 June 2018
- Notes to the Annual Budget:
- 1) Significant Accounting Policies
 - 2) Operating, Revenues and Expenses
 - 3) Descriptions of Functions/Activities
 - 4) Operating, Revenues and Expenses
 - 5) Cash
 - 6) Disposal of Assets
 - 7) Borrowing Information
 - 8) Reserves
 - 9) Cash Flow Information
 - 10) Trust Fund Information
 - 11) Comparison with Rate Setting Budget
 - 12) Rating Information
 - 13) Service Charges
 - 14) Information about Discounts, Incentives, Concessions and Write Offs
 - 15) Interest Charges for the Late Payment of Rate Charges
 - 16) Fees and Charges Information
 - 17) Investments
 - 18) Council Members – Fees, Expenses and Allowances
 - 19) Depreciation and Non- Current Assets
 - 20) Major Land Transactions
 - 21) Joint Venture
 - 22) Trading Undertakings
 - 23) Capital and Leasing Commitments
 - 24) Financial Instruments
 - 25) Position at Commencement of Financial Year
 - 26) Acquisitions of Assets
- Schedule of Fees and Charges

Statutory Environment

Section 6.2 of the Local Government Act 1995 and Financial Management Regulations 22 to 33

Consultation

Nil

Comment

The 2017-18 Annual Budget has been prepared pursuant to the requirements of Section 6.2 of the Local Government Act 1995 and the Financial Management Regulations 22 to 33.

Subject to Council resolution at the July 2017 meeting \$15,000 has been incorporated in the Annual Budget for the Men's Shed upgrade. The CEO will provide further information at the meeting.

Voting Requirements

Absolute Majority

CEO Silvio Brenzi explained to Council the Officer Recommendation has been set out with all the different items, topics and aspects of the 2017-18 Annual Budget.

CEO Silvio Brenzi informed Council he had more information about the Men's Shed which was requested by Cr Gail Trenfield at the last Ordinary Council Meeting. Two pages of information about 'What is a Men's Shed' was handed out with the outlines and outcome of having a Men's Shed.

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0810 2017-18 Annual Budget

That Council:

- (1) Pursuant to Section 6.2 of the Local Government Act 1995 and Financial Management Regulation Part 3, Regulation 22 to 33, adopts the following Annual Budget as attached hereto.**
- (a) Budget Statement of Comprehensive Income for the year ending 30 June 2018**
- (b) Budget Rate Setting Statement for the year ending 30 June 2018**
- (c) Budget Cash Flow Statement for the year ending 30 June 2018**
- (d) Budget Financial Activity Statement for the year ending 30 June 2018**
- (e) Statement of Rating Information for the year ending 30 June 2018**
- (f) Notes to the Annual Budget, being:**
 - 1) Significant Accounting Policies**
 - 2) Operating, Revenue and Expenses**
 - 3) Descriptions of Functions/Activities**
 - 4) Operating, Revenues and Expenses**
 - 5) Cash**
 - 6) Disposal of Assets**
 - 7) Borrowing Information**
 - 8) Reserves**
 - 9) Cash Flow Information**
 - 10) Trust Fund Information**
 - 11) Comparison with Rate Setting Budget**
 - 12) Rating Information**
 - 13) Service Charges**
 - 14) Information about Discounts, Incentives, Concessions and Write Offs**
 - 15) Interest Charges for the Late Payment of Rate Charge**
 - 16) Fees and Charges Information**
 - 17) Investments**
 - 18) Council Members – Fees, Expenses and Allowances**
 - 19) Depreciation on Non- Current Assets**
 - 20) Major land Transaction**
 - 21) Joint Venture**
 - 22) Trading Undertakings**
 - 23) Capital and leasing Commitments**
 - 24) Financial Instruments**
 - 25) Position at Commencement of Financial Year**
 - 26) Acquisitions of Assets**
- (g) Schedule of fees and Charges for 2017/18**

Moved: Cr Joanne Kanny Seconded: Cr Robert Grinham Motion put and carried by Absolute Majority 4/0

ADJOURNMENT: Lunch 12:14 pm – 12:50 pm.

The Shire President, Neil Grinham Moved a Motion to adjourn the Ordinary Council Meeting at 12:14 pm for lunch.

The Motion was Moved by Cr Joanne Kanny and Seconded by Cr Gail Trenfield.

The Motion was put to the vote and carried 4/0.

The Shire President, Neil Grinham reopen the Ordinary Council Meeting at 12:50 pm.

Returning to the meeting were:

Cr Neil Grinham, President,

Cr Robert Grinham,

Cr Joanne Kanny,

Cr Gail Trenfield,

Silvio Brenzi, CEO

Elisha Hodder, Technical Services Support Officer

CEO Silvio Brenzi informed the Council that during the adjournment that a matter in relation to the men's shed was raised and whether it impacted on the oval/rifle range project

The CEO stated that at the Council meeting held on the 28th July 2017 the funding requirements for the men's shed was the only matter raised and whether funds would be allocated in the 2017/18 Annual Budget. He then stated that a matter will be raised under urgent items in relation to options for the location of the oval and how this may impact on the men's shed and the old rifle range area.

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 19 August 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 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 th 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
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	Nomination of Blair Baynes	Council resolved to nominate Blair Baynes for the Regional Achievement and Community Awards 2017	Letter of support provided
28 July 2017	Reschedule of September Ordinary Council Meeting	Council resolved to reschedule the September Ordinary Council Meeting to Friday 22 September 2017	Meeting change advertised
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	In progress

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0811 Report on Matters Outstanding as at 19 August 2017

That Council receives Report N^o 11.4.1 Report on Matters Outstanding as at 19 August 2017.

Moved: CR Joanne Kanny Seconded: CR Gail Trenfield Motion put and carried 4/0

Elisha Hodder, Technical Services Support Officer left the meeting at 1.28 pm

Elisha Hodder, Technical Services Support Officer returned to the meeting at 1.34 pm

CR J Kanny left the meeting at 1.33 pm

Cr J Kanny returned to the meeting at 1.34 pm

CR G Trenfield left the meeting at 2.17 pm

CR G Trenfield returned to the meeting at 2.20 pm

CR J Kanny left the meeting at 2.34 pm

CR J Kanny returned to the meeting at 2.35 pm

11.4.2 Termination of Centacare Playgroup Programme

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	22 August 2017
Attachments	Letter dated 11 August 2017 from Centacare

Matter for Consideration

That Council give consideration to continue to provide the Playgroup Programme previously provided by Centacare inhouse for a period of up to 6 months

Background

Council sponsored the service provided by Centacare in Yalgoo by making an annual cash contribution of \$32,400.00 provision of a motor vehicle and internal support.

Funds contributed by EMR Golden Grove to the Community Benefit Funds are utilised to part fund the programme.

Financial Implications

Additional Funds to be provided by the Shire in order to continue providing the service.

Consultation

Nil

Comment

A letter dated the 11 August 2017 (copy attached) received from Centacare Family Services informing the Shire that the Centacare Playgroup Programme in Yalgoo will be terminated on the 1 September 2017.

In anticipation that the Council would continue to provide the service a sum of \$100,000.00 has been allocated in the 2017-18 Annual Budget. At this stage of breakdown of costs cannot be provided.

It is proposed to employ he Mr Tamihana Cummings the current programme co-ordinator to continue the service for up to six months this will allow sufficient time to determine how the Shire proposes to deliver the service and funding.

Voting Requirements

Simple Majority

CEO Silvio Brenzi addressed the Late Item 11.4.2 Termination of Centacare Playgroup Programme and its involvement with the 2017-18 Annual Budget

CEO Silvio Brenzi explained the new items that were added to the 2017-18 Annual Budget.

1. Emergency Management (CESM) – Community Emergency Services Manager, which was discussed at the Ordinary Council Meeting on 28 July 2017.
2. Youth and Family Program (old Centacare) 6 month – Item related to the Late agenda Item 11.4.2 to be discussed, CEO Silvio Brenzi explained the amount listed on this item is indicative.

CEO Silvio Brenzi explained to Council the Shire of Yalgoo 2014-15 Annual Budget came in at a deficit of \$118,000 which did not include any grants that weren't carried forward or any over spends, and for the first time in the 2015-16 Annual Budget the Shire of Yalgoo had a surplus of \$98,000 or just under and that now at the end of 2016-17 the Shire of Yalgoo was \$156,000 surplus in the space of two years, which give the ability to come up with the figure for the new item listed as Youth and Family Program (old Centacare) 6 month in the 2017-18 Annual Budget.

3. TP Scheme Expenses (Including \$12,000 rezoning Lot65 &66)

4. Centacare Support - Item related to the late agenda Item 11.4.2 to be discussed, CEO Silvio Brenzi explained the amount listed on this item is the Shire of Yalgoo Annual Cash Contribution to Centacare.

Cr Gail Trenfield question the Banner in the Terrace. CEO Silvio explained that all materials for the Banner in the Terrace are purchased by the Shire of Yalgoo

OFFICER RECOMMENDATION/COUNCIL DECISION

C2017-0812 Termination of Centacare Playgroup Programme

That Council

- 1. Continue to provide the Playgroup Programme for a period of up to 6 months and engage the services of the current programme co-ordinated for the purpose.**
- 2. A further report be presented to Council in relation to the ongoing delivery of the Playgroup Programme and its funding.**

Moved: CR Robert Grinham

Seconded: CR Joanne Kanny

Motion put and carried 3/1

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

13. URGENT BUSINESS

The President requested the Council give consideration to the following Items of Urgent Business presented.

13.1 “Bank of Ideas” 6th September 2017

That Council supports the attendance of councillors to the “Bank of Ideas” seminar in Geraldton on the 6th September 2017.

It was then moved by CR Grinham and seconded by CR Kanny

COUNCIL DECISION

C2017-0813 Bank of Ideas

That Council supports the attendance of councillors to the “Bank of Ideas” seminar in Geraldton on the 6th September 2017.

Moved: Robert Grinham

Seconded: Joanne Kanny

Motion put and carried 4/0

13.2 Arts and Cultural Committee meeting

That council approves the first Arts and Cultural Committee meeting to be held on the 26th September 2017 at 1.00 pm with current nominated persons to review the community applications and set future meeting dates.

It was then moved by CR Kanny and seconded by Cr Grinham

COUNCIL DECISION

2017-0814 Arts and Cultural Committee meeting

That council approves the first Arts and Cultural Committee meeting to be held on the 26th September 2017 at 1.00 pm with current nominated persons to review the community applications and set future meeting dates.

Moved: Joanne Kanny

Seconded: Robert Grinham

Motion put and carried 4/0

13.3 Caravan Park Closed to the Public

That Council notes that the Caravan Park will be closed to the public from the 6th November to the 12th November 2017 for the undertaking of the Capital Works.

It was then moved by CR Kanny and second by CR Trenfield

COUNCIL DECISION

C2017-0815 Caravan Park Closed to the Public

That Council notes that the Caravan Park will be closed to the public from the 6th November to the 12th November 2017 for the undertaking of the Capital Works.

Moved: Joanne Kanny

Seconded: Gail Trenfield

Motion put and carried 4/0

13.4 CEO to Draft Consultation Plan from Telstra - Site Number 6612005

That Council endorses the CEO to carry out the Draft Consultation Plan as detailed from Telstra for Site Number 6612005.

It was then moved by CR Kanny and second by CR Grinham

COUNCIL DECISION

C2017-0816 CEO to Draft Consultation Plan from Telstra - Site Number 6612005

That Council endorses the CEO to carry out the Draft Consultation Plan as detailed from Telstra for Site Number 6612005.

Moved: Joanne Kanny

Seconded: Robert Grinham

Motion put and carried 4/0

13.5 CEO to Complete All Transactions to obtain Lots 9 & 10 Henty Street

That Council authorises the CEO to complete all transactions in relation to Lots 9 & 10 Henty Street as per the options provided by C.S. Legal.

It was then moved by CR Kanny and second by CR Trenfield

COUNCIL DECISION

C2017-0817 CEO to Complete All Transactions to obtain Lots 9 & 10 Henty Street

That Council authorises the CEO to complete all transactions in relation to Lots 9 & 10 Henty Street as per the options provided by C.S. Legal.

Moved: Joanne Kanny

Seconded: Gail Trenfield

Motion put and carried 4/0

13.6 CEO to write to the Prime Minister

That Council requests the CEO to write to the Prime Minister as per the request by the Shire of Plantagenet and utilizing the draft template supplied.

It was then moved by CR Grinham and second by CR Trenfield

COUNCIL DECISION

C2017-0818 CEO to write to the Prime Minister

That Council requests the CEO to write to the Prime Minister as per the request by the Shire of Plantagenet and utilizing the draft template supplied.

Moved: Robert Grinham

Seconded: Gail Trenfield

Motion put and carried 4/0

13.7 CEO to Develop more Detailed Plans for Review for Oval and Rifle Range Project

That Council endorses in principal option 1 for the CEO to Develop more detailed plans for review.

It was then moved by CR Trenfield and seconded by Cr Kanny

COUNCIL DECISION

C2017-0819 CEO to Develop more Detailed Plans for Review for Oval and Rifle Range Project

That Council endorses in principal option 1 for the CEO to Develop more detailed plans for review.

Moved: Gail Trenfield

Seconded: Joanne Kanny

Motion put and carried 4/0

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

President Neil Grinham put a Motion to go behind closed doors at 3.07 pm, Cr J Kanny moved, Cr G Trenfield seconded. This was put to vote and carried 4/0.

Elisha Hodder left the meeting at 3.07 pm

Elisha Hodder returned to the meeting at 3.17 pm

President Neil Grinham put a Motion to re-open the meeting at 3.17 pm, Cr J Kanny moved and Cr R Grinham seconded.

14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

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

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

Local Government Act 1995

s5.23. Meetings generally open to the public

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

- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

s5.92 Access to information by council, committee members

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

s5.93. Improper use of information

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

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

Local Government (Rules of Conduct) Regulations 2007

s6. Use of information

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

14.1 Bad Debts Written Off – Double Payment of Accrued Annual leave

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 August 2017
Attachments	Nil

COUNCIL DECISION

C2017-0820 Bad Debts Written Off – Double Payment of Accrued Annual leave

That Council agreed to write off double payment of accrued annual leave.

Moved: Robert Grinham Seconded: Joanne Kanny Motion put and carried 4/0

15. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Community Centre in Paynes Find on Friday 22 September 2017 commencing at 11.00 am.

16. MEETING CLOSURE

There being no further business, the Shire President Neil Grinham declared the Ordinary Meeting Closed at 3.19 pm

DECLARATION

These minutes were confirmed at the Ordinary Council Meeting to be held.....

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

