



AGENDA
FOR THE ORDINARY MEETING
OF COUNCIL
TO BE HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON FRIDAY 27 APRIL 2018
COMMENCING 10.00 AM



SHIRE OF YALGOO

NOTICE OF ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE YALGOO COUNCIL CHAMBERS, YALGOO ON FRIDAY 27 APRIL 2018 COMMENCING AT 10.00 AM.

Silvio Brenzi

Chief Executive Officer



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Agenda for the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, Yalgoo
on Friday 27 April 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

The Member for North West Central Vince Catania MLA will be in Attendance.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS

STAFF

GUESTS

OBSERVERS

LEAVE OF
ABSENCE

APOLOGIES

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING

Background

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

Voting Requirements

Simple majority

OFFICER RECOMMENDATION

Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 23 March 2018 be confirmed subject to the following corrections.

- 1. by the insertion of the Following names**
 - 4.2.1 Page (5) Raul Valenzuela and deletion of Yalgoo Community Member.**
 - 4.2.2 Page (5) Alison Maher and deletion of Yalgoo Community Member.**
 - 4.2.3 Page (6) Michelle Hodder and deletion of Yalgoo Community Member.**
 - 4.2.4 Page (6) Gail Simpson and deletion of Yalgoo Community Member.**
 - 4.2.5 Page (6) Raul Valenzuela and deletion of Yalgoo Community Member.**
 - 4.2.6 Page (7) Michelle Hodder and deletion of Yalgoo Community Member.**
 - 4.2.7 Page (7) Michelle Hodder and deletion of Yalgoo Community Member.**
 - 4.2.8 Page (7) Gail Simpson and deletion of Yalgoo Community Member.**

- 2. Report 9.1 Report on Compliance Audit Return 2017 (Page 12)**
Resolution be amended to read by the deletion of.
“the Audit Committee Recommends” and insertion of “Council adopts the Audit Committee Recommendation.”

- 3. Report 11.4.3 Report on Bi-monthly Community Development Officer Program (page 48)**
 - 3.1 Deletion of “ The Finalised report will be available to members at or prior to the meeting”**
 - 3.2 Deletion of “there was no mover and seconder. Motion lost” insert “no action was required to be taken”**
 - 3.3 Deletion of Officer Recommendation / Council Decision in its entirety.**

- 4. 12.1.1 Notice of Motion received from Cr Robert Grinham and Cr Percy Lawson.**
By the Insertion of reasons.
 - 1. That the statements made by individual Councillors say the program was unviable was untrue.**
 - 2. There is no expectation for the program to make money.**
 - 3. The media statement stating cost to the Shire for the Centacare program was misleading and untrue.**
 - 4. the Community of 120 people in Yalgoo who benefits from the program presented Council with a letter and petition with 76 signatures to Council asking to reverse the decision to close the Centacare program.**

And recording of elected members votes

For the motion – Cr Robert Grinham and Cr Percy Lawson

Against the Motion – Cr Joanne Kanny, Cr Gregory Payne, Cr Gail Trenfield & Cr Tamisha Hodder

Moved:

Seconded:

Motion put and carried/lost:

9. REPORTS OF COMMITTEE MEETINGS

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

10.0 INFORMATION ITEMS

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

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

11.1 TECHNICAL SERVICES

11.1.1 Progress Report on the Capital Works Program 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 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- MARCH ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					
Governance					
000000-Refurbish Morning Tea /Public Meeting Room	F & E	5,000	0	5,000	The CEO to provide a verbal update on the status of the capital projects as at 31 March 2018 Check Account Allocation Posting to incorrect account
000000- Computus Shelving for Record Management	F & E	4,000	2,436	1,564	Purchase of Shelving complete
000000-Admin Mobile Phones, laptop, Computers, Office Equip.	F & E	5,000	2,508	2,492	New Hard Drive Ordered to Cater for CCTV and Replacement of CEO Mobile
000000-Council Chamber –Table	F & E	4,000	0	4,000	Matter for Budget Review
000000- Admin Centre - Garden Reticulation	L & B	7,000	0	7,000	Check Account Allocation Posting to incorrect account
000000- Admin Centre -Records Fit Coolroom Panels to Sea Container	L & B	16,800	17,898	(1,098)	50% complete- Two Minor Variations for Door Access
000000- Motor Vehicle CEO	P & E	86,030	89,370	(3,340)	Complete
000000- Motor Vehicle CGTS	P & E	66,485	0	66,485	Matter for deferred to Replace in 2018-19
Law Order Public Safety					
000000-CCTV Yalgoo Townsite	F & E	60,248	57,369	2,879	Complete Still waiting on DEC Approval at the School Site

		2017/18 ANNUAL BUDGET	2017/18 JULY- MARCH ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					The CEO to provide a verbal update on the status of the capital projects as at 31 March 2018
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 deferred to 2018-19
Recreation and Culture					
000000 - Furn. & Equip - Art Centre	F & E	15,430	14,894	536	Complete
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)	Complete
000000 - Arts and Crafts Building	L & B	40,488	74,572	(34,084)	To Complete Landscaping
000000-Power Supply Mens Shed and Rifle Club	L & B	19,000	17,260	1,740	Complete
000000-Payne Find Complex - External Painting	L & B	8,000	7,364	636	Complete
000000-Payne Find Complex - Internal Painting	L & B	4,000	3,800	200	Complete Balance to Purchase Blinds
000000 -Community and Youth Centre CLGF 2012-13 Unspent - Shade Sails	L & B	44,222	32,064	12,158	Completed Unspent portion of grant refunded \$12,158
000000 - Community Hall - Air Conditioner	L & B	10,500	0	10,500	Order Placed from Quotations
000000-Ride on Mower	P & E	25,000	25,850	(850)	Complete
000000- Community/School Oval Shared Use Development	Recreation	937,000	424,127	512,873	In Progress

			2017/18 ANNUAL BUDGET	2017/18 JULY- MARCH ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
			\$	YTD \$	\$	
<u>By Program</u>						
Transport						
000000- Machinery Shed Depot	L & B		135,000	127,607	7,393	Complete - lights to be installed
000000-Flood Control -Fuel Station	L & B		27,300	11,962	15,338	Pumping System Purchased,Drainage Channel Quoted and Ordered
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)	Complete
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)	Complete
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 RRG SPECIAL GRANT RD WORKS	Roads		530,119	513,000	17,119	Complete
000000- Yalgoo/Ninghan Road - Seal to width 4m SLK48.8 to SLK 36.6	Roads		293,500	19,539	273,961	Quotations received , quadrio to Commence in March 2018

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

		2017/18 ANNUAL BUDGET	2017/18 JULY- MARCH ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					
Transport					
MUNICIPAL FUND					
000000- North Road - Crossing	Roads	10,000	0	10,000	Project not commenced
Economic Services					
000000-Caravan Park - Sealing of Parking Bays and Driveways	L & B	22,000	22,000		Complete
000000 - Storage and POS Facility - Caravan Park	L & B	18,800	18,120	680	Complete
000000- Shelter and Seating Jokker Tunnel	L & B	4,054	0	4,054	Quotations being Sought for Signage
000000- Shelter and Visitors Board at Railway Station	L & B	4,054	0	4,054	Quotations being Sought for Signage
Other Property and Services					
000000-Mens Shed Upgrade	L & B	15,000	35,216	(20,216)	Complete
		3,213,634	1,895,619	1,318,015	

The CEO to provide a verbal update on the status of the capital projects as at 31 March 2018

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Progress Report on the Capital Works Program 2017 - 2018

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

Moved:

Seconded:

Motion put and carried/lost:

11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

Nil

11.3 FINANCE

11.3.1 Accounts for Payment March 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 April 2018
Attachments	Nil

Matter for Consideration

Council approve the Accounts for Payment list for the period 1 March 2018 to 31 March 2018 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 March 2018 to 31 March 2018 are as follows:

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1005*2018	AMPAC Debt Recovery (WA) Pty Ltd	12/03/2018	Debt Collection Fees	1,172.80
1024*2018	Canine Control	12/03/2018	Ranger Service: 26 February & 2 march 2018	949.03
1073*2018	Great Northern Rural Services.	12/03/2018	Supply fencing material for town oval	20,075.33
1091*2018	Landgate	12/03/2018	Valuations Mining Tenements	153.40
1094*2018	Linaire Hodge.	12/03/2018	Food for Program HCP Activity Epenses	54.44
1101*2018	Marketforce	12/03/2018	Job Advertisement - Midwest Times on the 14 February 2018	544.06
1125*2018	Murdoch University	12/03/2018	Veterinary Service - 25,26,27 October	1,275.00
1147*2018	Proudlove's Smash Repairs	12/03/2018	YA805: Excess repairs YA800: Excess repairs YA800: Excess repairs	900.00
1153*2018	Pratt, Ray	12/03/2018	Hose,clamps & fittings sprinkler heads	217.22
1158*2018	Grinham, Robert	12/03/2018	Council meeting Fee: 14.12.17 Communications Allowance: 23.03.18	1,500.52
1161*2018	S & H Cranes P/L	12/03/2018	Crane Hire -Unload Grids with Crane 1hr	154.00
1182*2018	ThinkWater Geraldton	12/03/2018	Supply & install bore pumps and pipe line	15,941.15
1206*2018	Yalgoo General Store.	12/03/2018	Workshop Consumables , HCP Activity Expenses	3,618.57
1245*2018	TYREPOWER GERALDTON	12/03/2018	4 BF Goodrich Tyres	1,534.41
1280*2018	BP MECHANICAL MAINTENANCE	12/03/2018	YA499: Service & Repairs Misc Small Plant: YA844: Service & Repairs Toro Ride on Mower: Service & Repairs YA508: Service & Repairs Misc Small Plant Genset: Service & Repairs YA457: Service & Repairs YA1622: Service & Repairs YA1643: Service & Repairs YA1613: Service & Repairs YA479: Service & Repairs YA465: Service & Repairs YA795: Service & Repairs Misc Small Plant: Service & Repairs Misc Small Plant Spray Pac YA860: Service & Repairs	7,284.41
1294*2018	DFES	12/03/2018	2017/18 ESL Quarter 3	4,432.50
1321*2018	QUEEN OF THE MURCHISON B&B	12/03/2018	Accommodation for Elected Members Cr Trenfied and Cr Kanny	209.00
1337*2018	HILLE, THOMPSON & DELFOS	12/03/2018	Yalgoo Gun Club upgrade	2,222.00
1362*2018	FIBERGLASS MOULDING COFFS HARBOUR	12/03/2018	Cones, deck spikes for Paynes Find Air Strip	1,951.31
1383*2018	DEPARTMENT OF PLANNING,LANDS & HERITAGE	12/03/2018	2018 Regional Heritage Conference - Percy Lawson	330.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1005*2018	AMPAC Debt Recovery (WA) Pty Ltd	21/03/2018	Debt Recovery	7.70
1006*2018	Asphalt in a Bag	21/03/2018	20kg Asphalt	1,718.75
1009*2018	Austral Mercantile Collection Pty Ltd	21/03/2018	Debt Collection Fee Debt Recovery	1,410.30
1015*2018	Beaurepaires	21/03/2018	4 TYRES FOR SIDE TIPPER, REPAIR TYRE YA778	1,418.08
1016*2018	BOC Limited	21/03/2018	Oxygen indust g size, dissolved acetylene d size,	96.25
1021*2018	Bunnings Building Supplies Pty Ltd	21/03/2018	GARDENING HARDWARE & CLEANING SUPPLIES 100 CUTTING DISKS	276.01
1028*2018	Civic Legal	21/03/2018	Recovery of Rates from Living Cities Development , Claim for Return of Regional Road Funding Grant , Native Title Matter	3,927.00
1041*2018	Crowe's Electrical	21/03/2018	Caravan Park: Connect Power to Gazebo install bore pump cables	15,193.31
1044*2018	Rocke, David	21/03/2018	Cleaning of Community Centre for RFDS	120.00
1056*2018	Five Star Business Equipment & Comms	21/03/2018	Copier maintenance	838.17
1059*2018	Trenfield, Gail	21/03/2018	Candidates Nomination Fee Refund	80.00
1064*2018	REFUEL AUSTRALIA	21/03/2018	Oil Meter in Line Diesel Flow Meter	309.50
1067*2018	Geraldton Toyota	21/03/2018	20,000km service YA1000: Check Codes Air Bag Light On	493.20
1073*2018	Great Northern Rural Services.	21/03/2018	Fencing Materials for Town Oval	3,147.67
1083*2018	J R & A Hersey	21/03/2018	CONSUMABLES FOR DEPOT	957.19
1127*2018	Grinham, Neil	21/03/2018	Canidates Nomination Fee Refund	80.00
1130*2018	Novus Autoglass Midwest	21/03/2018	YA778: Supply & Fit Windscreen	444.60
1139*2018	Lawson, PERCY (SENIOR)	21/03/2018	Candidates Nomination Fee Refund	80.00
1152*2018	Raul. Valenzuela	21/03/2018	Council Nonination Fee Refund	80.00
1153*2018	Pratt, Ray	21/03/2018	Vehicle parts/breathalyser calibration	527.09
1191*2018	Veolia Environmental Services	21/03/2018	Service Collection fee	4,005.94
1193*2018	W & E Rowe Contractors	21/03/2018	Dozer Hire: Sports Oval Rehab Cemetery Calcrete Pits	19,162.00
1199*2018	WestCoast SeaFood	21/03/2018	Food for Council Meetings	158.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1206*2018	Yalgoo General Store.	21/03/2018	Workshop Consumables	196.70
1235*2018	ELLIS & SONS CONSTRUCTION	21/03/2018	Documents Room: Final Payment	10,450.00
1240*2018	Westrac Equipment Pty Ltd	21/03/2018	YA457: Parts YA457: Parts	1,092.20
1244*2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	21/03/2018	Professional Development Conference	890.00
1251*2018	Atyeo's Environmental Health Services PL	21/03/2018	EHO Duties	3,126.00
1252*2018	E & MJ ROSHER	21/03/2018	Mower Blades	105.60
1264*2018	PINPOINT CLEANING SOLUTIONS	21/03/2018	Monthly Clean of Shire Buildings: February 2018	2,145.00
1276*2018	WORKWEAR GROUP	21/03/2018	work clothes, Staff Uniform Credit	218.90
1277*2018	REILLY & CO	21/03/2018	Media Release: Yalgoo Takes Out Tidy Towns Award	251.10
1311*2018	HODDER, TAMISHA	21/03/2018	Candidates Nomination Fee Refund	80.00
1339*2018	SUN CITY BATTERIES	21/03/2018	YA415: Battery	327.95
1347*2018	GRANTS EMPIRE	21/03/2018	DEVELOPMENT OF COMMUNITY LED PROGRAM APPLICATION	2,640.00
1373*2018	PILA GROUP	21/03/2018	AFL STATE LEAGUE GOAL POSTS SET OF 8 AS PER QUTE 1	7,953.00
1380*2018	BLUESTEEL ENTERPRISES PTY LTD	21/03/2018	As per Quote# 45635 - YA1000 - Fire Tender	156.60
1385*2018	HODDER, MICHELLE	21/03/2018	Candidates Nomination Fee Refund	80.00
1386*2018	WILLOCK, STANLEY	21/03/2018	Candidates Nomination Fee refund	80.00
1387*2018	GERALDTON TOWING SERVICES	21/03/2018	YA1000: Pickup from Sandfire-Kumarina Deliver to Pe	3,735.05
1389*2018	SHIRE OF PERENJORI	21/03/2018	CESM Program Reimbursement CEO Performance Appraisal training	4,571.91
1390*2018	VOLUNTEER FIRE & RESCUE SERVICES ASSOCIATION OF WA (INC)	21/03/2018	DONATION - 12 MONTHS SPONSORSHIP	150.00
1392*2018	QUADRIO EARTHMOVING PTY LTD	27/03/2018	Morawa Road - Re-Construct and Seal	550,000.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1012*2018	Australian Taxation Office	29/03/2018	March 2018 Activity Statement	16,443.00
1024*2018	Canine Control	29/03/2018	Ranger Service: 23 & 27 March 2018	949.03
1041*2018	Crowe's Electrical	29/03/2018	Oval underground cable installation	30,860.50
1059*2018	Trenfield, Gail	29/03/2018	Council Meeting Fee, Audit Meeting, Communications	645.67
1064*2018	REFUEL AUSTRALIA	29/03/2018	FEBRUARY FUEL CHARGES	15,984.59
1073*2018	Great Northern Rural Services.	29/03/2018	Fencing Matrials for town oval	1,091.21
1085*2018	Kanny, Joanne	29/03/2018	Council Meeting Fee, Audit Meeting, Communications	1,950.87
1139*2018	Lawson, PERCY (SENIOR)	29/03/2018	Council Meeting fee, Audit Meeting, Communications	645.67
1158*2018	Grinham, Robert	29/03/2018	Council Meeting Fee, Audit Meeting Fee, Communicat	863.49
1168*2018	Spotlight P/L	29/03/2018	Paints & Resources	500.47
1189*2018	Urbis Pty Ltd	29/03/2018	Rezoning Lots 65-66 Gibbons St Paynes Find Tavern & Pilroc Retreat Compliance Aud	2,264.30
1206*2018	Yalgoo General Store.	29/03/2018	Supplies from Shop,	3,070.24
1220*2018	PAYNE, GREGORY ARTHUR	29/03/2018	Council meeting Fee, Audit Meeting, Communications	1,244.46
1225*2018	WALGA	29/03/2018	Workplace Investigation	13,997.19
1235*2018	ELLIS & SONS CONSTRUCTION	29/03/2018	Final Payment for Works Completed - Documents Room	495.00
1251*2018	Atyeo's Environmental Health Services PL	29/03/2018	Consultation EHO	3,386.60
1255*2018	TOLL	29/03/2018	Freight Charges	208.05
1311*2018	HODDER, TAMISHA	29/03/2018	Council Meeting Fee, Audit Meeting, Communications	645.67
1357*2018	ARTISTRY SIGN MAKERS	29/03/2018	100 x high tac stickers	520.00
1394*2018	CS LEGAL	29/03/2018	Application for Revestment of Lots 9 & 10 henty St	1,195.57
Total				804,261.50

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Accounts for Payment March 2018

That Council approve the list of accounts paid for the period 1 March 2018 to 31 March 2018 amounting to \$804,261.50 and the list be recorded in the Minutes.

Moved:

Seconded:

Motion put and carried / lost

11.3.2 Investments as at 31 March 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	20 April 2018
Attachments	Nil

Matter for Consideration

That Council receive the Investment Report as at 31 March 2018.

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 March 2018.

SHIRE OF YALGOO INVESTMENTS AS AT 31 March 2018								
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	\$1,070,807.87
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,089.75
NAB	N/A	Term Deposit	89-977-1574	2 months 1 day	26.02.2018	27.04.2018	2.28%	\$62,236.84
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,797.20
TOTAL								\$1,225,931.66

RESERVE FUNDS								
NAB	N/A	Term Deposit	97-511-4454	2 months 1 day	26.02.2018	27.04.2018	2.28%	\$161,190.10
NAB	N/A	Term Deposit	89-972-5236	2 months 1 day	26.02.2018	27.04.2018	2.28%	\$447,437.54
NAB	N/A	Term Deposit	11-186-3992	2 months 1 day	26.02.2018	27.04.2018	2.28%	\$1,067,379.85
TOTAL								\$1,676,007.49

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 MARCH 2018						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.03.2018	INVESTMENT TRANSFERS	CLOSING BALANCE 31.03.2018
86-538-7363	Ongoing	Variable	\$40,929.28	\$160.47	0	\$41,089.75
89-977-1574	27.04.2018	2.28%	\$61,392.89	\$843.95	0	\$62,236.84
24-831-4222	Ongoing	Variable	\$51,594.90	\$202.30	0	\$51,797.20
97-511-4454	27.04.2018	2.28%	\$158,650.69	\$2,539.41	0	\$161,190.10
89-972-5236	27.04.2018	2.28%	\$440,410.14	\$7,027.40	0	\$447,437.54
11-186-3992	27.04.2018	2.28 %	\$1,050,564.24	\$16,815.61	0	\$1,067,379,85

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Investments as at 31 March 2018

That the Investment Report as at 31 March 2018 be received.

Moved:

Seconded:

Motion put and carried/lost

11.3.3 Financial Activity Statement for the Period ended the 31 March 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	20 April 2018
Attachments (Green Cover) Pages 1 - 37	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 31 March 2018; • Financial Activity Statement; ending 31 March 2018 • Summary of Current Assets and Current Liabilities as of 31 March 2018; • Statement of Current Financial Position as at 31 March 2018; • 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

R34 (1) Financial Activity Statement for the Period ended the 31 March 2018.

That Council:

Adopts the Financial Activity Statement for the period ended 31 March 2018.

Moved:

Seconded:

Motion put and carried/lost

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 20 April 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	20 April 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
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	To be re-assessed in the new financial year 2018-19.
23 March 2018	Application for a prospecting licence	Council authorises the CEO to locate a suitable prospecting area close to the Yalgoo town site and make application to the Mining Registrar for registration.	Application lodged

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
25 January 2018	Proposed Amendment No.2 to Local Planning Scheme No.2	<p>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:</p> <p>by:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a. The Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the <i>Planning and Development Act 2005</i>. b. The Western Australian Planning Commission for information. 3. As per Regulation 47 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>, 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. 	Consultant Planner Urbis have been instructed to action part 2 & 3 of the resolution
23 March 2018	Petition from Yalgoo Community	That the Petition be received and a report be prepared for Council consideration at the April 2018 Ordinary Meeting.	Report for consideration in this Agenda.
23 March 2018	Bi Monthly Community Development Officer Program	Report for January – February 2018 not prepared to Council for Consideration	Report to be completed when Community Development Officer returns from leave.

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
23 March 2018	Support to Campaign – Geraldton Camp School	That Council endorse (authorise) to CEO to carry out the support mechanisms and letters to the listed Ministers included in the letter from Ruth Rowe and that banners are printed and displayed as requested. That Council Members present, sign the supplied petition.	Banners ordered and displayed and petition signed by Elected members and displayed at the front counter.
23 March 2018	Add CCTV system at the Yalgoo Police Station professional use	That the CEO provide a report for consideration at the meeting held on 27 April 2018 to determine the cost requirements to add the CCTV system to the Yalgoo Police Station for professional use.	Report for consideration in this Agenda.
23 March 2018	Outcome report on the Family Services Program during the 6 months	That the CEO provide a report to detail its outcome of the 6 months Family Services Program and the services that was provided.	Report for consideration in this Agenda.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Report on Matters Outstanding as at 20 April 2018

That Council:

Receives Report N^o 11.4.1 Report on Matters Outstanding as at 20 April 2018.

Moved:

Seconded:

Motion put and carried/lost

11.4.2 Report on Petition from Yalgoo Community – Family Services Program

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	22 April 2018
Attachments	Nil

Matter for Consideration

That Council receive the report on the petition lodged by the Yalgoo Community in relation to the Family Services Program.

Background

Council at its meeting held on the 23 March 2018 adopted the following resolution;

“That the petition be received and a report be prepared for Council consideration at the April 2018 Ordinary Meeting.”

Council at the same meeting gave consideration to a rescission motion presented by Cr Robert Grinham and Cr Percy Lawson which stated the following;

“That Council rescind the decision (C2018-0211) made at the Ordinary Council Meeting held on the 23rd February 2018”

The motion was lost 2/4.

Statutory Environment

Local Government (Administration) Regulations 1996

10. Revoking or changing decisions made at council or committee meetings — s. 5.25(e)

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1 /3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1 /3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

Strategic Implications

Reduction in Service delivery

Finance Implications

Additional estimated expenditure to continue the service \$55,574 per annum.

Consultation

Nil

Comment

Council at its meeting held in 23 February 2018 gave consideration to a report titled “Centacare Playgroup Programme” and resolved as follows;

“ That Council agree to discontinue the program effective from the 9 march 2018.”

Council at its meeting held on the 23 March 2018 gave consideration to a rescission motion moved by Cr Robert Grinham and Cr Percy Lawson and supported by the same Councillors in accordance with Regulation 10(1)(b) of the Local Government (Administration) Regulation 1996.

Regulation 10(1)(a) permits Council to consider another motion to revoke or change the decision but only if a previous motion was dealt within 3 months and failed. Which it did in this case, however an absolute majority of elected members (4) needed to support the new motion.

Voting Requirements

Simple Majority or Absolute Majority dependent on whether a rescission motion is considered.

OFFICER RECOMMENDATION

Report on Petition from Yalgoo Community – Family Services Program

That Report No: 11.4.2 Petition from Yalgoo Community – Family Service Program be received.

Moved:

Seconded:

Motion put and carried/lost:

11.4.3 Change to Date, Time or Place of the Ordinary Council Meeting and Finance Committee Meeting.

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	22 April 2018
Attachments	Nil

Matter for Consideration

That Council give Consideration to changing the meeting date for the Finance Committee Meeting scheduled for 10.00 am on Friday 25 May 2018 at the Shire of Yalgoo Administration Centre Yalgoo to 10.00 am on Friday 29 June 2018 and the Ordinary Council Meeting be scheduled on the same day to commence at 11.00 am and not 10.00 am.

Background

Council pursuant to Local Government (Administration Regulation 12 (1) has advertised the following meetings.

Month	Date	Day	Time	Council	Audit	Committee	Location
January	25	Thursday	10am	Ordinary			Yalgoo
February	23	Friday	10am	Ordinary			Yalgoo
March	23	Friday	11am	Ordinary			Yalgoo
March	23	Friday	10am		Audit		Yalgoo
April	27	Friday	10am	Ordinary			Yalgoo
May	25	Friday	11am	Ordinary			Paynes Find
May	25	Friday	10am			Finance	Yalgoo
June	29	Friday	10am	Ordinary			Yalgoo
July	27	Friday	11am	Ordinary			Yalgoo
July	27	Friday	10am			Finance	Yalgoo
August	31	Friday	10am	Ordinary			Yalgoo
September	28	Friday	10am	Ordinary			Paynes Find
October	26	Friday	10am	Ordinary			Yalgoo
November	30	Friday	11am	Ordinary			Yalgoo
November	30	Friday	10am		Audit		Yalgoo
December	14	Friday	10am	Electors'			Yalgoo
December	21	Friday	10am	Ordinary			Yalgoo

Statutory Environment

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings — s. 5.25(g)

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

(3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.

(4) If a special meeting of a council is to be open to members of the public but, in the CEO’s opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO’s opinion, is practicable.

Strategic Implications

Nil

Financial Implications

Additional Advertising Cost

Comment

The meeting dates adopted by the Council for May 2018 are as follows.

Month	Date	Day	Time	Council	Audit	Committee	Location
May	25	Friday	11am	Ordinary			Paynes Find
May	25	Friday	10am			Finance	Yalgoo

There is a travel time problem between meetings from Yalgoo to Paynes Find therefore Council is requested to reschedule it’s Finance Committee meeting to 10.00 am Friday 29th June 2018 at Yalgoo and defer the commencement of the Ordinary Council meeting on the same date from 10.00 am to 11.00 am.

It is anticipated that the Finance Committee will be able to consider a Draft Annual Budget for 2018-19 if the Finance Committee meeting is postponed until June 2018.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Change to Date, Time or Place of the Ordinary Council Meeting and Finance Meeting.

That Council Amend the meeting date, time and place as follows;

- Finance Committee be rescheduled from the 10.00 am Friday 25th May 2018 at Yalgoo to 10.00 am Friday 29th June 2018 at Yalgoo.
- Ordinary Council be rescheduled from 10.00 am Friday 29th June 2018 at Yalgoo to 11.00 am Friday 29th June 2018 at Yalgoo.

Moved:

Seconded:

Motion put and carried/lost:

11.4.4 2017-18 Audit of the Annual Financial Report – Office of the Auditor General

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	22 April 2018
Attachments	<ul style="list-style-type: none"> - Letter dated 6 April 2018 and 11 April 2018 from the Office of the Auditor General - Local Government Amendment (Auditing) Act 2017 - Audit Planning Memorandum

This report is subject to a teleconference with representatives of the Office of the Auditor General and RSM scheduled for 10.00 am.

Council may consider to resolve to change the order of business in order to accommodate the arrangement.

Matter for Consideration

That the Council receive the report on the New Audit arrangements with the Office of the Auditor General.

Background

The Western Australian Parliament has appointed the Auditor General following recommendations from the Public Accounts Committee and the Corruption and Crime Commission and this is expected to raise the standards of accountability for local governments to a level more consistent with public sector entities.

The Auditor General has been given the mandate to:

- Audit the financial report of WA Local Government, related entities and subsidiaries.
- Conduct performance audits of Local Governments.
- Perform supplementary audits requested by the Minister.
- Report to Parliament on the results of financial and performance.

Statutory Environment

The Western Australian Parliament has passed the Local Government Amendment (Auditing) Act 2017 to amend the Local Government Act 1995. Copy Attached

Strategic Implications

Not Applicable

Finance Implications

Audit fees are expected to increase to \$37,000 from \$25,319 for the 2016-17 Financial Year.

Consultation

Office of the Auditor General (OAG)
RSM Bird Cameron

Comment

The Auditor General in the first instance will undertake all the 2017-18 financial audits for those local governments that did not have an audit contract in place beyond 2016-17.

The Shire did not have a contract in place 2016-17 and therefore the Auditor General is now responsible for the Shire's 2017-18 financial audit. The Shire's current auditors RSM Bird Cameron have been engaged by the Auditor General to undertake this financial year audit.

The Audit fees are based on cost recovery and includes;

- Time spent by the Auditors General staff.
- The cost of external contractors.
- Associated travel time.
- Portion of the cost to report results to Parliament.

The Auditor General has detailed the responsibilities of the various parties including the Council and the CEO and has requested that the President and the CEO sign and return the acknowledgment letter.

RSM have prepared an Audit Planning Memorandum, (copy attached) to brief the elected members on their proposed approach in auditing the Shire’s Financial Report for the year ending 30 June 2018 and propose to discuss its contents via a teleconference.

The contents of the Memorandum is as follows;

- 1. PURPOSE OF THE AUDIT PLANNING MEMORANDUM
- 2. KEY ENGAGEMENT INFORMATION
- 3. BACKGROUND AND GENERAL INFORMATION
- 4. REPORTING AND DELIVERABLES
- 5. MILESTONE MEETINGS
- 6 TERMS OF ENGAGEMENT
- 7 STAKEHOLDERS RELATIONSHIP
- 8 CURRENT YEAR DEVELOPMENTS
- 9 AUDIT APPROACH TO THE KEY AUDIT AREAS
- 10 HIGH RISK MATERIAL (HRM) BALANCES
- 11 OTHER CRITICAL DISCLOSURES IN THE FINANCIAL REPORT
- 12 CONTROLS
- 13 FRAUD RISK
- 14 OTHER AUDIT MATTERS
- 15 IMPLICATIONS OF ACCOUNTING STANDARDS
- 16 TIMETABLE
- 17 APPENDIX A: SUMMARY CORPORATE STRUCTURE
- 18 APPENDIX B: LOW RISK AREAS
- 19 APPENDIX C: ADDITIONAL INFORMATION CONTACTS

A proposed audit timetable has been prepared by RSM which includes the issuing of the audit report on or before 20 October 2018.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

2017-18 Audit of the Annual Financial Report – Office of the Auditor General

That Council:

Receive Report No. 11.4.4 2017-18 Audit of the Annual Financial Report – Office of the Auditor General.

Moved: _____ **Seconded:** _____ **Motion put and carried/lost**

11.4.5 Agreement – Design and Construction of Multi-Purpose Sports Facility

Author:	Dominic Carbone
Interest to Declare:	No interest to disclose
Date:	21 April 2018
Tabled	- Contract Agreement for RFT 1- 2018 Design and Construction of Multi-Purpose Sports Facility

Matter for Consideration

That Council authorises the affixing of the Shire’s common seal on the contract agreement RFT 1-2018 Design and Construction of a Multi-Purpose Sports Facility between Modularis Pty Ltd and the Shire of Yalgoo.

Background

Council at its Ordinary Council Meeting held on the 23 March 2018 resolved as follows in part;

“That council award tender RFT1-2018 for the Design and Construction of a multi-purpose Sports Facility to Modularis Pty Ltd.”

Statutory Environment

Local Government Act 1995

9.49A. Execution of documents

(1) A document is duly executed by a local government if —

- (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
- (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —

- (a) the mayor or president; and
- (b) the chief executive officer or a senior employee authorised by the chief executive officer,

each of whom is to sign the document to attest that the common seal was so affixed.

(4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.

(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.

(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

2. Delegations from Council to Chief Executive Officer

2.1 USE OF COMMON SEAL

Introduction *Section 9.49A (2) of the Local Government Act 1995 prescribes that the common seal of a local government is not to be affixed to any document except as authorised by the local government.*

Section 9.49A (3) requires that the common seal is to be affixed to a document in the presence of the President and CEO or an officer authorised by the CEO.

Objective *To give authorisation to the President and CEO to affix the Common Seal of the Shire of Yalgoo to execute relevant documents, without a specific resolution of council in certain circumstances.*

Statutory context *Local Government Act 1995 s9.49A. Execution of documents*

Formal record *Prior authorisation by Council, or Officer’s report to Council if affixed under delegated authority*

Delegation by CEO *N\A*

History *Formerly Policy 5.7, adopted 19 July 2007
Amended 23 June 2011, adopted C2011-0619
Reviewed 22 April 2016, (no changes)
Reviewed 26 May 2017 (deleted delegation by CEO to Deputy CEO)*

Delegation Statement

1. *Council delegates authority to the President and the CEO (or senior employee nominated by the CEO) to affix the Common Seal without prior approval by Council in the following circumstances:*
 - a) *Where the document is a renewal or extension of an original document, and there is not a significant variation in clauses or conditions in the renewal*
 - b) *Where the legal document is an agreement to provide funding to the Shire and the project/item to be funded is included in the Forward Capital Works Plan and/or disclosed in the budget and/or previously approved by Council.*

2. *The Commons Seal is to be kept in the custody of the CEO.*

Strategic Implications

Not Applicable

Finance Implications

Not Applicable

Consultation

Core Business Australia

Comment

Council is requested to give consideration to authorise the affixing of the Common Seal to the Contract Agreement between Modularis Pty Ltd and the Shire of Yalgoo for the Design and Construction of the Multi-Purpose Sports Facility.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Agreement – Design and Construction of Multi-Purpose Sports Facility

That Council

- 1. Authorise the affixing of the Common Seal to the Contract Agreement between Modularis Pty Ltd and the Shire of Yalgoo for the Design and Construction of a Multi-Purpose Sports Facility.**
- 2. Subject to (1) above authorise the Shire President and the Chief Executive Officer to Sign the Agreement.**

Moved:

Seconded:

Motion put and carried/lost

11.4.6 Write-off Rates Outstanding

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	22 April 2018
Attachments	Nil

Matter for Consideration

That Council give consideration to the write off of outstanding rates amounting to \$2,747.40.

Background

The Rates/Finance Officer has endeavoured to recover all outstanding rates in accordance with the procedure set in Policy 7.4 “Outstanding Rates”.

Statutory Environment

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.
- * Absolute majority required.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Business Implications

The Shire of Yalgoo Policy Manual

Policy 7.4 Outstanding Rates

2. Subject to an agreement, the following process is to be followed for the recovery of outstanding rates and service charges. Legal proceedings will continue until payment of the rates and service charges are made in full —
- a) Issue Final Notices —
 - (i) A Final Notice is to be issued 14 days after the due date, to those persons who have made either no payment, or insufficient payment to cover the first instalment. The Final Notice is to specify that the ratepayer/s have seven (7) days to pay in full or to enter into a special repayment arrangement.
 - (ii) Final Notices are not to be issued to eligible persons registered to receive the pensioner rebate under the Rates and Charges (Rebates and Deferments) Act 1992 as such persons have until 30 June in the year of rating to make payment, without incurring any late payment penalties.
 - b) Debt Collections —

(i) After (7) days has expired and no action has been recovered all rates and charges are to be sent to Council’s debt collector.

(ii) The debt collector will follow a process to collect outstanding monies.

(iii) The debt collector, if unable to collect outstanding rates and charges will advise the rates officer.

(iv) The rates officer will present this to the Deputy Chief Executive Officer who, in liaison with the Chief Executive Officer, will issue the debt collector an instruction to proceed with legal action.

(v) Should the debt collector not be able to collect the rates and charges then:

Consultation

Nil

Comment

The following amounts are recommended for write off:

Assessment N ^o	Ratepayer	Amount	Comment
1976	BENNETT, Mr Lance Franklin	\$135.39	The amount represents pro-rata rates outstanding by previous tenement holder Jason Gill advised of amount outstanding in November 2017.
595 – 17 Selwyn St	Murchison Region Aboriginal Corporation (MRAC)	\$383.76	Sat decision that the properties are not rateable.
1159 – 44 Henty St	Murchison Region Aboriginal Corporation (MRAC)	\$394.51	Sat decision that the properties are not rateable.
591 – 23 Campbell St	Murchison Region Aboriginal Corporation (MRAC)	395.39	Sat decision that the properties are not rateable.
538 – 3 Milligan St	Murchison Region Aboriginal Corporation (MRAC)	352.75	Sat decision that the properties are not rateable.
534 – 11 Milligan St	Murchison Region Aboriginal Corporation (MRAC)	360.51	Sat decision that the properties are not rateable.
1115 – 10 Henty St	Murchison Region Aboriginal Corporation (MRAC)	345.00	Sat decision that the properties are not rateable.
530 – 8 Henty St	Murchison Region Aboriginal Corporation (MRAC)	379.89	Sat decision that the properties are not rateable.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Write Off Rates Outstanding

That Council pursuant to Section 6.12 (1) (2) of the Local Government Act 1995 write off the following outstanding rates:

Assessment N ^o 1976	BENNETT, Mr Lance Franklin	\$135.39
Assessment N ^o 595 – 17 Selwyn St	Murchison Region Aboriginal Corporation	\$383.76
Assessment N ^o 1159 – 44 Henty St	Murchison Region Aboriginal Corporation	\$394.51
Assessment N ^o 591 – 23 Campbell St	Murchison Region Aboriginal Corporation	\$394.51
Assessment N ^o 538 – 3 Milligan St	Murchison Region Aboriginal Corporation	\$352.75
Assessment N ^o 534 – 11 Milligan St	Murchison Region Aboriginal Corporation	\$360.51
Assessment N ^o 1115 – 10 Henty St	Murchison Region Aboriginal Corporation	\$345.00
Assessment N ^o 530 – 8 Henty St	Murchison Region Aboriginal Corporation	\$379.89

Moved:

Seconded:

Motion put and carried/lost

11.4.7 Family Service Program- Outcomes During the Six (6) Months

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	23 April 2018
Attachments	Nil

Matter for Consideration

That Council receive the report of the outcomes of the Family Services Program during the six (6) months of its operations under Shire control.

Background

Council at its Ordinary Council meeting on 23 March 2018 resolved as follows;

“Request the CEO to provide a report to detail outcomes of the 6 months Family Services Program and the services that were provided.”

The Centacare Program was terminated on the 1 September 2017 by the Centacare Family Services and since then the service has been provided by the Shire in house. On the 23 February 2018 Council terminated the service effective from 9 March 2018.

Statutory Environment

Nil

Financial Implications

Savings in relation to funding from own resources

Consultation

Nil

Comment

The following information has been provided by the Community Development Officer;

1. “Organise and run the parent and babies day care program 9am to 12pm
2. He runs programs on respect and positive behaviour towards your parents, grand parents and others .
3. He cleaned the community hall up of bullies, gossipers and dogs running in to the hall urinating and faeces all over the Kitchen floors whilst they had babies crawling over the mess the dogs made.
4. He opened the Community hall up to everyone whom lives in the township and wider making them feel safe and feel free to yarn to each other without fear.
5. Organise and run the children’s after school program 4 days a week Monday to Thursday .and in the weekends
6. Organise and run the children School holiday program 4 times a years
7. He assist the CDO in all programs and events as per team work and team spirit

8. He councils the men whom are sent to him via the courts re counselling in the office of the community hall.
9. Organise the MEEDAC ladies supervise and sign off the attendance sheets of ladies attending the program 9am to 12pm Monday to Friday ,creating opportunities with in the hall for self development ,baking ,cooking, art work and support Michelle by helping her with food preparation
10. Write up new programs look for funding to run programs for babies and parents .Youth and adults 14 to 25 years of age
11. Organise and run the Nature Play program utilizing the Parent Volunteer group inviting the Nomads and other visitors to Yalgoo by giving them out free coffees and teaching the local parent volunteer group to yarn to our visitors. Introducing the children to them 1 by 1 given the first and last name for any connection they may have with any visitors coming into the township
Looking and applying for funding for February 2018 to 2020 to run these programs
 - Teach the children respect for other running the bullying program and other program that were about to be set up this year around the
 - Harm or Drugs & Alcohol as part of the strategic plan from 2013 to 2023 they wanted more programs for the children and adults in this community
 - Domestic Violence
 - Sexual offence against children past & present
 - Counselling for Men and youth
 - Run programs around how children treat each other and how they can stop being bullied by others
 - Culture programs for youth and adults he has set aside for funding including excursions to Shark Bay re the youth leadership program 2018
 - Digeridoo program he has set aside for funding and a Hip Hop program
12. Organising and running Men’s Shed workers, Men’s business yarning circle and community gatherings up at the Men’s shed.
13. He is the only qualified Social worker whom run and organised RE PAY WA corrections program that has been organised in Yalgoo. 2015.16.17.18”

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Family Service Program- Outcomes During the Six (6) Months

That Council

Receives Report 11.4.7 Family Service Program- Outcomes During the Six (6) Months.

Moved:

Seconded:

Motion put and carried/lost:

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

13. URGENT BUSINESS

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

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

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

Local Government Act 1995

s5.23. Meetings generally open to the public

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

- (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

s5.92 Access to information by council, committee members

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

s5.93. Improper use of information

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

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

Local Government (Rules of Conduct) Regulations 2007

s6. Use of information

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

15. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chambers Shire of Yalgoo 25 May 2018 commencing at 11.00 am.

16. MEETING CLOSURE

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

