



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE
THE COUNCIL CHAMBERS, YALGOO
ON 25 JANUARY 2018
COMMENCING AT 10.00 AM





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Minutes for the Ordinary Meeting of the Yalgoo Shire Council,
to be held in the Council Chambers, Yalgoo
on 25 January 2018, commencing at 10.00 am.

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President Cr Joanne Kanny declared the meeting open at 10.18 am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Joanne Kanny, Shire President Cr Gregory Payne, Deputy President Cr Robert Grinham Cr Gail Trenfield Cr Tamisha Hodder
STAFF	Silvio Brenzi, CEO Elisha Hodder, Executive Assistant
GUESTS	
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	Cr Percy Lawson

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

Nil

4.2 QUESTIONS WITHOUT NOTICE

Nil

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.0 MEETINGS ATTENDED BY ELECTED MEMBERS

President Cr Joanne Kanny thanked Deputy Cr Gregory Payne for chairing the December meeting whilst she was on leave.

Deputy Cr Gregory Payne informed Council the name tag he had received at the Fencing Forum held in Yalgoo on the 15 December 2017 was incorrect and had to be corrected to Gregory Payne.

Date	Details	Attended with whom
15 Dec 17	Fencing Forum held in Yalgoo.	Deputy President Cr Gregory Payne Cr Robert Grinham Cr Gail Trenfield CEO Silvio Brenzi
19 Jan 2018	Follow up fencing meeting MRVC	CEO Silvio Brenzi

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 D

C2018-0101 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 14 December 2017 be confirmed.

Moved: Deputy Cr Gregory Payne

Seconded: Cr Robert Grinham

Motion put and carried 5/0

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

9.0 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).

- 9.1** CEO Silvio Brenzi advised the Council he has already received an email in regards to Walga Week 2018 which is held from the 1 August 2018 to the 3 August 2018 and that the email was forwarded onto each elected member.

10. MATTERS FOR DECISION

10.0 MATTERS BROUGHT FORWARD

Nil

10.1 TECHNICAL SERVICES

10.1.1 Progress Report on the Capital Works Program 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 January 2018
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 \$3,213,634 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-DEC ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					
Governance					
000000-Refurbish Morning Tea /Public Meeting Room	F & E	5,000	0	5,000	Project not commenced
000000- Computus Shelving for Record Management	F & E	4,000	0	4,000	Project not commenced
000000-Admin Mobile Phones,laptop,Computers,Office Equip.	F & E	5,000	0	5,000	Project not commenced
000000-Council Chamber -Table	F & E	4,000	0	4,000	Project not commenced
000000- Admin Centre - Garden Reticulation	L & B	7,000	0	7,000	Project not commenced
000000- Admin Centre -Records Fit Coolroom Panels to Sea Container	L & B	16,800	0	16,800	Project not commenced
000000- Motor Vehicle CEO	P & E	86,030	89,370	(3,340)	CEO to provide comment at the meeting
000000- Motor Vehicle CGTS	P & E	66,485	0	66,485	Project not commenced
Law Order Public Safety					
000000-CCTV Yalgoo Townsite	F & E	60,248	0	60,248	CEO to provide comment at the meeting
Housing					
000000-Staff Housing - Security	L & B	65,000	0	65,000	Project not commenced
000000-Two Units 17 Shemrock Street	L & B	300,000	0	300,000	Project not commenced
Recreation and Culture					
000000 - Furn. & Equip - Art Centre	F & E	15,430	14,984	446	CEO to provide comment at the meeting
000000 - Furn. & Equip - Day Care Centre	F & E	15,596	4,768	10,828	CEO to provide comment at the meeting
000000 - Furn. & Equip - Community Hall	F & E	0	7,936	(7,936)	CEO to provide comment at the meeting
000000 - Arts and Crafts Building	L & B	40,488	65,614	(25,126)	CEO to provide comment at the meeting
000000-Power Supply Mens Shed and Rifle Club	L & B	19,000	17,246	1,754	CEO to provide comment at the meeting
000000-Payne Find Complex - External Painting	L & B	8,000	0	8,000	Project not commenced
000000-Payne Find Complex - Internal Painting	L & B	4,000	3,800	200	CEO to provide comment at the meeting
000000 -Community and Youth Centre CLGF 2012-13 Unspent	L & B	44,222	32,064	12,158	Unspent portion of grant refunded
000000 - Community Hall - Air Conditioner	L & B	10,500	0	10,500	Project not commenced
000000-Ride on Mower	P & E	25,000	25,850	(850)	CEO to provide comment at the meeting
000000- Community/School Oval Shared Use Development	Recreation	937,000	244,997	692,003	CEO to provide comment at the meeting
Transport					
000000- Machinery Shed Depot	L & B	135,000	12,600	122,400	CEO to provide comment at the meeting
000000-Flood Control -Fuel Station	L & B	27,300	11,962	15,338	CEO to provide comment at the meeting
000000- Depot -Electric Boundary Fence and Gate	L & B	25,000	0	25,000	Project not commenced
000000- Catapillar Wheel Loader 950M	P & E	314,350	315,154	(804)	CEO to provide comment at the meeting
000000- Paynes Find Airstrip Fence	Other	45,000	0	45,000	Project not commenced
000000-Solar Lights Paynes Find	Other	12,000	50,581	(38,581)	CEO to provide comment at the meeting
000000-Paynes Find Beautification	Other	18,658	224	18,434	Project not commenced allocation to be checked
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	530,119	13,000	517,119	CEO to provide comment at the meeting
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ninghan Road - Seal to width 4m SLK48.8 to SLK 36.6	Roads	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-NOV ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					
Transport					
MUNICIPAL FUND					
000000- North Road - Crossing	Roads	10,000	0	10,000	The CEO to provide a verbal update on the status of the capital projects as at 31 December 2017 Project not commenced
Economic Services					
000000-Caravan Park - Sealing of Parking Bays and Driveways	L & B	22,000	0	22,000	Project not commenced
000000 - Storage and POS Facility - Caravan Park	L & B	18,800	18,120	680	CEO to provide comment at the meeting
000000- Shelter and Seating Jokker Tunnel	L & B	4,054	0	4,054	Project not commenced
000000- Shelter and Visitors Board at Railway Station	L & B	4,054	0	4,054	Project not commenced
Other Property and Services					
000000-Mens Shed Upgrade	L & B	15,000	35,216	(20,216)	CEO to provide comment at the meeting
		3,213,634	963,486	2,250,148	

Voting Requirements

Simple Majority

CEO Silvio Brenzi updated Council on the following projects:

Records Room

The old donga from the Museum was re-location to the back of the Administration Office and is ready to be renovated into the new records room.

New Depot Shed

Contractors will be arriving next week Thursday 1 February to make a start on the New Depot shed.

Town Oval and Multi-Purpose Sports Facility

A mandatory meeting was held at the Shire office on Tuesday, 23 January 2018 at 1.00 pm with four tenderers in regards to the Town Oval and Multi-Purpose Sports Facility.

CEO Silvio Brenzi advised he is currently working with Horizon Power about the Power supply, and the original application was quoted for \$103,000, he informed Council he is investigating other options in regards to the power supply which is looking a lot better.

CEO Silvio Brenzi advised Council that Requests for Tenders for the Construction and Design of the Town Oval and Multi-Purpose Sports Facility closes on the 14 February 2018. Once the tenders are received and closed a briefing session on the designs of the facility will be arranged for Council comments.

CEO Silvio Brenzi enquired about amending the item of Council Chambers – Table at the next budget review from “Council Chambers – Table” to “Purchase of Electronic Devices for Elected members”. All Councillors agreed to have this reviewed at the annual budget review.

President Cr Joanne Kanny enquired about the Yalgoo Arts and Culture Centre.

CEO Silvio Brenzi advised Council at its next Budget Review Council may need to consider putting a bit more funds to the landscaping for the Yalgoo Arts and Culture Centre.

CEO Silvio Brenzi informed Council that after the budget review a Arts and Culture Committee meeting needs to be called to consider the opening of the centre. Also the Advert for the Vacant seat on the Arts and Culture Committee was advertised in the Midwest Times on Wednesday 10 January 2018, have not received any responses as of yet.

CEO Silvio Brenzi explained the three Capital Works Projects commencing in the Middle of February are;

1. Widening of the Yalgoo Morawa Road,
2. Sealing of the Yalgoo Ninghan Road, extending the seal further south, and
3. Sealing of the Caravan Park, three quotation were received by preferred suppliers.

Cr Gail Trenfield enquired about the Community and Youth centre CLGF 2012-13 unspent funds and asked if there was a timeline for the unspent funds to be spent.

CEO Silvio Brenzi explained the amount listed in the spreadsheet(\$12,158) unspent portion of grant fund, was actually left over funds from the Community Hub Project back in 2012-13 and that it was spent on shade sails for the water park. So that job should really state in the comments as completed.

Deputy Cr Gregory Payne enquired about the display of the Capital works spreadsheet and if the completed projects listed down be highlighted to show what projects have already been discussed and commented on.

CEO Silvio Brenzi advised Council that the layout of the spreadsheet can be amended and reassured that if questions were to be asked about any projects he would have an answer.

Cr Robert Grinham enquired about the shared use of the Streets CCTV, if the Yalgoo Police was contributing to its bills.

CEO Silvio Brenzi advised Council he had met with Sergeant Nathan Johnson from the Yalgoo Police Station in regards to the shared use of the CCTV, Silvio has also spoke with Neeles from Telstra who is currently making arrangement through WA Police for payments to go directly to Telstra.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0102 Progress Report on the Capital Works Program 2017 - 2018

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

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried 5/0

10.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

10.2.1 Lot 4317 Goodingnow Road, Paynes Find – Proposal to install a ‘Telstra’ mobile phone base station facility

File:	
Author:	Mr. Silvio Brenzi, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 January 2018
Attachments	Planning Assessment Report, Proposal Plans

Matter for Consideration

The Shire has received an application for consideration in relation to a proposal to install a Telstra mobile phone base station located at Lot 4317 Goodingnow Road, Paynes Find WA 6612.

The application has been submitted by Planning Solutions on behalf of Telstra Corporation Limited, and was received by the Shire on the 8th December 2017.

A summary of the application is noted below:

A Telstra mobile phone base station facility which is proposed as part of the National Mobile Black Spot Program including:

- 42m high guyed mast;
- 4x panel antennas;
- 2x parabolic dish antennas;
- 1x GPS antenna;
- 1x Outdoor Equipment Shelter;
- 1x Solar Panel Array;
- 1x Diesel Generator; and
- Ancillary equipment associated with the operation of the facility.

The solar panel array will be located within a fenced compound measuring 10m x 35m, with the base of the guyed mast also being fenced within a 3m x 3m compound area.

Background

The subject site is contained within the area covered by the Shire of Yalgoo Local Planning Scheme No. 2 (LPS2) and is zoned as a Local Scheme Reserve for Public Purposes under the provisions of LPS2.

The proposal comprises of a 42-metre guyed mast, four (4) panel antennas and two (2) parabolic antennas mounted on a triangular headframe on the proposed mast, one (1) GPS antenna mounted on a battery cabinet, one (1) solar panel array and one (1) diesel generator at ground level, together with an outdoor equipment cabinet, cabling and ancillary equipment, including two (2) tower mounted amplifiers and three (3) radio remote units.

The proposed facility will be contained within an irregular shaped lease area, with the solar panel array contained within a security fenced compound measuring in 10m x 35m. The mast will be contained within

Consultation

Chief Executive Officer – Mr. Silvio Brenzi

Environmental Health Officer/ Building Surveyor – Mr. Bill Atyeo

Strategic Implications

The strategic significance of telecommunications is identified in the State Planning Strategy which states: *“The development of State infrastructure, services and regional centres that employ new telecommunication technologies will enable business growth and efficiency. It will also enable people, resources and information to be linked in ways that reduce the barriers of location and time.”*

Shire of Yalgoo Strategic Infrastructure Plan 2013

Section 6 of the Shire of Yalgoo Strategic Infrastructure Plan 2013 identifies the current provision of communication facilities within the Shire. It notes the following:

“There is an existing Telstra cable network throughout the townsite and a Telstra exchange within the town which provides telephone services. However, the townsite is outside the coverage area for conventional Telstra Mobile and Internet Services”.

As such it is expected that the proposed facility will provide an increase in these services and provide and will especially be beneficial to emergency services and other stakeholders within the coverage area. It is also noted that this application is potentially one of several similar facilities that are intended to be deployed within the Shire of Yalgoo local government area and a broader strategic consideration should be had when determining the outcome of the application at present.

Policy Implications

The Shire of Yalgoo does not have a specific Telecommunications Local Planning Policy

State Planning Policy 5.2 – Telecommunications Infrastructure

The objectives of this policy are to:

- Facilitate the provision of telecommunications infrastructure in an efficient, cost-effective and environmentally responsible manner to meet community needs;
- Manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- Ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,
- Promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

It is considered that this proposal is consistent with these objectives.

Financial Implications

Should Council resolve to refuse or conditionally approve this proposal; an applicant aggrieved by a determination of the local government in respect of the exercise of a discretionary power under the Scheme may appeal under Part 14 of the Planning and Development Act. Such process would incur legal costs.

Legal and Statutory Implications

The Planning and Development Act 2005 and its Regulations provides for the creation of a Local Planning Scheme.

The Shire of Yalgoo Local Planning Scheme No. 2 (the Scheme) provides the mechanism for protecting and enhancing the environment of the district and its historical associations, controlling land and building development, setting aside land for future use as reserves and other matters authorised by the Planning and Development Act 2005.

Under the Scheme the proposed “telecommunications infrastructure” land use is not listed. Accordingly, under Clause 4.4.2 of the LPS2 - If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may —

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

The land is identified as being a Local Reserve, which under Clause 3.4 of LPS2: a person must not —

- a) use a Local Reserve; or
- b) commence or carry out development on a Local Reserve, without first having obtained planning approval under Part 9 of the Scheme.

In determining an application for planning approval, the local government is to have due regard to —

- a) the matters set out in clause 10.2; and
- b) the ultimate purpose intended for the Reserve.

With respect to the above, it is considered that the proposed land use of ‘telecommunications infrastructure’ would not compromise, the ultimate purpose intended for the reserve.

Nationally, telecommunications infrastructure is governed by the Telecommunications Act 1997. This is the overarching legislation. The main effect of this legislation is that there is a requirement for telecommunications infrastructure to comply with State (and local) planning and environmental approval procedures.

Should Council decide to refuse the application, it is likely that the matter will be sent to the State Administrative Tribunal (SAT) for review. Additionally, refusal of an application made under the National Black Spot Program has the potential to impact the future development and rollout of similar facilities required for the network operation throughout the area.

Risk Implications

As noted above, an applicant aggrieved by a determination of the local government in respect of the exercise of a discretionary power under the Scheme may appeal under Part 14 of the Planning and Development Act. Such process would incur legal costs.

Social Implications

The Shire of Yalgoo currently has many mobile black spots within its boundary. Poor reception in remote areas can be problematic for social connectivity and can also hamper the ability to communicate during emergency situations.

Effective telecommunications are deemed to be an essential community service, vital to successful growth, development and safety. The proposed facility will provide terrestrial mobile voice and high-speed wireless data broadband to improve highway and town-to-town coverage to the rural communities, tourists and travellers in the locality.

Environmental Implications

It is advised that the construction of the proposed guyed mast and associated ancillary development is unlikely to have a significant effect on the surrounding environment. Any possible impacts can be appropriately addressed through the existing planning framework. The proposed site is not recorded in the DPaW mapping system as “Environmentally Sensitive Area” or forming a part of any significant Regional Ecological Linkages.

Note 5 of Drawing Sheet No. S1-1 identifies that vegetation within the compound area is to be cleared as part of the application in order to minimise any snake activity. Should substantial clearing be required approvals from the relevant authorities would be required to be obtained prior to the works taking place. Additionally, it is recommended that should any wildlife, including snakes, be identified at the site that a suitable and qualified professional be commissioned for the safe relocation of the animals.

While the proposal has the minimal impacts to the surrounding natural environment, it is recommended that during construction all care is taken to ensure that native wildlife is not interfered, erosion does not occur or is not likely to occur once the construction is complete and that any damage and rubbish created by the construction is appropriately remediated.

Economic Implications

There are no adverse economic implications envisaged from this report.

Conclusion

There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impacts; including for example, visual impact and flood or fire hazard, a particular proposal provides a net community benefit.

The proposed works will provide the community with reliable 4G access which in turn supports the various rural pursuits in the region and forms part of a wider plan to ensure reliable and accessible coverage during emergency situations such as bush fires.

The proposed telecommunications facility as part of the National Mobile Black Spot Program will provide improved coverage services within the Shire and will provide an overall benefit.

Under Clause 10.3 of the Shire of Yalgoo Local Planning Scheme No.2, in determining an application for planning approval the local government may –

- a) Grant its approval with or without conditions; or
- b) Refuse to grant its approval.

In this instance, it is considered that the application appropriately meets all statutory requirements and is therefore recommended that approval be granted subject to relevant conditions.

Voting Requirements

Simple Majority.

CEO Silvio Brenzi advised Council the report was developed by Urbis, and that the location of lot 4317 is located behind Pilroc Retreat. Silvio also explained there is an existing tower on Lot 4317.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0103 Lot 4317 Goodingnow Road, Paynes Find – Proposal to install a ‘Telstra’ mobile phone base station facility

That Council:

Approve the application for development dated 8 December 2017 for the installation of the Telecommunications tower and supporting infrastructure located at Lot 4317 Goodingnow Road, Paynes Find WA 6612, subject to the following conditions:

- 1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plans;**
- 2. Any variations from the above shall require additional approval to be received from Council;**
- 3. The development approved is to be substantially commenced within a period of 2 years after the date of determination. Should development not substantially commence before the expiration, approval would no longer apply and additional approvals will be required;**
- 4. This approval does not constitute a building permit. A building permit is to be obtained prior to the commencement of any building works; and**
- 5. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried 5/0

CEO Silvio Brenzi advised Council there was an incident at Paynes Find where a truck had rolled over, and some confusion between the people at the Road House and the First Aid Station over how a fire was handle in a truck and how they managed the drive. A meeting is set to be held with DFES Rick Ryan the Community Emergency Services Manager and Ian Comben Acting District Officer on Tuesday 30 January 2018, than travelling to Paynes Find to meet with both parties.

10.2.2 Proposed Amendment No. 2 to Local Planning Scheme No.2: Reclassify Lot 65 (No.42) and 66 (No 44) Gibbons Street, Yalgoo

File:	
Author:	Mr. Silvio Brenzi, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 January 2018
Attachments	Scheme Amendment Report, Scheme Amendment Map

Matter for Consideration

Council to consider an amendment to the Shire of Yalgoo Local Planning Scheme No.2 (LPS 2), to reclassify two parcels of land within the Yalgoo townsite identified as Lot 65 (No.42) and 66 (No.44), Gibbons Street, Yalgoo, from 'Public Purposes' to 'Residential (R10)'.

The proposed Scheme Amendment shall be known as Amendment No.2.

Proposal

The proposed Scheme Amendment seeks to reclassify Lot 65 (No. 42) Gibbons Street and Lot 66 (No.44) Gibbons Street, Yalgoo from 'Public Purposes' to 'Residential (R10)' as indicated on the Scheme Amendment Map.

This amendment is proposed following a request by the landowner of the above lots to the Ombudsman of Western Australia. The subject land was previously zoned Residential R10 under the former Town Planning Scheme No.1 and was reclassified to Public Purposes as part of a Scheme Review process in 2010. On reflection, this reclassification was an administrative error with no intent by the Shire to pursue public purpose land uses on this freehold site. accordingly, this amendment seeks to revert to the previous Residential R10 zoning.

Based on pre-lodgement advice from the Department of Planning, Lands and Heritage, this amendment is considered a 'standard amendment'.

A copy of the LPS Amendment Maps is attached.

Consultation

As part of the preparation of the Amendment No.2, liaison with the A/Planning Director (Mr Justin Breeze) from the Department of Planning, Lands and Heritage was undertaken, during which it was confirmed that an application of this nature would be considered a 'standard' amendment. This is due to the following:

- a) The Amendment is considered to have minimal impact on land in the scheme area that is not the subject of the amendment;
- b) The Amendment does not result in any significant environmental, social, economic or governance impact on land in the scheme area; and
- c) The Amendment is not considered to be either complex or basis in nature.

Assuming Council's resolution to initiate Amendment No.2, statutory advertising will be undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015, Regulation 47(1)*, for a period of 42 days.

Strategic Implications

Amendment No. 2 is consistent with the Shire's Strategic Community Plan and all relevant State and Regional policies in that it will revert land back to residential in order to facilitate the opportunity to increase population and housing stock in the Shire, in appropriate locations.

Policy Implications

Nil

Financial Implications

All costs associated with the preparation and advertising of this amendment have been borne by the Shire. This includes engaging the Shire's Planning Consultant, Urbis, to prepare and monitor the application.

Legal and Statutory Implications

Local Government Act 1995

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

Planning and Development Act 2005

Part 5, Section 75 states that - A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment —

- a) prepared by the local government, approved by the Minister and published in the Gazette; or
- b) proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

Should initiation be granted to the proposal, the prior consideration by the Environmental Protection Authority (EPA) is required. Where the EPA advises that the proposed amendment need not be assessed on environmental grounds, the amendment would then be advertised for a period of not less than 42 days for agency and public comment. Following advertising, Council will be required to reconsider the proposal as well as any submissions received.

Shire of Yalgoo Local Planning Framework

A summary of the key local planning considerations is provided below:

- Shire of Yalgoo Strategic Community Plan 2013-2023 - Amendment No.2 is generally aligned with the key objectives of the Shire's Strategic Community Plan. The reclassification of the subject sites will deliver access to additional residential land within the townsite.
- Local Planning Scheme No.2 – Amendment No.2 seeks to correct an administrative error that was borne out of the Shire's Scheme Review process. The reclassification is considered to be generally in accordance with the overall aims of the Scheme, in particular to provide for future residential land use needs and townsite expansion.

It is also noted that future development applications within each Amendment area will need to have due regard to the specific provisions of the Residential zone and broader provisions within the Scheme.

- Shire of Yalgoo Municipal Heritage Inventory – Lot 65 is included within the Municipal Heritage Inventory. Accordingly, any future applications relating to the subject site should have due regard to the protection and enhancement of the heritage site, given its historical significance.

Voting Requirements

Simple Majority.

CEO Silvio Brenzi advised Council this was budgeted because the Ombudsman saw an error on how this was processed back in 2002, and that the owner of Lot 65 and 66 Gibbons Street was concerned and upset that she was not consulted properly therefore funds were put in the budget to handle this process.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0104 Proposed Amendment No.2 to Local Planning Scheme No.2: Reclassify Lot 65 (No.42) and 66 (No.44) Gibbons Street, Yalgoo

That Council:

Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), resolve to adopt Scheme Amendment No.2 to Town Planning Scheme No.2 for the purpose of advertising:

by:

- 1. Reclassify Lot 65 (No. 42) Gibbons Street and Lot 66 (No.44) Gibbons Street, Yalgoo from ‘Public Purposes’ to ‘Residential (R10)’ as indicated on the Scheme Amendment Map.**
- 2. Forward Scheme Amendment No.1 to:
 - a. The Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the *Planning and Development Act 2005*.**
 - b. The Western Australian Planning Commission for information.****
- 3. As per Regulation 47 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, subject to no objections being received from the EPA, advertise the amendment for public comment for a period of 42 days to the satisfaction of the Chief Executive Officer.**

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried 5/0

10.3 FINANCE

10.3.1 Accounts for Payment November 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 January 2018
Attachments	Nil

Matter for Consideration

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

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount \$
Bill Pmt - Cheque	AMPAC Debt Recovery (WA) Pty Ltd	12/15/2017	Debt Recovery	7.70
Bill Pmt - Cheque	BOC Limited	12/15/2017	oxygen indust g size, dissolved acetylene d size,	102.31
Bill Pmt - Cheque	Bunnings Building Supplies Pty Ltd	12/15/2017	paint and paint brushes: Mens Shed aquadeck- mens shed tools for workshop, supplies for Caravan Park	578.47
Bill Pmt - Cheque	Canine Control	12/15/2017	RANGER SERVICE - 27 NOVEMBER 2017	949.03
Bill Pmt - Cheque	Civic Legal	12/15/2017	Advice on Exemption for Waste Removal Service Char Review of Rates Exemption: Murchison Regional Abor Recovery of Rates from Living Cities Development G Counsel Fees for Rebecca Lea for Worked Performed:	21340.07
Bill Pmt - Cheque	Courier Australia	12/15/2017	WINC: Office Supplies	159.65
Bill Pmt - Cheque	Crowe's Electrical	12/15/2017	Hall: fit new stove, install power point, repairs	753.00
Bill Pmt - Cheque	Rocke, David	12/15/2017	Cleaning of Complex	385.00
Bill Pmt - Cheque	Dominic Carbone & Associates	12/15/2017	Financial Consultancy Service	2915.00
Bill Pmt - Cheque	Five Star Business Equipment & Comms	12/15/2017	photocopier reading	905.11
Bill Pmt - Cheque	Trenfield, Gail	12/15/2017	Council meeting Fee - 14.12.17, Audit Meeting - 14.12.17	645.67
Bill Pmt - Cheque	REFUEL AUSTRALIA	12/15/2017	November Fuel Charges	25452.26
Bill Pmt - Cheque	Hitachi Construction Machinery(Australia)	12/15/2017	YA465: parts	5468.28
Bill Pmt - Cheque	J R & A Hersey	12/15/2017	Consumables for Depot Consumables for Depot Duct Tape (2)	741.24
Bill Pmt - Cheque	Hill, Judith	12/15/2017	christmas decorations for council christmas functi	32.00
Bill Pmt - Cheque	Landgate	12/15/2017	Mining Tenements	161.70
Bill Pmt - Cheque	Mick Davey Butchers	12/15/2017	food supply for council christmas function & children	1005.00
Bill Pmt - Cheque	Minjar Gold Pty Ltd	12/15/2017	Rates Refund Tenement Death	946.74

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount \$
Bill Pmt -Cheque	Mt Magnet Waste Disposal	12/15/2017	27 STANLEY & 8 HENTY STREET: PUMPOUT SEPTICS	3495.00
Bill Pmt -Cheque	PaynesFind Road House & Tavern	12/15/2017	Accommodation & Meals - Onedex	246.00
Bill Pmt -Cheque	Lawson, PERCY (SENIOR)	12/15/2017	Audit Meeting - 14.12.17 Communications Allowance	409.67
Bill Pmt -Cheque	Pratt, Ray	12/15/2017	correction to GST YA 465: Radio Antenna	4.56
Bill Pmt -Cheque	Grinham, Robert	12/15/2017	Council Meeting Fee - 14.12.17 Communications Allowance	884.10
Bill Pmt -Cheque	WINC AUSTRALIA PTY LIMITED	12/15/2017	OFFICE/HALL SUPPLIES office supplies binding covers 2017 Dairies (2)	1023.57
Bill Pmt -Cheque	Sun City Plumbing	12/15/2017	8 Henty St: Blocked Drains	968.00
Bill Pmt -Cheque	Sun City Print	12/15/2017	Councillor Business Cards and 2x boxes of A4 envelops	603.00
Bill Pmt -Cheque	Veolia Environmental Services	12/15/2017	rubbish service collection fee	4005.94
Bill Pmt -Cheque	W & E Rowe Contractors	12/15/2017	Carting Creek Sand/Red Silt	22247.50
Bill Pmt -Cheque	WBHO Civil Pty Ltd	12/15/2017	service location completed	1884.30
Bill Pmt -Cheque	Western Independent Foods	12/15/2017	Caravan Park: full cream uht milk ANCHOR FULL CREAM MILK P/C 250 X 15ML - 10030	58.60
Bill Pmt -Cheque	Westside Painting Service	12/15/2017	completion of internal paint works graffiti removal suply and install 2 new external doors	5940.00
Bill Pmt -Cheque	PAYNE, GREGORY ARTHUR	12/15/2017	Council meeting Fee - 14.12.17, Audit Meeting - 14.12.17	996.93
Bill Pmt -Cheque	ELLIS & SONS CONSTRUCTION	12/15/2017	16 Shamrock: Supply and install fence	7997.00
Bill Pmt -Cheque	Westrac Equipment Pty Ltd	12/15/2017	YA860: 500hr service	2097.22
Bill Pmt -Cheque	Atyeo's Environmental Health Services PL	12/15/2017	Consultancy fees EHO Duties for Shire	3451.75
Bill Pmt -Cheque	PINPOINT CLEANING SOLUTIONS	12/15/2017	Monthly clean of Shire Buildings	2145.00
Bill Pmt -Cheque	BP MECHANICAL MAINTENANCE	12/15/2017	YA479: adjust brakes YA1613: adjust brakes on trailer	93.94
Bill Pmt -Cheque	M & B BUILDING PRODUCTS	12/15/2017	Mens Shed: Paint, brushes, washers, nuts & bolts	107.36
Bill Pmt -Cheque	SHIRE OF YALGOO	12/15/2017	Monthly Payroll Deduction: Staff Housing Rent Nove	1000.00
Bill Pmt -Cheque	HODDER, TAMISHA	12/15/2017	Council meeting Fee - 14.12.17, Audit Meeting - 14.12.17	645.67
Bill Pmt -Cheque	SUN CITY BATTERIES	12/15/2017	BATTERIES FOR VARIOUS SHIRE VEHICLES	1921.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount \$
Bill Pmt -Cheque	INSPIRATIONS MULLEWA	12/15/2017	catering for the shire council function and children	2715.00
Bill Pmt -Cheque	BURGESS & SONS CONSULTING	12/15/2017	CONSULTING: INVESTIGATION	9930.00
Bill Pmt -Cheque	DEPARTMENT OF PRIMARY INDUSTRIES & REGIONAL DEVELOPMENT	12/15/2017	CLGF 2012-13 Individual projects refund unspent portion of grant	13373.80
Bill Pmt -Cheque	REVOLUTIONS GERALDTON	12/15/2017	HELMETS, TUBES, TYRES,	3915.00
Bill Pmt -Cheque	ARTISTRY SIGN MAKERS	12/15/2017	SUPPLY AND FIT SIGNAGE TO ART CENTRE	2550.00
Bill Pmt -Cheque	Australian Taxation Office	12/22/2017	October 2017 Business Activity Statement	3922.00
Bill Pmt -Cheque	Canine Control	12/22/2017	Ranger Service: 20 December 2017	949.03
Bill Pmt -Cheque	Courier Australia	12/22/2017	westrac perth Freight Charges: Westrac, Winc's, Totally Workwear Freight Charges: State Library, Five Star	222.30
Bill Pmt -Cheque	Crowe's Electrical	12/22/2017	damage to main power poles	2662.75
Bill Pmt -Cheque	Geraldton Party Hire	12/22/2017	Catering Supplies for Emu Cup	3344.60
Bill Pmt -Cheque	Pratt, Ray	12/22/2017	YA 465: Radio Antenna	21.50
Bill Pmt -Cheque	Spotlight P/L	12/22/2017	ITEMS FOR CHILDREN'S XMAS PARTY	139.22
Bill Pmt -Cheque	W & E Rowe Contractors	12/22/2017	Doze Works Morawa Road: Gravel Stockpiling	31031.00
Bill Pmt -Cheque	DATAKOM SOLUTIONS (AU) PTY LTD	12/22/2017	Partial Expense Recovery	933.46
Bill Pmt -Cheque	REILLY & CO	12/22/2017	Emu Cup workshop 2017 Event Management & Coordination for Emu Cup	9138.72
Bill Pmt -Cheque	CUMMINGS, GLENN	12/22/2017	Nature Play Space	155.25
			TOTAL	209777.97

Voting Requirements

Simple Majority

Cr Robert Grinham enquired about the Tools bought for the Men’s Shed and asked if the tools was retained for later use.

CEO Silvio Brenzi confirmed the tools were brought for the Men’s Shed to be used.

Cr Gail Trenfield enquired about the Cr Percy Lawson meeting fees in December 2017 and asked why he was not paid for the Ordinary Meeting as he had received payments for the Audit meeting and his communication allowance.

CEO Silvio Brenzi advised Cr Lawson requested to be paid prior to Decembers ordinary meeting that’s why he did not claim.

Cr Tamisha Hodder enquired about the payment to Inspirations Mullewa (Catering for the Shire Council function and children)

CEO Silvio Brenzi explained the payment was for the catering for the end of year Council Christmas party and also the end of year children’s Christmas party.

Cr Gail Trenfield raised her thoughts about not using local business and feels that if we stop using them we may lose them.

President Joanne Kanny suggested that a review to the Shire’s policy should be look at as to local business getting priority over external business to supply and deliver catering for community events.

CEO Silvio Brenzi advised Council that the Shire of Yalgoo does not have a Bi-local policy as to only using Local Businesses, Mr Brenzi reassured Council the Shire is more than happy to use Local Businesses but in this case the two quotes that was received, Inspirations Mullewa, deemed more appropriate as the price was for 2 Shire functions not just one.

CEO Silvio Brenzi advised Council that a draft policy will be tabled at the February meeting, Mr Brenzi would also speak with Sean Fletcher (consultant) to have a bi-local policy drafted in regards to using Local Business for community events for Council to make comment at next months meeting.

DECISION

C2018-0105 Accounts for Payment November 2017

That Council approve the list of accounts paid for the period 1 December to 31 December 2017 amounting to \$209,777.97 and the list be recorded in the Minutes.

Moved: Cr Gregory Payne

Seconded: Cr Robert Grinham

Motion put and carried 5/0

10.3.2 Investments as at 30 November 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 January 2018
Attachments	Nil

Matter for Consideration

That Council receive the Investment Report as at 31 December 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 30 November 2017:

SHIRE OF YALGOO INVESTMENTS AS AT 31 December 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	\$1,879,560.42
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,039.15
NAB	N/A	Term Deposit	89-977-1574	3 month 1 day	28.12.2017	29.03.2018	2.00%	\$62,007.49
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,733.41
TOTAL								\$2,034,340.47
RESERVE FUNDS								
NAB	N/A	Term Deposit	97-511-445	3 months	28.12.2017	28.03.2018	2.00%	\$160,596.11
NAB	N/A	Term Deposit	89-972-5236	3 months	28.12.2017	28.03.2018	2.00%	\$445,788.73
NAB	N/A	Term Deposit	11-186-3992	3 months	28.12.2017	28.03.2018	1.75%	\$1,063,446.55
TOTAL								\$1,669,831.39
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 December 2017								
NATIONAL AUSTRALIA BANK								
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.12.2017	INVESTMENT TRANSFERS	CLOSING BALANCE 31.12.2017		
86-538-7363	Ongoing	Variable	\$40,929.28	\$109.87	0	\$41,039.15		
89-977-1574	29.03.2018	2.00%	\$61,392.89	\$614.60	0	\$62,007.49		
24-831-4222	Ongoing	Variable	\$51,594.90	\$138.51	0	\$51,733.41		
97-511-4454	28.03.2018	2.00%	\$158,650.69	\$1,945.42	0	\$160,596.11		
89-972-5236	28.03.2018	2.00%	\$440,410.14	\$5,378.59	0	\$445,788.73		
11-186-3992	28.03.2018	1.75%	\$1,050,564.24	\$12,882.31	0	\$1,063,446.55		

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

C2018-0106 Investments as at 30 November 2017

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

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried 5/0

10.3.3 Financial Activity Statement for the Period ended the 31 October 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 January 2018
Attachments (Green Cover) Pages 1 - 37	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 31 October 2017; • Financial Activity Statement; ending 31 October 2017 • Summary of Current Assets and Current Liabilities as of 31 October 2017; • Statement of Current Financial Position as at 31 October 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

President Cr Joanne Kanny asked if the residents of Paynes Find made any comments on what they would like beatification fund should be spent on.

CEO Silvio Brenzi advised that no comments were received yet as to what it should be spent on. Silvio mentioned he will send an email out as a reminder for Paynes Find resident to make suggestions.

Deputy President Cr Gregory Payne suggested if no comments are received by Paynes Find than Council should make the decision of what the funds should be used for.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0107 R34 (1) Financial Activity Statement for the Period ended the 31 October 2017.

That Council:

Adopts the Financial Activity Statement for the period ended 31 October 2017.

Moved: Cr Robert Grinham

Seconded: Cr Tamisha Hodder

Motion put and carried 5/0

10.3.4 Financial Activity Statement for the Period ended the 30 November 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 January 2018
Attachments (Green Cover) Pages 1 - 37	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 30 November 2017; • Financial Activity Statement; ending 30 November 2017 • Summary of Current Assets and Current Liabilities as of 30 November 2017; • Statement of Current Financial Position as at 30 November 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:

- (2) 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

President Cr Joanne Kanny enquired about the Bounty that was put on for Wild Dog Scalps and asked if any claims were made.

CEO Silvio Brenzi advised there may have been 3 claims made this financial year.

President Cr Joanne Kanny suggested that the Wild Dog Bounty funds may need to be re assessed.

CEO Silvio Brenzi agreed and made comments as to the fund not being used for its purpose Council should consider looking to reduce the amount or assign those funds elsewhere.

Cr Gail Trenfield informed the Council she had spoken to a station owner from Paynes Find who was not aware of the Wild Dog Bounty and asked how was it advertised.

President Cr Joanne Kanny advised an email was sent out to all pastoralist. The CEO Silvio Brenzi advised he would check as to who the email was sent to in regards to the Wild Dog Bounty, as well resend a reminder.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0108 R34 (1) Financial Activity Statement for the Period ended the 30 November 2017..

That Council:

Adopts the Financial Activity Statement for the period ended 30 November 2017.

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried 5/0

10.4 ADMINISTRATION

10.4.1 Report on Matters Outstanding as at 18 January 2018.

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 January 2018
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	CEO is about to set a timeframe for an architect to come out to Yalgoo. Architect has supplied 1 quote obtaining another. The CEO will review the Emergency Services Training Centre at the next budget review.
27 Oct 16	Employees Collective Enterprise Agreement	Council resolved to authorise CEO to obtain necessary approvals.	Completed

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
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	Currently under review.
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	Currently under review
25 Aug 2017	Termination of Centacare 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	Draft Consultation Plan for Telstra Site 6612005	Council authorised the CEO to prepare a draft Consultation Plan for Telstra Site No. 6612005	Completed
27 Oct 2017	Application for a prospecting licence	Council authorises the CEO to locate a suitable prospecting area close to the Yalgoo townsite and make application to the Mining Registrar for registration under section 19 of the Mining Act.	Letter was sent on the 17 November 2017. Awaiting a response from the Mining Registrar.
14 December 2017	Ordinary Council Meeting Dates for 2018	That Council advertise the meeting dates scheduled for 2018.	The advertisement has been placed.

Voting Requirements

Simple Majority

Cr Gail Trenfield left room at 11.28 am

Cr Gail Trenfield returned to the meeting at 11.30 am

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0109 Report on Matters Outstanding as at 18 January 2018

That Council:

receives Report N^o 10.4.1 Report on Matters Outstanding as at 18 January 2018.

Moved: Cr Robert Grinham

Seconded: Cr Gregory Payne

Motion put and carried 5/0

10.4.2 Caravan Park Statistics

Author:	Dominic Carbone
Interest Declared:	No Interest to disclose
Date:	19 January 2018
Attachments	Caravan Park Statistics

Matter for Consideration

That Council note the statistics on visitors’ numbers at the Yalgoo Caravan Park for the period 1 July 2017 to 31 October 2017.

Background

Council have requested information on tourists that stay at the Yalgoo Caravan Park.

Statutory Environment

Nil

Financial Implications

Impact on revenue and expenditure of Caravan Park operations.

Consultation

Nil

Comment

Accurate records are now kept and are attached showing the gathered data for July, August, September and October 2017.

Voting Requirements

Simply Majority

Cr Gail Trenfield enquired about the Caravan Park Manager’s position, if it was advertised and by law should it had been advertised.

CEO Silvio Brenzi advised the previous manager of the caravan park had resigned unexpectedly so he had employed a casual to take on the position that he believes to be suitable for the role.

OFFICER RECOMMENDATION / COUNCIL DECISION
C2018-0110 Caravan Park Statistics for the Period of 1 July 2017 to 31 October 2017.
That Council notes the statistics on visitors’ numbers using the Yalgoo caravan park facilities for the months of July, August, September and October 2017.
Moved: Cr Robert Grinham Seconded: Cr Gail Trenfield Motion put and carried 5/0

- (i) such other information as may be prescribed.

Acceptance of annual reports s5.54.

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* *Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Notice of annual reports s5.55.

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Financial Implications

The cost of advertising incorporated in the 2017-2018 Annual Budget.

Consultation

Nil

Comment

The Annual Report for the 2016-2017 Financial year is now presented and Council is requested to give consideration to adopting the Report.

Local Governments are to prepare an annual report for each financial year. This annual report is to contain:

1. A report from the Mayor or President;
2. A report from the Chief Executive Officer;
3. An overview of the Strategic Community Plan of the district including major initiatives that are proposed to commence or ton continue in the next financial year;
4. The financial report for the financial year;
5. Such information as may be prescribed in relation to payments made to employees;
6. The auditor's report for the financial year;
7. A matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
8. Details of entries made under section 5.121 during the financial year in the register of complaints.

In order to comply with the requirements of the Local Government Act 1995, the Annual Electors' meeting must be held within 56 days of the adoption of the Annual Report.

Should the Annual Report be adopted by Council at its Ordinary Council meeting on 25 January 2018 the Annual Electors' meeting would need to be held prior to 22 March 2018.

The Annual Electors' meeting last year was held at Yalgoo and it recommended that it be held at Paynes Find for this year prior to 22 March 2018.

The Annual Electors' meeting to be advertised in the Western Australian Newspaper, the Bulldust and Community Notice boards as deemed appropriate.

Copies of the Annual Report including financial statements for the year ended 30 June 2017 to be available at the Shire's Administration Centre in Yalgoo and a copy to be made available at Paynes Find or by contacting the Shire.

Voting Requirements

*Absolute Majority.

CEO Silvio Brenzi advised Council that the electors meeting does not necessarily need to be held in Paynes Find and that the Electors Meeting needs to be held before the 22 March 2018.

President Joanne Kanny requested Council to move a motion to amend the Officer Recommendation #2 that the Annual Elector’s Meeting be held at the Yalgoo Council Chambers on Friday 23 February 2018 at 9.00 am.

The amendment was moved by Cr Gail Trenfield and second by Cr Gregory Payne
There being no further debate the motion was put to the vote and carried 5/0.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0111 Annual Report 2016-2017

That Council:

1. **Accepts the 2016-2017 Annual Report for the Shire of Yalgoo as attached to this report in accordance with Section 5.54 of the Local Government Act 1995;**
2. **That the Annual Electors’ meeting be held at the Yalgoo Council Chambers on Friday 23 February 2018 at 9.00 am.**
3. **Subject to (2) above the Annual Electors’ meeting be advertised in the Western Australian Newspaper, Bulldust and Community Notice boards as deemed appropriate.**
4. **Subject to (3) above the advertisement includes that the Annual Report for the 2016-2017 Financial year is available at the Shire’s Administration Centre in Yalgoo and Paynes Find.**

Moved: Cr Robert Grinham

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

10.4.4 Report on Bi-Monthly Community Development Officer Program

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	19 January 2018
Attachments:	Nil

Matter for Consideration

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

Background

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

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

Statutory Environment

Nil

Financial Implications

Nil

Comment

The Community Development Officer report is as follows:

Bi Monthly Report January 2018

Tidy Towns Yalgoo State final winners for General Appearance

Yalgoo was named the winners for General Appearance and runners up for Young legends (MEEDAC) Yalgoo has taken out a Tidy Town’s Sustainable Communities 2017 award, scooping the highly converted prize from the line-up of hopefuls from across the State. The community from young children to MEEDAC workers along with Shire employers have been working hard to improve the appearance of the Shire Community Hall and the town utilising recycled timber, making pathways out of old bricks creating colourful mosaic paths and painting recycled concrete containers. Planting herb and vegetable beds and areas for screen planting, bush tucker plants, shaded seating and fruit trees. Due to the frequent clean-ups and litter education, the streets are tidy and nature strips are well maintained. The new play ground, Arts & Cultural Centre and Sports Oval will enhance Yalgoo community and bring pride to the township and wider community.

Community meeting Tuesday 5th December 2017

Held at the community hall at 4pm

Service provider’s, Councillors and locals attended the community meeting.
See attached minutes

17 participants attended the meeting

Next community meeting 13th February at 6pm requested by the group.

Children’s Environment & Health Local Government Report Card Project 2017

Shire of Yalgoo received recognition of commendable strategies in Nature Play 2017. The Shire has supported the introduction of a nature play area for the local children by providing the man power and resources. It is great to see the community come together to work on this worthwhile project, a community styled garden and educational opportunities have been taken advantage of. Adopt a “Helmet” project and the partnerships between services have formed the next phase implemented. Reinforcing the consequences of not wearing a helmet is a powerful message to children. The award was presented to the CEO Silvio Brenzi in Perth on the 8th of December.

Shire Christmas Break up 15-12-2017

The Shire Christmas party was held up at the Railway complex, we started decorating the hall at 3- 30pm which gave us about 2 hours to get the decorations up, tables and chairs set up, food, drinks, the BBQ sorted, and entertainment set up before the Shire workers and Council members and their partners started to arrive. We had a good turn out with every one yarning along with background music. Dinner was ready by 7: 30pm and with everyone seated Silvio thanked us all for the hard work and goals achieved throughout the year. Both Neil Grinham and Raul Valenzuela were acknowledged for their outstanding contribution to the people of Yalgoo and the wider district over many years. Councillor Greg Payne addressed us all in the absence of Yalgoo President Jo Kanny. Once speeches had concluded the party really started. Music dancing, singing and laughter could be heard in the township. A productive fun evening had by all whom attended.

Yalgoo Shire EMR Golden Grove Children’s Christmas Party 17-12-2017

The Shire organised another successful Christmas party for the children of Yalgoo and pastoral owners. Setting up tables and chairs, placing presents under the tree, wondering if the weather would hold up for our excursion to Mullewa pool in the afternoon. The hall and BBQ was set up but unfortunately due to bad weather we cancelled the excursion to Mullewa pool. The church service held by Pastor Darrin and David whom also bought in blankets and secondhand clothing for the locals. We had 60 + children parents and grandparents attend sitting patiently listening and joining in with the singing and videos shown by Darren. Councillor Percy became our stand in Santa and Tamihana played the Elf whom assisted in giving out the presents. This made a dull wet day seem fun with humour and cheeky behaviour, the looks on the children’s faces seeing Santa made for great photos. Parents and grandparents took photos whilst enjoying the morning’s events. 84 participants signed during the morning in the register book. We served up morning tea then sent the children home as the hall was cleaned and waited for Michelle Hodder to bring the food back from Inspirations in Mullewa. Everyone returned for dinner at 4pm. We would like to thank our entire parent volunteer group LDAG group for all their help setting up morning tea and dinner, serving and cleaning up the hall on the day.

A big thank you to Inspirations in Mullewa for supplying the Shire with enough food to cover the Shire break up party and Shire children’s Christmas party. Mick Davies Meats in Geraldton for supplying us with enough meat to cover 2 events including Australia Day and the children school holiday program this year. Thanks to all the parent volunteer group for helping us organise clean and prepare for these events and programs.

Women’s Business 20th January 9am to 1pm

Start of the New Year means new ideas and new adventures, inviting all ladies who are interested in facilitating programs to suit the young and elderly. If your talent is arts & crafts, cooking, baking, cultural, music, singing, dancing, we welcome all your skills and talents. We will be requesting for other facilitators and service providers to attend the program throughout the year. Some of the ladies requested that they

would like to go out on excursion trips outside of Yalgoo in the new year. We will continue to discuss the idea.

School holiday program January 10th to the 18th

Held up at the community hall from 10 am to 12pm on various days with all participants signing the registration book on arrival .We welcome any parents who would like to help assist in the program.

Activities included:

1. Arts & crafts
2. Baking
3. Cooking
4. Movies
5. Fix up old bikes (Pimp my ride)
6. Health and Well-being program (Girls) Love your body ,healthy nutrition
7. Excursion to Mullewa pool
8. BBQ lunch end of program
9. Morning tea supplied
10. Sports = basketball& cricket

Australia Day 26th January 10am to 2pm at the Community Hall

- Raise the flags 7am
- Venue Community Hall outside Nature play area
- BBQ Brunch 10 am to 12pm
- Entertainment music and movie
- BYO drinks for the day (cool drinks as it is a non alcohol and drug event)
- Movies – free muffins and cup of tea for the Senior group

Bull dust magazine January 2018

Completion of the bulldust report sent in for January 2018 covers this year’s programs and Events. Covering last years programs from September 2017.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0112 Report on Bi-Monthly Community Officer Program

That Council:

Receives the Bi-Monthly Community Development Officer Program Report.

Moved: Cr Robert Grinham

Seconded: Cr Tamisha Hodder

Motion put and carried 5/0

10.4.5 Use of Common Seal

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	25 January 2018
Attachments	Licence agreements (original documents to be tabled at the meeting)

Matter for Consideration

For council to approve the use of the common seal to the renewal of the Yalgoo licencing agreement with the Department of Transport.

Background

The Shire has in the past carried out licensing services at the administration office for the benefit of the community. The renewal of the service is recommended as a valuable service in our remote location.

Statutory Environment

Local Government Act GA 1995

Strategic Implications

Nil

Policy Implications

Nil

Financial Implications

The Shire receives a small payment per transaction depending on its type. These amounts are included as part of the annual budget.

Consultation

Department of Transport
Executive Assistant

Comment

Shire administration staffs carry out the required activities to support this service. Training is also offered by the DoT to cover new staff and any updated services.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0113 Use of Common Seal

That Council:

Approve the use of the common seal and that the CEO and Shire President sign the licence renewal agreement with the Department of Transport.

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried 5/0

11. NOTICE OF MOTIONS

11.1 PREVIOUS NOTICE RECEIVED

Nil

12. URGENT BUSINESS

President Cr Joanne Kanny suggested that all elected members should attend a CEO’s appraisal training held by Walga, Perenjori is hosting this particular training in March.

12.1 CEO Appraisal Training

That current Council members receive training for the CEO appraisal prior to the April CEO assessment 2018.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0114 Appraisal Training for Elected Members

That current Council members receive appropriate training prior to April 2018 CEO’s assessment.

Moved: Cr Gail Trenfield Seconded: Cr Robert Grinham Motion put and carried 5/0

12.2 Purchase of a New Corporate Firearm

That Council purchase a suitable firearm for wild dog control and have it licenced on the Shire of Yalgoo corporate licence and have the fund allocated in the 2017/18 budget review.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-0115 Purchase of a new Corporate Firearm

That Council:

Purchase a suitable firearm for wild dog control and have it licenced on the Shire of Yalgoo corporate licence, and have the funds allocated in the 2017/18 budget review.

Moved: Cr Gregory Payne Seconded: Cr Robert Grinham Motion put and carried: 5/0

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

13.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

NIL

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. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chambers Shire of Yalgoo 23 February 2018 commencing at 10.00 am.

15. MEETING CLOSURE

There being no further business, the President declared the Ordinary meeting closed at 12.25 pm

DECLARATION

These minutes were confirmed at the Ordinary Council Meeting held on the _____.

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

