



AGENDA  
FOR THE ORDINARY MEETING  
OF COUNCIL  
TO BE HELD IN  
THE COUNCIL CHAMBERS, YALGOO  
ON FRIDAY 1 NOVEMBER 2019  
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 1 NOVEMBER 2019 COMMENCING AT 10.00 AM.

**John Read**

Acting Chief Executive Officer



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Agenda for the Ordinary Meeting of the Yalgoo Shire Council,  
To be held in the Council Chambers, Yalgoo  
On Friday, 1 November 2019 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 Acting Chief Executive Officer, Mr John declares the meeting open and welcomes Councillors including those Councillors recently elected.

### **1.1 Swearing in of Councillors**

The Acting Chief Executive Officer to conduct the swearing in of:

- Gail Simpson
- Raul Valenzuela
- Gregory Payne

Who were declared elected by the Returning Officer at the election held on Saturday, 19 October 2019.

### **1.2 Election of Shire President**

The Acting Chief Executive Officer to advise of nominations received for the position of President.

Should more than one nomination be received a secret ballot be conducted by the Chief Executive Officer and declare the President Elect in accordance with Clause 4 of Schedule 2.3 of the Local Government Act 1995.

The Acting Chief Executive Officer to hand the meeting over to the newly elected Shire President.

### **1.3 Election of Deputy Shire President**

The Chief Executive Officer to advise of nominations received for the position of Deputy President.

Should more than one nomination be received a secret ballot be conducted by the Chief Executive Officer and the Shire President to declare the Deputy President elect in accordance with Clause 8 of schedule 2.3 of the Local Government Act 1995.

**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.

**4. PUBLIC QUESTION TIME**

**4.0 QUESTIONS TAKEN ON NOTICE**

**4.1 QUESTIONS TAKEN WITHOUT NOTICE**

**5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

**7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**7.0 MEETINGS ATTENDED BY ELECTED MEMBERS**

Date	Details	Attended with whom

**8. CONFIRMATION OF MINUTES**

**8.0 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 27 September 2019 be confirmed as a true and correct record of proceedings.

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 2019-20**

<b>Author:</b>	<b>John Read, Acting CEO</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>23 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### **MATTER FOR CONSIDERATION**

To receive the Progress Report on the 2019-2020 Capital Works Program.

#### **BACKGROUND**

The Shire in adopting its 2019-2020 Annual Budget has allocated funds amounting to \$2,140,054 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 2019-2020 financial year are detailed be:

**CAPITAL WORKS PROGRAMME 2019-20**

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

		2019-20 ANNUAL BUDGET	2019-20 SEPTEMBER ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<b><u>By Program</u></b>					The CEO to provide a verbal update on the status of the capital projects as at 30 SEPTEMBER 2019
<b>Governance</b>					
000000-Admin Computers Hardware and System Upgrade	F & E	40,000	0	40,000	Pending Telstra assessment/report
000000-Admin Upgrade Cabling Fibre	F & E	10,000	0	10,000	Pending Telstra assessment/report
000000-External Monitor Display	F & E	40,000	0	40,000	Pending Telstra assessment/report
000000-Admin Fire Proof Safe	F & E	11,000	0	11,000	Not yet commenced
000000-Admin Centre New Front Doors including Notice Board	L & B	6,000	0	6,000	Contractor appointed - Not yet commenced
000000-Admin Centre Front Rails	L & B	2,500	0	2,500	Contractor appointed - Not yet commenced
000000- Motor Vehicle RAV4	P & E	44,000	0	44,000	Not yet commenced
000000- Motor Vehicle Fortunner	P & E	44,000	0	44,000	Commenced
<b>Housing</b>					
000000-Staff Housing - Solar Panels	L & B	66,000	0	66,000	Investigating alternatives with Horizon Power amount for panels

		2019-20 ANNUAL BUDGET	2019-20 SEPTEMBER ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<b><u>By Program</u></b>					The CEO to provide a verbal update on the status of the capital projects as at 30 SEPTEMBER 2019
<b>Recreation and Culture</b>					
000000 - Community Hall Renovations	L & B	100,000	0	100,000	Not yet commenced
000000- Kubota ride On Mower	P & E	24,500	0	24,500	Ordered - Delivered in the next few days
000000- Motor Vehicle Works Hilux	P & E	30,000	0	30,000	Ordered - Delivered in the next few days
000000-Art Centre Cameras, Lockers, Bookcase	F & E	4,500	0	4,500	Not yet commenced
000000- Sports Complex - Kerb , Seal and Footpath to School	Recreation	90,000	0	90,000	Currently under construction (resealing to include with R2R & RRG resealing)
<b>Transport</b>					
000000- Machinery Shed Depot Concrete Floor 2 Bays	L & B	39,000	0	39,000	Not yet commenced
000000- Ice Machine Depot	P & E	2,500	0	2,500	Not yet commenced
000000- Prime Mover	P & E	267,000	0	267,000	Ordered - to be delivered in December 2019
000000- Backhoe	P & E	180,000	0	180,000	ordered - to be delivered soon
000000- Truck Cab Crew	P & E	73,000	0	73,000	ordered - to be delivered soon
000000- Fuel Tank	P & E	2,100	0	2,100	Not yet commenced
000000- Deisel Air Compressor	P & E	3,200	0	3,200	Not yet commenced
000000- Paynes Find Public Toilets	Other	63,656	0	63,656	Order to be placed very soon (quotes obtained)

		2019-20 ANNUAL BUDGET	2019-20 SEPTEMBER ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<b><u>By Program</u></b>					The CEO to provide a verbal update on the status of the capital projects as at 30 SEPTEMBER 2019
<b>ROADS TO RECOVERY GRANTS</b>					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	300,000	116,250	183,750	Project Commenced
<b>RRG SPECIAL GRANT RD WORKS</b>					
000000- Yalgoo/Ninghan Road - Seal to width 4m	Roads	377,293	90,000	287,293	Project Commenced
<b>MUNICIPAL FUND</b>					
000000- Sandford River Crossing	Roads	25,000	0	25,000	Not yet commenced. \$25k to be used for detailed scope of works to be done for proper fix
<b>Economic Services</b>					
000000-Caravan Park - Disabled Toilets Chairs and Rails	L & B	2,900	0	2,900	Not yet commenced
000000-Caravan Park - Upgrade Water and Power Supply	L & B	30,000	0	30,000	Project is in progress
000000-Caravan Park - 2 Self Contained Accommodation Units	L & B	253,797	0	253,797	Obtaining plans to go to tender
000000- Shelter and Seating Jokker Tunnel	L & B	4,054	0	4,054	Not yet commenced
000000- Shelter and Visitors Board at Railway Station	L & B	4,054	0	4,054	Commenced
		<b>2,140,054</b>	<b>206,250</b>	<b>1,933,804</b>	

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2019 - 2020**

**That Council receive the Progress Report on the Capital Works Program 2019 – 2020 as at 30 September 2019.**

**Moved:**

**Seconded:**

**Motion put and carried/lost:**

### 11.1.2 TECHNICAL SERVICES MONTHLY REPORT 30 SEPTEMBER 2019

<b>Author:</b>	<b>Ray Pratt, Works Foreman</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>22 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### MATTER FOR CONSIDERATION

That Council receives the Technical Services Monthly Report as at 30 September 2019.

#### BACKGROUND

Nil

#### STATUTORY ENVIRONMENT

Nil

#### STATUTORY IMPLICATIONS

Nil

#### CONSULTATION

Nil

#### COMMENT

##### **1 ROAD CONSTRUCTION – CAPITAL**

Regional Road Group funding for the Yalgoo Ninghan Road and Roads 2 Recovery for the Yalgoo Morawa Road.

This road construction work was awarded to Rowe Contractors who will commence the program on 23 October 2019.

##### **2 ROAD MAINTENANCE - OPERATIONS**

###### **2.1 Works During September**

- Road grading was done to the following roads during September 2019.
  - Gabyon - Tardi Road
  - Jokers Tunnel Road
  - Mt Edon Road
  - Ninghan Road
  - Barnong - Wuraga Road
  - Bunnawarra Station Road
  - Yalgoo North Road
  - Wagga – Muralgarra Road

### **3 OTHER INFRASTRUCTURE MAINTENANCE**

#### **3.1 Plant and Equipment**

- New batteries were purchased for the Forklift and Batching plant
- Services was carried to 950 loader and Isuzu crew cab
- Isuzu went to panel beaters for a new Bullbar due to damages by a Kangaroo.

#### **3.2 Buildings**

All Shire buildings had the gutters cleaned.

#### **3.3 Town Street**

- Regular cleaning and maintenance

### **4 PARKS AND RESERVES**

#### **4.1 Art & Culture Centre**

- General Gardening Maintenance are conducted to the Arts and Culture Centre Gardens

#### **4.2 Community Town Oval**

- General Gardening Maintenance are conducted to the Town Oval and Core Stadium Gardens

#### **4.3 Community Park, Gibbons Street**

- General Gardening Maintenance conducted on a weekly bases, Mowing, Pruning and watering.
- No Changes or additions to the Community Park on Gibbon Street during September.

#### **4.4 Community Park, Shamrock Street**

- General Gardening Maintenance conducted on a weekly bases, Mowing, Pruning and watering.
- No Changes or additions to the Community Park on Shamrock Street during September

#### **4.5 Water Park**

- Geraldton Pool and Spa checked the Water Park and set it up ready for summer.  
Supplied chlorine, salt and 1 new pump.

#### **4.6 Yalgoo Caravan Park**

- No changes or additions to the Caravan Park during September, besides general Gardening maintenance.

**4.7 Yalgoo & Paynes Find Rubbish Tip**

- All ok

**4.8 Railway Station**

- No changes or additions to the Railway Station during September, besides general Gardening maintenance.

**4.9 Yalgoo Nursing Post**

- No changes or additions to the Nursing Post during September, besides general Gardening maintenance.

**5 INFRASTRUCTURE - CAPITAL**

**5.1 Rifle Rage**

- Area has been sprayed for weeds.

**6 PRIVATE WORKS**

- Installed leach drains to Lot 82 Piesse Street and 45 Gibbons Street

**7 PURCHASING**

- A New Mack Prime Mover, Kubota Lawn Mower and Cat backhoe have been ordered.

**8 STAFF**

**8.1 Training & Licences**

- Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**TECHNICAL SERVICES MONTHLY REPORT 30 SEPTEMBER 2019**

**That Council:**

**Receive the Technical Services report as at 30 September 2019.**

**Moved:**

**Seconded:**

**Motion put and carried:**



## 11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

### 11.3 FINANCE

#### 11.3.1 ACCOUNTS FOR PAYMENT SEPTEMBER 2019

<b>Author:</b>	<b>Dominic Carbone</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>23 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### MATTER FOR CONSIDERATION

Council approve the Accounts for Payment list for the period 1 September 2019 to 30 September 2019 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 September 2019 to 30 September 2019 are as follows

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1005*2020	AMPAC Debt Recovery (WA) Pty Ltd	5/09/2019	Debt Collection Fee	5.50
1012*2020	Australian Taxation Office	5/09/2019	Activity Statement May 2019 ,Activity Statement April 2019 - June 2019 Quarter	80,596.00
1021*2020	Bunnings Building Supplies Pty Ltd	5/09/2019	MATERIAL PURCHASES -GARDEN SUPPLIES ,WORKS CONSUMABLES	291.86
1024*2020	Canine Control	5/09/2019	Ranger Service - 16 August 2019, Ranger Service - 29 August 2019	2,178.00
1048*2020	Dominic Carbone & Associates	5/09/2019	Financial and Administration Consultancy Service	4,510.00
1056*2020	Five Star Business Equipment & Comms	5/09/2019	Photocopier Maintenance	1,292.45
1059*2020	Trenfield, Gail	5/09/2019	Council Meeting Fees 30 August 2019	527.67
1064*2020	REFUEL AUSTRALIA	5/09/2019	July 2019 Fuel Purchases	19,974.87
1065*2020	Geraldton Mower & Repair Specialist	5/09/2019	SAFETY GEAR AND PARTS	2,370.60
1067*2020	Geraldton Toyota	5/09/2019	Plant YA 840 - 10,000km Service	340.56
1073*2020	Great Northern Rural Services.	5/09/2019	GARDEN SUPPLIES- CONE JET TIPS SPRAY SPRINKLERS, SPRINKLERS AND HOSES	854.96
1085*2020	Kanny, Joanne	5/09/2019	Council Meeting Fees 30 August 2019	1,727.31
1092*2020	LGIS.	5/09/2019	Insurance Premiums - Travel Insurance - Cyber Liability Insurance - Contract Works Insurance - Management Liability Insurance - Marine Cargo Insurance- Vehicle and Plant Insurance - Personal Accident Insurance	105,419.59

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1093*2020	LGISWA	5/09/2019	Insurance Premiums - Bushfire Insurance - Crime Property Register Insurance - Liability Insurance - LGIS Liability	67,101.57
1100*2020	Market Creations Pty Ltd	5/09/2019	DNS Hosting	33.00
1101*2020	Marketforce	5/09/2019	Advertising - Change of Date Tenders - Request For Quotation Multiple Services	1,044.19
1111*2020	Midwest Pest Management	5/09/2019	Staff Housing - Termite treatment to Shire Buildings	4,196.50
1119*2020	Mt Magnet Waste Disposal	5/09/2019	PUMP OUT OF SEPTIC TANK SHAMROCK ROAD UNITS	1,075.00
1138*2020	Pemco Diesel Pty Ltd	5/09/2019	REPAIRS TO PLANT - YA 453	2,586.32
1153*2020	Pratt, Ray	5/09/2019	Reimbursement - YA807 Keys Cut,- Taps & Fittings Caravan Park	134.00
1158*2020	Grinham, Robert	5/09/2019	Council Meeting Fees - 30 August 2019	745.49
1166*2020	BRENZI, Silvio	5/09/2019	Reimbursements -Conference Expenses Darwin	410.57
1171*2020	WINC AUSTRALIA PTY LIMITED	5/09/2019	Sundry Supplies for Art Centre 20 X ARCHIVE BOXES	201.27
1172*2020	State Library of Western Australia	5/09/2019	Annual Fee for Library Materials 2019-2020	220.00
1175*2020	Sun City Print	5/09/2019	Printig -Golf Brochures (500) , BUSINESS CARDS FOR RAY PRATT WORKS SUPERVISOR, 2000 PAMPHLETS "THE OUTBACK & MURCHISON GEO REGION"	1,227.00
1182*2020	ThinkWater Geraldton	5/09/2019	GARDEN SUPPLIES	94.30
1188*2020	Uniform Fashions	5/09/2019	Staff Uniform-Diane 2 x Overknit Cardigans	218.00
1191*2020	Veolia Environmental Services	5/09/2019	Rubbish Collection Services	4,089.14

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1194*2020	WA Local Government Association	5/09/2019	Cr Greg Payne - 2019 WA Local Government Convention, Silvio Brenzi CEO- 2019 WA Local Government Convention ,Cr Tamisha Hodder - WA Local Government Convention	5,289.03
1220*2020	PAYNE, GREGORY ARTHUR	5/09/2019	Council Meeting Fees - 30 August 2019	1,845.98
1225*2020	WALGA	5/09/2019	Silvio Brenzi CEO - Registration to WALGA Event,Cr Gregory Payne's Registration to WALGA Event	198.00
1235*2020	ELLIS & SONS CONSTRUCTION	5/09/2019	Core Stadium - BBQ Shelter Upgrade	7,700.00
1240*2020	Westrac Equipment Pty Ltd	5/09/2019	PARTS for YA457, YA 860 and 205 LITRE DRUM OF OIL FOR WORKSHOP	3,577.76
1243*2020	WURTH	5/09/2019	Sundry items for Workshop	1,825.37
1252*2020	E & MJ ROSHER	5/09/2019	PARTS FOR LAWN MOWER	562.48
1255*2020	TOLL TRANSPORT PTY LTD	5/09/2019	Freight Charges	21.56
1264*2020	PINPOINT CLEANING SOLUTIONS	5/09/2019	Monthly Clean of Shire Buildings	2,640.00
1280*2020	BP MECHANICAL MAINTENANCE	5/09/2019	YA 479 - Service/Repairs, YA 1622 - Service/Repairs, YA 1660 - Service/Repairs, Lawnmower,Blower - Service/Repairs, Boom Sprayer trailer - Service/Repairs, Car Trailer - Service/Repairs ,YA 465 - Service/Repairs, YA 844 - Service/Repairs ,YA499 - Service/Repairs ,YA 1613 - Service/Repairs ,YA 1611 - Service/Repairs, Misc Plant - Service/Repairs ,YA 1000 - Service/Repairs, YA 329 - Service/Repairs, YA453 - Service/Repairs, YA 493 - Repairs, YA 508 - Service/Repairs, YA 457 - Service/Repairs, YA 424 - Service /Repairs, Toro Mower - Service/Repairs	11,158.54

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1284*2020	DEPARTMENT OF MINES, INDUSTRY REGULATIONS & SAFETY	5/09/2019	BSL Levy - June & July	216.05
1294*2020	DFES	5/09/2019	2019/20 ESL Quarter 1	6,375.60
1402*2020	NOVOTEL PERTH LANGLEY	5/09/2019	ACCOMMODATION & MEALS - SILVIO BRENZI, Accommodation and Meals for Emmaline James	909.00
1412*2020	PRATT, HELEN	5/09/2019	Reimbursement Sale of Art	37.50
1489*2020	CLEVERPATCH	5/09/2019	Art Centre Supplies	39.58
1519*2020	ROAD RUNNER MECHANICAL SERVICES	5/09/2019	YA1000: Repairs	241.25
1549*2020	DOWN TO EARTH TRAINING & ASSESSING	5/09/2019	4 WD Training - 8 July 2019	2,208.00
1558*2020	SHIRE OF CUE	5/09/2019	Reimbursement for Meal Expenses for Silvio & Tamis	187.50
1559*2020	SNAP PRINTING	5/09/2019	PRINT OF 2500 RATES NOTICES	644.49
1561*2020	LGIS RISK MANAGEMENT	5/09/2019	OHS SERVICES PROJECT	7,022.10
1562*2020	PRIME SUPER	5/09/2019	Superannuation Contributions -Helen Pratt	123.04
1563*2020	WA SUPER	5/09/2019	Diane Hodder - Super Contribution	712.88
1028*2020	Civic Legal	13/09/2019	Legal Expenses -Native Title Matter,Top Iron Road Use Agreement	8,320.21
1059*2020	Trenfield, Gail	13/09/2019	Meeting Fees and Allowances 13 September 2019	763.67
1139*2020	Lawson, PERCY (SENIOR)	13/09/2019	Meeting Fees and Allowances 13 September 2019	646.48
1153*2020	Pratt, Ray	13/09/2019	Reimbursements-Caravan Park - Cam Lock for Water Pump	129.60

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1220*2020	PAYNE, GREGORY ARTHUR	13/09/2019	Meeting Fees and Allowances 13 September 2019	1,890.06
1277*2020	REILLY & CO	13/09/2019	Event Management Consulting July School Holiday Project Week 1, School Holiday Project Week 2	18,053.62
1278*2020	PROMOTIONS INTERNATIONAL PTY LIMITED	13/09/2019	Goods for Resale -Caps, Tea Towels & Stubby Holders	2,975.50
1311*2020	HODDER, TAMISHA	13/09/2019	Meeting Fees and Allowances 30 August 2019	1,989.77
1389*2020	SHIRE OF PERENJORI	13/09/2019	CESM Shared Costs	3,573.60
1565*2020	LAWSON PERCY	13/09/2019	Meeting Fees and Allowances 13 September 2019	646.48
1000*2020	AFGRI Equipment Australia Pty Ltd	26/09/2019	YA465 - HYDRAULIC HOSE	526.35
1016*2020	BOC Limited	26/09/2019	Gas Cylinder Hire -Depot	123.86
1018*2020	BOQ Asset Finance & Leasing Pty Ltd	26/09/2019	Rental Charge - Photocopier	329.50
1019*2020	Bridged Group Pty Ltd	26/09/2019	Computer Maintenance Support	660.00
1021*2020	Bunnings Building Supplies Pty Ltd	26/09/2019	CARAVAN PARK: TAPS & CLEANING PRODUCTS ,SUNDY ITEMS WORKSHOP CONSUMMABLES, MATERIALS AND EQUIPMENT FOR RIFLE RANGE	1,074.10
1024*2020	Canine Control	26/09/2019	Ranger Service 16 September 2019	1,089.00
1048*2020	Dominic Carbone & Associates	26/09/2019	Financial and Administration Consultancy Service	9,130.00
1064*2020	REFUEL AUSTRALIA	26/09/2019	August Fuel Charges 2019	16,203.29
1083*2020	J R & A Hersey	26/09/2019	SUNDRY ITEMS FOR WORKSHOP	1,191.75

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1108*2020	Midwest Chemical & Paper	26/09/2019	SUNDRY SUPPLIES CARAVAN PARK	707.76
1144*2020	Pool & Spa Mart	26/09/2019	WATER PARK: 1 HR SERVICE CALL OUT	1,788.70
1171*2020	WINC AUSTRALIA PTY LIMITED	26/09/2019	Sundry Items for Caravan Park	132.84
1182*2020	ThinkWater Geraldton	26/09/2019	CARAVAN PARK - SUBMERSIBLE PUMP	244.20
1184*2020	Totally Workwear Geraldton	26/09/2019	RAY PRATT - WORK UNIFORM, RAY WINFIELD - WORK UNIFORM, CRAIG HOLLAND - WORK UNIFORM , CHRIS BELL - WORK UNIFORM , DARREN HAWKINS - WORK UNIFORM, CARRAVAN PARK UNIFORM,EDWARD BUKELIS - WORK UNIFORM , RYAN EGAN - WORK UNIFORM, MATT MCSPORRAN - WORK UNIFORM	4,193.80
1186*2020	Truck Centre(WA) Pty Ltd	26/09/2019	YA795 - BOOSTER ASSEMBLY	1,193.37
1229*2020	HARVEY NORMAN FURNITURE & BEDDING	26/09/2019	19A STANLEY ST - FRIDGE	394.00
1235*2020	ELLIS & SONS CONSTRUCTION	26/09/2019	43 Gibbons St - Supply & Install New Fence, Caravan Park Amenities Block - Install New Locks, 18d Shamrock - Install new latch to gate	8,083.90
1240*2020	Westrac Equipment Pty Ltd	26/09/2019	YA 860 - Parts	2,718.81
1255*2020	TOLL TRANSPORT PTY LTD	26/09/2019	Freight Charges	442.64
1264*2020	PINPOINT CLEANING SOLUTIONS	26/09/2019	Monthly Clean of Shire Buildings August 2019	3,610.00
1277*2020	REILLY & CO	26/09/2019	Art Work for Emu Festival	1,201.81
1280*2020	BP MECHANICAL MAINTENANCE	26/09/2019	YA860: 500 hr Service ,YA844: Service YA 853: 982 Hr Service, YA 795: Service ,YA453: Service, YA 1614: Service	4,599.10



_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1311*2020	HODDER, TAMISHA	26/09/2019	Bus Hire Bond Refund	402.95
1315*2020	MDF SERVICES PTY LTD	26/09/2019	Caravan Park: Repairs to Water Pump	553.50
1319*2020	FRONTLINE FIRE & RESCUE	26/09/2019	10 X PACIFIC BR9WB HELMET, MESH HARNESS, 3PT CHIN	2,213.20
1325*2020	MAGPIE SQUAWK	26/09/2019	ADVERTISING FOR THE YALGOO EMU FESTIVAL	45.00
1337*2020	HILLE, THOMPSON & DELFOS	26/09/2019	Yalgoo Golf Course Imagery & Layout for Tourist Map	1,243.00
1372*2020	DARREN LONG CONSULTING	26/09/2019	Consultancy Fees-June 2019 Bank Reconciliation	1,320.00
1412*2020	PRATT, HELEN	26/09/2019	Reimbursements -Sundry Items for Caravan Park Sale of Art	110.37
1423*2020	EVENT ART TENTS - EMMALINE JAMES	26/09/2019	Art Centre Supplies	424.03
1444*2020	RIP-IT SECURITY SHREDDING	26/09/2019	Admin - Destruction of Documents	352.00
1451*2020	ACTIVE GAMES ENTERTAINMENT	26/09/2019	ENTERTAINMENT FOR EMU FESTIVAL	5,795.00
1461*2020	NORRIS & HYDE IT	26/09/2019	Rifle Club - Samsung Galaxy Tablet	1,008.00
1478*2020	SIMPSON, PHYLLIS	26/09/2019	Payment of Proceeds -Sale of Art	42.75
1487*2020	MCDONALDS WHOLESALERS	26/09/2019	SUNDRY SUPPLIES FOR CARAVAN PARK	251.51
1489*2020	CLEVERPATCH	26/09/2019	Art Centre - Art Supplies	39.58
1514*2020	STEWART & HEATON CLOTHING CO PTY LTD	26/09/2019	Jackets for Yalgoo BFB	1,569.59
1523*2020	PAGE, MAUREEN	26/09/2019	Payment of Proceeds -Sale of Art	90.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1547*2020	METROCOUNT TRAFFIC DATA SPECIALISTS	26/09/2019	Field Kit	506.55
1548*2020	BOLTS-R-US	26/09/2019	Supplies -BOLTS	206.94
1566*2020	GALLERIES WEST INC	26/09/2019	2019/2020 Subscription	150.00
1567*2020	HODDER, RHIANNON	26/09/2019	Payment of Proceeds -Sale of Art	135.00
1570*2020	HODDER, GLADYS	26/09/2019	Payment of Proceeds -Sale of Art	45.00
1571*2020	WIRNDA BARNA ART CENTRE	26/09/2019	Payment of Proceeds -ASTROFEST SALES 21.09.2019	480.00
<b>TOTAL</b>				<b>472,613.17</b>

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**ACCOUNTS FOR PAYMENT SEPTEMBER 2019**

**That Council approve the list of accounts paid for the period 1 September 2019 to 30 September 2019 amounting to \$472,613.17 and the list be recorded in the Minutes.**

**Moved:**

**Seconded:**

**Motion put and carried / lost**

### 11.3.2 INVESTMENTS AS AT 30 SEPTEMBER 2019

<b>Author:</b>	<b>Dominic Carbone</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>23 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### MATTER FOR CONSIDERATION

That Council receive the Investment Report as at 30 September 2019.

#### 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 September 2019.

SHIRE OF YALGOO CASH HOLDINGS AS AT 30 SEPTEMBER 2019								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N <sup>o</sup>	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$2,031,416.67
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,319.57
NAB	N/A	Term Deposit	89-977-1574	2 months 30 day	23.09.2019	23.12.2019	1.68%	\$64,637.15
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,086.94
<b>TOTAL</b>								<b>\$2,189,460.33</b>

RESERVE FUNDS								
NAB	N/A	Term Deposit	97-511-4454	3 months	23.09.2019	23.12.2019	1.68%	\$167,458.55
NAB	N/A	Term Deposit	89-972-5236	3 months	23.09.2019	23.12.2019	1.68%	\$464,837.71
NAB	N/A	Term Deposit	11-186-3992	3 months	23.09.2019	23.12.2019	1.68%	\$1,117,882.28
<b>TOTAL</b>								<b>\$1,750,178.54</b>

TRUST								
NAB	N/A	Trust a/c	50-832-4559	Ongoing	N/A	N/A	Variable	\$25,038.51
<b>TOTAL</b>								<b>\$25,038.51</b>

INVESTMENT REGISTER						
01 SEPTEMBER 2019 TO 30 SEPTEMBER 2019						
NATIONAL AUSTRALIA BANK						
ACCOUNT N <sup>o</sup>	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 30.09.2019	INVESTMENT TRANSFERS	CLOSING BALANCE 30.09.2019
86-538-7363	Ongoing	Variable	\$41,307.37	\$12.20	0	\$41,319.57
89-977-1574	23.12.2019	1.68%	\$64,336.35	\$320.80	0	\$64,657.15
24-831-4222	Ongoing	Variable	\$52,071.54	\$15.40	0	\$52,086.94
97-511-4454	23.12.2019	1.68%	\$166,627.70	\$830.85	0	\$167,458.55
89-972-5236	23.12.2019	1.68%	\$462,531.39	\$2,306.32	0	\$464,837.71
11-186-3992	23.12.2019	1.68%	\$1,112,335.83	\$5,546.45	0	\$1,117,882.28

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**INVESTMENTS AS AT 30 SEPTEMBER 2019**

**That the Investment Report as at 30 September 2019 be received.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

**11.3.3 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 30 SEPTEMBER 2019**

<b>Author:</b>	<b>Dominic Carbone</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>23 October 2019</b>
<b>Attachments</b>	<ul style="list-style-type: none"> <li>• <b>Statement of Comprehensive Income ending the 30 September 2019;</b></li> <li>• <b>Financial Activity Statement; ending 30 September 2019;</b></li> <li>• <b>Summary of Current Assets and Current Liabilities as of 30 September 2019;</b></li> <li>• <b>Statement of Current Financial Position as at 30 September 2019;</b></li> <li>• <b>Detailed worksheets;</b></li> <li>• <b>Other Supplementary Financial Reports:</b> <ul style="list-style-type: none"> <li>○ <b>Reserve Funds;</b></li> <li>○ <b>Loan Funds;</b></li> <li>○ <b>Trust Fund</b></li> </ul> </li> </ul>

**MATTER FOR CONSIDERATION**

Adoption of the Monthly Financial Statements.

**BACKGROUND**

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Section 6.4–Specifies that a local government is to prepare such other financial reports as are prescribed.

*Local Government (Financial Management) Regulations 1996*

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
  - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

**STRATEGIC IMPLICATIONS**

Provision of timely accounting information to inform Council of the financial status and financial affairs of the local government.

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue, and overall results against budget targets.

**POLICY IMPLICATIONS**

2.4 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 30 SEPTEMBER 2019.**

**That Council:**

**Adopts the Financial Activity Statement for the period ended 30 September 2019.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**



## 11.4 ADMINISTRATION

### 11.4.1 REPORT ON MATTERS OUTSTANDING AS AT 23 OCTOBER 2019

<b>Author:</b>	<b>John Read, Acting CEO</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>22 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### 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	Matter considered at the June 2019 Meeting Consultants advised of that no amendments were required.  Consultants are finalising documents for the November Meeting for council to adopt.

<b>MATTERS OUTSTANDING</b>			
<b>MEETING DATE</b>	<b>ITEM REFERENCE</b>	<b>RESOLUTION</b>	<b>CURRENT STATUS</b>
31 January 2019	House Safety of Lot 220, 82 Piesse Street Yalgoo	That Council Requests the CEO to investigate the safety of the house owed by Timothy Simpson and Gloria Merry at lot 220, 82 Piesse Street, Yalgoo.	Further inspections planned with EHO.
31 May 2019		Council accepted the report of the EHO and requested the CEO and EHO to meet with the owner to address the problem areas	
31 May 2019	Review of Draft Shire of Yalgoo Employee Orientation and Human Resources Manual	That the Shire Consultants LG People and Culture Workforce and Management Services be advised on any changes	Included in item 1 above.
26 July 2019	New Road Access and Public Benefit Agreement	CEO Draft new road access and Public Agreement (PBA) with Top Iron at their expense for Council to approve.	Top Iron have received the letter detailing our requirements and council decision.
27 September 2019	Paynes Find Landfill Site Upgrade	CEO prepare a report on costs associated with the Landfill site's upgrade.	Works Foreman and the Acting CEO are obtaining quotes in respect of the various aspects of the upgrade
27 September 2019	Paynes Find Public Toilet Facility	CEO to obtain quotations for the new toilet facility at the Paynes Find Community Centre	CEO is finalising quotes received.

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER RECOMMENDATION</b>		
<b><u>REPORT ON MATTERS OUTSTANDING AS AT 23 OCTOBER 2019</u></b>		
<b>That Council:</b>		
<b>Receives Report N<sup>o</sup> 11.4.1 Report on Matters Outstanding as at 23 October 2019.</b>		
<b>Moved:</b>	<b>Seconded:</b>	<b>Motion put and carried / lost</b>

**11.4.2 SHIRE OF YALGOO – ELECTION RESULT**

<b>Author:</b>	<b>John Read, Acting Chief Executive Officer</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>21 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

That Council congratulate the elected members, Councillors Raul Valenzuela, Gail Simpson and Greg Payne and receive the Acting CEO’s report regarding the outcome of the 2019 Shire of Yalgoo election.

**BACKGROUND**

The Ordinary Election was held In Person for the whole of the district. Four candidates were received for the three vacancies available, thus resulting in an election being held on 19 October, 2019. Polling booths were provided at the Shire office in Yalgoo and at the Community Centre in Paynes Find. A total of 96 electors are on the Electoral Roll.

**STATUTORY ENVIRONMENT**

For this election the Acting CEO John Read acted as Returning Officer. The election was conducted on the basis of electors voting In Person. Part 4 of the Local Government Act 1995 and Local Government (Elections) Regulations 1997 specify the way local government elections are to be conducted.

**STATUTORY IMPLICATIONS & CONSULTATION**

Nil

**COMMENT**

Three Council staff plus the Acting CEO worked on Election Day. Staff worked from 7.30am to 9.00pm when the election count concluded and the result declared by the Returning Officer. Of the 96 voters on the electoral roll, 49 voted, giving a high percentage turnout of 51.04%.

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER RECOMMENDATION</b>		
<b><u>SHIRE OF YALGOO – ELECTION RESULT</u></b>		
<b>That Council congratulate the newly elected Councillors and receive the Acting CEO’s report regarding the outcome of the 2019 Shire of Yalgoo election.</b>		
<b>Moved:</b>	<b>Second:</b>	<b>Motion Put and Carried / lost:</b>

**11.4.3 TELSTRA & INTERNET SERVICES TO YALGOO**

<b>Author:</b>	<b>John Read, Acting Chief Executive Officer</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>10 October, 2019</b>
<b>Attachments</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

That the Shire of Yalgoo continue its communication with Telstra in the interests of improving the Yalgoo town sites internet services, particularly that servicing the Shire’s administration offices, which can be expanded to include the caravan park, Arts & Cultural Centre, etc.

**BACKGROUND**

Currently the Shire of Yalgoo’s administration utilise the internet Cloud for its internet services, which is comparatively very slow and limited. It appears an improved service through Telstra is achievable by way of a fibre optic cable at reasonable cost. This facility can then, via WiFi, be made available to the caravan park, depot, Arts and Cultural Centre, etc.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**STRATEGIC IMPLICATIONS**

Taking advantage of new technologies and the benefits and services that flow from it, now and into the future, is consistent with the intention of delivering local government services to the Shire’s community contained in the Council’s Community Strategic Plan.

**FINANCIAL IMPLICATIONS**

The current Budget provides \$40,000 for Admin Computers Hardware and System Upgrade as well as \$10,000 for Admin Upgrade Cabling Fibre.

**CONSULTATION**

Telstra Enterprises’ Philip Goodman-Jones, Client Executive – Local Government WA .

Boyd Brown, Regional General Manager WA with Telstra Retail & Regional.

**COMMENT**

I have been in communication with Telstra Enterprises’ Philip Goodman-Jones, Client Executive – Local Government WA . Philip heads up the servicing of all WA local governments needs and has agreed to submit a virtual desktop assessment (at no cost) under reference WF-659570 to determine the possibilities of delivering fibre into the Shire of Yalgoo’s administration at 37 Gibbons Street which will assist with the Shire’s cloud infrastructure, but also support the desire for providing better internet services at the caravan park and other strategic buildings within the Yalgoo town site area. Following this initial assessment, a detailed assessment/feasibility study will likely follow at a cost to the Shire. If this cost is reasonable the Shire will need to determine if it wishes to proceed.

I am also in communication with Boyd Brown, Regional General Manager WA with Telstra Retail & Regional, who in conjunction with Philip Goodman-Jones, is keen to complement the Council’s direction and future plans in respect of its internet service. Having improved internet services may well offer incentive to the iron ore company proposing to establish a substantial magnetite project near Yalgoo towards housing their employees in the Yalgoo town site. The internet WiFi service could also possibly cover the entire Yalgoo town site at hopefully relatively low cost, but these issues will be covered in the detailed feasibility study where all options will be explored.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**TELSTRA & INTERNET SERVICES TO YALGOO**

**That Council:**

- 1. endorse the Chief Executive Officer’s actions in progressing with Telstra the feasibility of improved internet services being provided to the Yalgoo town site, particularly the Shire of Yalgoo’s administration office, Caravan Park, Arts & Cultural Centre, etc.**
- 2. be advised of the outcome of Telstra’s initial desktop assessment of providing improved internet services in order that Council can determine the practicality and economics of Telstra undertaking a detailed assessment/feasibility study.**

**Moved:**

**Seconded:**

**Motion put and carried:**

**11.4.4 REGIONAL AIRSTRIP UPGRADE GRANT**

<b>Author:</b>	<b>John Read, Acting CEO</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>2 October, 2019</b>
<b>Attachments</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

That the Acting CEO progress the Shire of Yalgoo’s application for funding for a grant under the Federal Government’s Regional Airstrip Upgrade initiative in respect of the Yalgoo and Paynes Find airstrips.

**BACKGROUND**

Applications are invited from local governments in regional areas for grant funds under the Federal Government’s Regional Airstrip Upgrade program/ initiative. Applications close 12 November 2019

The Remote Airstrip Upgrade Program will enhance the safety and accessibility of aerodromes in remote and very remote areas of Australia, providing improved all weather access that will:

- improve the safety of aircraft, operators and passengers using remote and very remote airstrips
- facilitate improved delivery of essential goods and services such as food supplies, health care, community mail and passenger air services
- complement air services delivery to communities subsidised under the Australian Government’s Remote Aviation Access Program (RAAP) through the Remote Air Services Subsidy (RASS) Scheme, and/or
- meet operational requirements of the Royal Flying Doctor Service (RFDS) or operators providing similar aeromedical services.

The maximum grant amount is \$3 million, however it is expected that most grants will not exceed \$1.5 million. The grant amount will be up to 50% of eligible project costs (grant percentage). The local government’s contribution can be in-kind and would include the Shire engaging its own workforce and plant in carrying out the airstrip upgrade.

The upgrade would greatly improve the landing surfaces as well as improving drainage to improve year round airstrip access.

**STATUTORY ENVIRONMENT**

Federal Government Funding Statutory Legislation

Local Government Act 1995

**STATUTORY IMPLICATIONS**

The maintenance and upgrade of the Shire of Yalgoo airstrips provides an important public facility, particularly in the event of highway accidents where the RFDS is required to attend and also for visitors to the area coming in by aircraft. Provision of such important public facilities is recognised in the Council Strategic Community Plan.

**CONSULTATION**

Grants Empire (Tammy King) who brought this grant opportunity to our attention has been consulted and will be involved in the grant application process to best enhance our chances of success. In order to determine the extent of airstrip upgrade required and the cost estimate for the purpose of determining the project cost and grant amount sought, Core Industries Australian will be providing an independent assessment/report to compliment our grant application.

**Comment**

If successful in the grant application, provision will need to be made for both the grant funding and the Shire’s financial contribution in the 2020/21 budget.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**REGIONAL AIRSTRIP UPGRADE GRANT**

**That the Shire’s Acting CEO, in cooperation with Grants Empire, make application for funding from the Regional Airstrip Upgrade grant scheme for the upgrade of both the Yalgoo and Paynes Find airstrips.**

**Moved:**

**Seconded:**

**Motion put and carried/lost:**

**11.4.5 GROSS RENTAL VALUE RATING OF MINING INFRASTRUCTURE**

<b>Author:</b>	<b>Acting Chief Executive Officer, Mr John Read</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>15 October 2019</b>
<b>Attachments</b>	<b>Local Government Operational Guidelines – Changing Methods of Valuation of Land</b>

**MATTER FOR CONSIDERATION**

That Council approve in principle, subject to obtaining in due course the necessary approvals from the Minister for Local Government, the Gross Rental Valuation (GRV) rating of all mining infrastructure within the Shire of Yalgoo and instructs the Acting Chief Executive Officer to progress matters in this regard.

**BACKGROUND**

The ability for local governments to rate mining infrastructure, independent of rating mining tenements, farm/pastoral properties and town site properties, has been available to local governments (subject to Local Government Ministerial approval) for many years. In 2015 the then Minister (Hon Tony Simpson) introduced a revised Policy relating to such mining infrastructure rating, which Policy is current today.

**STATUTORY ENVIRONMENT**

Sections 6.28(1), 6.29, 6.92(1), 6.29(2), 6.33(3) of the Local Government Act 1995

**STRATEGIC IMPLICATIONS**

Council and its administration have a responsibility under the Local Government Act 1995 to provide services, facilities and infrastructure for the betterment of its ratepayers and communities. Such responsibility extends to good financial management including the acquisition of assets and human resources to provide and maintain such infrastructure and professional services for the betterment and enjoyment of its ratepayers and communities. This responsibility is entirely consistent with the Shire of Yalgoo's Community Strategic Plan and its Corporate Business Plan.

The additional rating income will greatly assist the Shire of Yalgoo meet its strategic objectives.

**CONSULTATION**

Nil

**COMMENT**

Currently the Shire of Yalgoo rates various properties on the basis of a rate in the dollar applied to a property valuation provided by the Valuer General/Landgate as follows:

- farmland/pastoral leases based on an Unimproved Value (UV).
- town site properties based on a Gross Rental Value (GRV).
- Mining tenements based on an Unimproved Value. Currently the Shire of Yalgoo has two separate (Differential) rates in the dollar for the purpose of rating those mining tenements of an exploration nature (Exploration Licences and Prospecting Licenses, etc.) and a higher rate for those of a mining nature such as Mining Leases etc. The purpose of the lower rate for exploration tenements is to encourage exploration.

Rateable mining infrastructure comprises such infrastructure as on-site office accommodation, residential accommodation, recreation facilities and maintenance workshops, providing these facilities have been in place for at least 12 months. Investigations are currently underway by the Shire's administration in identifying all mining operations with the Shire of Yalgoo that will be affected by this proposal. Preliminary investigations have identified these to include Mt Gibson (MGM), Golden Grove (ERM), Golden Dragon (Minjar Gold), Dalgara Gold Project (Gascoyne Resources Ltd) and Deflector Mine (Silver Lake Resources Ltd).



The first step involved in the process is for the Shire to engage Landgate to determine and survey rateable infrastructure at the various mine sites within the Shire of Yalgoo. This will involve a visit to the mining areas by a Landgate Officer to establish the Gross Rental Values (GRV) that will apply to the infrastructure at each mine site. Landgate will provide the Shire with technical land descriptions of the areas involved along with the GRV's that apply to each area. Following the Mining Infrastructure GRV advice from Landgate and applying an indicative rate in the dollar, the Shire will then advise each mining company affected of the proposal to rate its mining infrastructure (subject to the approval of the Minister for Local Government) and the estimated additional rates that will likely apply in respect of rating the mining infrastructure.

Once the technical land descriptions are available the Shire will then need to apply to the Local Government Department for approval to gazette the properties and seek Ministerial approval to rate the mining infrastructure. Landgate will excise out of the affected Mining Leases area the mining infrastructure which will be the subject of a GRV and the slightly diminished area of the Mining Leases will receive an amended UV for the purpose of rating.

It is noted that the rate in the dollar currently for (UV) Mining Leases is \$0.3743025, which the Department of Local Government have advised is considered very high and ought not be increased. It is recommended that consideration be given in the future to reducing this rate, subject to obtaining Ministerial formal approval to implement rating mining infrastructure.

Depending on the timeframe of Landgate to determine GRV's, obtaining the Department of Local Government's formal gazettal of the rateable GRV mining infrastructure areas and the approval of the Minister for Local Government to rate the mining infrastructure concerned, the Shire may be in a position to obtain approval to either retrospectively rate the mining infrastructure from 1/7/2019 for the entire 2019/20 financial year, or alternatively for the half year 1/1/2020 to 30/6/2020.

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER RECOMMENDATION</b>		
<b><u>GROSS RENTAL VALUE RATING OF MINING INFRASTRUCTURE</u></b>		
<b>That Council approve in principle, subject to obtaining in due course the necessary approvals from the Minister for Local Government, the Gross Rental Valuation (GRV) rating of all mining infrastructure within the Shire of Yalgoo and instructs the Acting Chief Executive Officer to progress matters in this regard.</b>		
<b>Moved:</b>	<b>Seconded:</b>	<b>Motion put and carried:</b>

**11.4.6 NOMINATIONS AND APPOINTMENTS TO COUNCIL STANDING AND STATUTORY COMMITTEES AND EXTERNAL ORGANISATIONS.**

<b>Author:</b>	<b>John Read, Acting Chief Executive Officer</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>16 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

Council to nominate and appoint representation to Council standing and statutory Committees and external organizations.

**BACKGROUND**

Council currently has 3 standing committees namely the Finance Committee, Yalgoo Arts and Cultural Committee and the Yalgoo Tourism Advisory Committee and a statutory committee namely the Audit Committee. All councillors are members of the Finance and Audit Committee and Council nominates 2 representatives to the Yalgoo Arts and Cultural Committee. Council also nominates delegates to a range of regional organisations which are detailed below.

**STATUTORY ENVIRONMENT**

**Local Government Act 1995**

**Sections 5.8 to 5.25 set out the requirements for the operations of Committees of Council.**

**5.8. Establishment of committees**

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

*\* Absolute majority required.*

**5.9. Committees, types of**

- (1) In this section —  
**other person** means a person who is not a council member or an employee.
- (2) A committee is to comprise —
  - (a) council members only; or
  - (b) council members and employees; or
  - (c) council members, employees and other persons; or
  - (d) council members and other persons; or
  - (e) employees and other persons; or
  - (f) other persons only.

**5.10. Committee members, appointment of**

- (1) A committee is to have as its members —
  - (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

#### **5.11A. Deputy committee members**

- (1) The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.

\* *Absolute majority required.*

- (2) A person who is appointed as a deputy of a member of a committee is to be —
  - (a) if the member of the committee is a council member — a council member; or
  - (b) if the member of the committee is an employee — an employee; or
  - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
  - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

*[Section 5.11A inserted by No. 17 of 2009 s. 20.]*

#### **5.11. Committee membership, tenure of**

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
  - (b) the person resigns from membership of the committee; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,

whichever happens first.

- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person’s membership of the committee continues until —
  - (a) the term of the person’s appointment as a committee member expires; or
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,

whichever happens first.

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

\* *Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

[Section 7.1A inserted by No. 49 of 2004 s. 5.]

**BUSINESS IMPLICATIONS**

Appointment of representatives to a number of external organisations as per policy 1.7. Nominated delegates to Committee may be entitled to reimbursement of expenses.

**CONSULTATION**

Nil

**COMMENT**

Council has historically nominated all Councillors to be members of the Audit and Finance Committees. The Council standing and statutory committees and external organizations are as follow.

Nominations to Council Standing and Statutory Committees and External Organisations 2019 - 21

Committee / Organisations	Delegate
Murchison Sub Group of the Regional Road Group	Delegates (2): Cr ..... Cr ..... Deputy Delegate (1): Cr ..... Note: nominations to this committee are made by the Murchison Sub Group NOT by the local government.)
Murchison Executive Group (MEG)	Delegate (1): CEO
Mid-West Gascoyne Regional Road Group	Delegates (2): Cr ..... Cr ..... Deputy Delegate: Cr .....
Murchison Country Zone of WALGA	Delegates (2): Cr ..... Cr ..... Deputy Delegate: Cr .....

Committee / Organisations	Delegate
Murchison Regional Vermin Council (MRVC)	Delegates (2) Cr ..... Cr .....
Gundawa Conservation Association (EGRCA)	Representatives (2): Cr ..... Cr .....
Yalgoo Arts and Cultural Committee (YACC))	Representatives (3): Shire President Cr..... Cr..... Cr ..... And Chief Executive Officer, Community Representative Becky Phillips and an other position vacant
Development Assessment Panel	Members: Cr .....& Cr ..... Alternates: Cr ..... & Cr ..... Note: this committee is by Ministerial appointment following council nomination, with compulsory training required. Members of this committee are not put forward for re-nomination.
Finance Committee (SoY)	Delegates: All Councillors
Audit Committee (SoY)	Delegates: All Councillors
Chief Bush Fire Control Officer	_____, CEO
Road Inspections (SoY)	Delegates: Cr ..... Cr ..... 1 designated officer appointed by CEO
Mid-West Local Government Emergency Management Network (MWLGEMN)	Delegates: Cr ..... Cr ..... 1 designated officer appointed by CEO
Tourism Committee (SoY)	Representatives (3): Shire President Cr..... Cr..... Cr ..... And Chief Executive Officer, 2 Community Representative both vacant.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

**NOMINATIONS AND APPOINTMENTS TO COUNCIL STANDING AND STATUTORY COMMITTEES AND EXTERNAL ORGANISATIONS.**

That Council appoint the following to Council Standing and Statutory Committees and External Organization.

**Nominations to Council Standing and Statutory Committees and External Organisations 2019-21**

Committee / Organisations	Delegate
<p><b>Murchison Sub Group of the Regional Road Group</b></p>	<p>Delegates (2):      Cr .....</p> <p style="padding-left: 150px;">Cr .....</p> <p>Deputy Delegate (1):</p> <p style="padding-left: 150px;">Cr .....</p> <p><b>Note: nominations to this committee are made by the Murchison Sub Group NOT by the local government.)</b></p>
<p><b>Murchison Executive Group (MEG)</b></p>	<p>Delegate (1):      CEO</p>
<p><b>Mid-West Gascoyne Regional Road Group</b></p>	<p>Delegates (2):      Cr .....</p> <p style="padding-left: 150px;">Cr .....</p> <p>Deputy Delegate:      Cr .....</p>
<p><b>Murchison Country Zone of WALGA</b></p>	<p>Delegates (2):      Cr .....</p> <p style="padding-left: 150px;">Cr .....</p> <p>Deputy Delegate:      Cr .....</p>
<p><b>Murchison Regional Vermin Council (MRVC)</b></p>	<p>Delegates (2)      Cr .....</p> <p style="padding-left: 150px;">Cr .....</p>
<p><b>Gundawa Conservation Association (EGRCA)</b></p>	<p>Representatives (2): Cr .....</p> <p style="padding-left: 150px;">Cr .....</p>
<p><b>Yalgoo Arts and Cultural Committee (YACC )</b></p>	<p>Representatives (3):</p> <p style="padding-left: 40px;">Shire President Cr.....</p> <p style="padding-left: 100px;">Cr.....</p> <p style="padding-left: 100px;">Cr .....</p> <p><b>And Chief Executive Officer, Community Representative Becky Phillips and an other position vacant</b></p>

<b>Development Assessment Panel</b>	<p><b>Members:</b> Cr .....</p> <p>Cr .....</p> <p><b>Alternates:</b> Cr .....</p> <p>Cr .....</p> <p><b>Note:</b> this committee is by Ministerial appointment following council nomination, with compulsory training required. Members of this committee are not put forward for re-nomination.</p>
<b>Finance Committee (SoY)</b>	<b>Delegates:</b> All Councillors
<b>Audit Committee (SoY)</b>	<b>Delegates:</b> All Councillors
<b>Chief Bush Fire Control Officer</b>	_____, CEO
<b>Road Inspections (SoY)</b>	<p><b>Delegates:</b> Cr .....</p> <p>Cr .....</p> <p><b>1 designated officer appointed by CEO</b></p>
<b>Mid-West Local Government Emergency Management Network (MWLGEMN)</b>	<p><b>Delegates:</b> Cr .....</p> <p>Cr .....</p> <p><b>1 designated officer appointed by CEO</b></p>
<b>Tourism Committee (SoY)</b>	<p><b>Representatives (3):</b></p> <p><b>Shire President</b> Cr.....</p> <p>Cr.....</p> <p>Cr .....</p> <p><b>And Chief Executive Officer, 2 Community Representative both vacant.</b></p>

**Moved:**

**Seconded:**

**Motion put and carried/lost**

**11.4.7 COMMUNITY ACTIVITIES IN YALGOO**

<b>Author:</b>	<b>John Read, Acting Chief Executive Officer</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>22 October 2019</b>
<b>Attachments:</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

The Council receive the Acting CEO’s report regarding community activity in Yalgoo during October, 2019.

**BACKGROUND**

The Shire of Yalgoo engages Reilly & Co to coordinate community development activities in the Shire. A formal Agreement was entered into and signed around the 12 September, 2019 between the then CEO, Mr Brenzi and Jodi Reilly of Reilly & Co, which agreement formally engages Reilly & Co for a period of two years expiring in September, 2021.

Reilly & Co visits the Shire one day per week except when events are being held when the stay is extended. Jodi is very passionate about her work particularly working with the indigenous in our community.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**STATUTORY IMPLICATIONS**

The Shire’s Community Strategic Plan strongly encourages the development of the Shire’s communities including sporting, cultural, arts, etc. activities.

**CONSULTATION**

Nil

**COMMENT**

In the past month several community activities were successfully held. These included a Bingo Night held at Core Stadium on 3 October, 2019 which was well attended and was truly a fun night with great prizes given out to winners.

The Emu Cup was held on the 5 October, 2019 and was well attended during the day. Emmaline had numerous items of arts and crafts made by local artists on display which was pleasing to see. I am concerned regarding the cost of this one day event with \$80,000 budgeted. I intend reviewing the costs associated with this event to apply next year with Jodi.

The Stephen Michael Football Clinic event was held on the 10 October 2019 and was a huge success with over 100 children participating from Meekatharra, Cue, Mt Magnet, Mullewa and Yalgoo and around 30 smaller children also in attendance.

It was pleasing to see the grassed oval and the Core Stadium being used fully by so many children.

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER RECOMMENDATION</b>		
<u>Community Activities in Yalgoo</u>		
That Council receive the Acting CEO’s report regarding community development activity during the past month.		
<b>Moved:</b>	<b>Seconded:</b>	<b>Motion put and carried/lost:</b>



#### 11.4.8 PAYNES FIND LANDFILL SITE UPGRADE

<b>Author:</b>	<b>John Read, Acting Chief Executive Officer</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>22 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### MATTER FOR CONSIDERATION

That Council authorise the expenditure, (to be included in the 2019/20 Budget Review to be held at its Ordinary Council Meeting in February, 2020), pursuant to Section 6.8 of the Local Government Act 1995, for the upgrade of the Paynes Find Landfill Site in respect of formal survey of the gazetted area, fencing of a suitable landfill area within the gazetted area, construction of a new landfill site and rehabilitation of the existing landfill site.

#### BACKGROUND

Following is Council’s decision regarding this matter made at its meeting held on 22 March 2019:

*C2019-0312 Report on Yalgoo and Paynes Find Landfill Site*

*That Council:*

- 1. Request the Chief Executive Officer to prepare a report detailing the schedule of works required to be undertaken to bring the Yalgoo and Paynes Find Landfill sites in compliance, alternative methods of disposal and related costs.*
- 2. Request that the Yalgoo and Paynes Find Landfill sites be cleaned up and windblown waste be removed from fences and surrounding areas.*

*Moved: Cr Gail Trenfield Seconded: Cr Gregory Payne Motion put and carried: 4/0*

#### STATUTORY ENVIRONMENT

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*

- (1a) In subsection (1) —

**additional purpose** means a purpose for which no expenditure estimate is included in the local government’s annual budget.

- (2) Where expenditure has been incurred by a local government —
  - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
  - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

*[Section 6.8 amended: No. 1 of 1998 s. 19.]*

**STATUTORY IMPLICATION**

Local Governments have a statutory responsibility to provide and maintain waste disposal facilities in such gazetted areas as provided, to an acceptable standard.

**CONSULTATION**

Ray Pratt, Works Foreman

**COMMENT**

Administration is in the process of obtaining costs in respect of:

- Council’s Surveyor to formally survey the gazetted land fill area at Paynes Find
- Fencing a suitable area within the gazetted landfill area
- Construction of a new landfill site using a dozer or excavator
- Rehabilitation of the existing old landfill site located outside the gazetted area.

Administration will endeavour to reduce costs of this work as far as practical and Council’s authorisation is requested to proceed to have the work carried out during November/December, 2019. The actual cost will be included and form part of the 2019/20 Budget Review presented to Council at its February 2020 Ordinary Meeting.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

**PAYNES FIND LANDFILL SITE UPGRADE**

**That Council:**

- 1. pursuant to Section 6.8 of the Local Government Act 1995, authorise the necessary expenditure (not provided for in the current 2019/20 budget) for the upgrade of the Paynes Find Landfill Site, which work includes formal survey of the gazetted area, fencing of a suitable landfill area within the gazetted area, construction of a new landfill facility within the gazetted area and the rehabilitation of the existing rubbish tip area.**
- 2. as part of its 2019/20 Budget Review to be held at its Ordinary Council meeting in February, 2020, incorporate the cost of 1. above.**

**Moved:** **Seconded:** **Motion put and Carried:**  
**ABSOLUTE MAJORITY REQUIRED**

**11.4.9 CHRISTMAS / NEW YEAR OFFICE CLOSURE**

<b>Author:</b>	<b>John Read, Acting CEO</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>2 October, 2016</b>
<b>Attachments</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

Council approval is sought to close the Shire of Yalgoo Office during the Christmas and New Year period from Monday 23<sup>rd</sup> December to Friday 3<sup>rd</sup> January, 2019.

**BACKGROUND**

It is common practice throughout regional local government in WA to close Shire offices over the Christmas and New Year period. On days other than the numerous public holidays, employees will utilise annual leave entitlements, etc. for the normal work days affected.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**STATUTORY IMPLICATIONS**

Nil

**CONSULTATION**

Shire of Yalgoo office staff and outside crew

**COMMENT**

The CEO supports the proposal. Ray Pratt, Works Foreman and certain other outside workers will be in Yalgoo over this period to handle any Shire needs that might arise such as bush fire etc. and Elisha Hodder will also be in Yalgoo over this period to attend to any matter affecting the Shire Office.

It is necessary that the office closure be advertised to inform the public in the Mid West Times newspaper, Yalgoo Facebook page and a notice on the Shire Office notice board

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER RECOMMENDATION</b>		
<b><u>CHRISTMAS / NEW YEAR OFFICE CLOSURE</u></b>		
<b>That Council:</b>		
<ol style="list-style-type: none"> <li><b>1 Approve the Yalgoo Shire office being closed to the public from Monday 23<sup>rd</sup> December 2019 through to Friday 3<sup>rd</sup> January, 2020</b></li> <li><b>2 The Office closure be advertised to the public.</b></li> </ol>		
<b>Moved:</b>	<b>Second:</b>	<b>Motion put and carried:</b>

**11.4.10 RATING EXEMPTION – MURCHISON REGION ABORIGINAL CORPORATION**

<b>Author:</b>	<b>Dominic Carbone</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>23 October 2019</b>
<b>Attachments</b>	<b>Letter dated 10 October 2019 from the Murchison Region Aboriginal Corporation</b>

**MATTER FOR CONSIDERATION**

The Council give consideration to an application received from the Murchison Region Aboriginal Corporation requesting an exemption from rates for various properties within the Shire of Yalgoo.

**BACKGROUND**

The objectives of the Murchison Region Aboriginal Corporation (MRAC) are as follows:

- Promote, support, sponsor, engage in, and facilitate the provision to Aboriginal people of health, housing, and other services.
- Acquire, hold and manage land, building, fixtures, chattels, and other property for the benefit of Aboriginal people in the Midwest and Gascoyne region.
- Provide social, cultural, economic, political, educational, and recreational services to Aboriginal organisations, groups, enterprises, and individuals in the wards when other bodies do not provide those services.
- Assist Aboriginal people in the Midwest and Gascoyne regions with relief from poverty, sickness, suffering, destitution, misfortune, distress, and helplessness.
- Give effect to the principles of self-management and self-determination for Aboriginal people by;
  - Establishing, owning, investing in, sponsoring, maintaining, managing, leasing and otherwise fostering business enterprises and commercial ventures of any lawful kind, and
  - Promote, supporting and sponsoring the endeavours of Aboriginal organisations, groups enterprises and individuals in the ward towards social, cultural and economic development.
- Promote, support, sponsor, engage in, and facilitate the creation of opportunities for Aboriginal people in education, training, employment, and private enterprise.
- Help and encourage Aboriginal people in the Midwest and Gascoyne regions to maintain, restore, revitalise, and renew their traditional language and culture.
- Help build trust and friendship between Aboriginal people and the non-Aboriginal community.
- Join with other Aboriginal corporations in undertaking projects of mutual benefit.
- Receive and spend grants of money from the Government of the Commonwealth or of the State or from other sources.
- The Corporation operates in the Midwest and Gascoyne regions and covers Geraldton, Northampton, Meekatharra, Mullewa, Mt Magnet, Yalgoo, Sandstone, and North Midlands.

MRAC is an entity established under the corporations (Aboriginal and Torres Strait Islander) Act 2006 and is registered under the Office of the Registration of indigenous Corporation (ORIC).

Its purpose is to provide eligible Aboriginal people with affordable rental accommodation. Any profit generated through rental revenue is reinvested in upgrading properties and where possible purchasing additional stock.

No commercial activities are conducted by MRAC and is registered as a charity as a public benevolent institution. The Australian Taxation Office has granted MRAC Charity Tax Concession status for GST concession, FBT exemption, and income Tax exemption and Deductible Gift Recipient status.

**STATUTORY ENVIRONMENT**

**Section 6.26** of the Local Government Act 1995, in part states the following:

**Subsection 6.26 (2)**

- (g) Land used exclusively for charitable purpose.
- (j) Land which is exempt from rates under other written laws.
- (k) Land which is declared by the Minister to be exempt from rates.

**Subsection 6.26 (4)**

The Minister may from time to time, under subsection (2) (k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.

**Subsection 6.26 (5)**

Notice of any declaration made under subsection (4) is to be published in the Gazette.

**Subsection 6.26 (6)**

Land does not cease to be used exclusively for the purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is a charitable, benevolent, religious or public nature.

**FINANCIAL IMPLICATIONS**

Impact on Rates levied by the Shire.

**COMMENT**

MRAC is requesting rate exemptions for the following properties:

-	91 Henty Street	YALGOO	Rates Levied 2019-20	\$399.11
-	25 Henty Street	YALGOO	Rates Levied 2019-20	\$469.91
-	92 Henty Street	YALGOO	Rates Levied 2019-20	\$362.46
-	83 Milligan Street	YALGOO	Rates Levied 2019-20	\$378.75
-	29 Selwyn Street	YALGOO	Rates Levied 2019-20	\$403.18
<b>Total Rates Levied</b>				<b>\$2013.41</b>

In order to obtain rate exemption on the above-mentioned properties pursuant to section 6.26 (2)(g) of the Local Government Act 1995, the land must be used exclusively for charitable purpose.

The Local Government Act 1995 does not define ‘charitable purpose’. Section 5 of the Charitable Collections Act 1946 defines ‘Charitable purposes’ as follows;

- (a) The affording of relief to diseased, sick, inform, incurable, poor, destitute, helpless or unemployed person, or to the dependants of any persons;
- (b) The relief of distress occasioned by war, weather occasioned in Western Australia or elsewhere;
- (c) The supply of equipment to any of His Majesty’s naval, military, or air force, including the supply of ambulance, hospitals and hospital ships;
- (d) The supply of comforts or conveniences to members of the said forces;
- (e) The affording of relief, assistance or support to persons who are or have been members of the said forces or to the dependants of any such persons;
- (f) The support of hospitals, infant health centres, kindergartens and other activities of social welfare or public character;
- (g) Any other benevolent, philanthropic or patriotic purpose.

The above definitions appear to have origins from the Charitable Uses Act 1601 and the House of Lords Case.

The Charitable Uses Act 1601 lists the purpose as:

- Relief of the aged, impotent and poor people;
- Maintenance of sick and maimed solders and mariners
- Support and aid for young tradesmen, handicraftsmen and persons decayed

One of the four categories of charitable purpose laid down by the House of Lords in the case in Income Tax Special Purposes Commissioners v Pemsel (1891). These categories are as follows:

- The relief of property;
- The advancement of education
- The advancement of religion; and
- Other purpose beneficial to the community not following within any of the preceding categories.

The rate exemption between MRAC and the Shire was the subject of a State Administrative Tribunal (S) decision in 2017-18 and the Judge set aside the Shires’ decision to disallow the MRAC objection to the rate record for the year ended June 2017 and substituted a decision that the objection was allowed on the basis that there is an error in the rate record as the land in question is not rateable land, because it is used exclusively for a charitable purpose.

MRAC proposes to pass on these savings to its tenants.

In view that this matter has already been determined by SAT it is recommended that Council grants MRAC rate exemption for the 2019-20 financial year however MRAC be informed that Council has levied a rubbish charge of \$600.00 per annum for rates exempt properties therefore the rubbish charge will increase by \$350.00 per property or \$1,750.00 for the 5 properties. The rubbish charge levied is less than full cost recovery.

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER RECOMMENDATION</b>		
<b><u>RATING EXEMPTION – MURCHISON REGION ABORIGINAL CORPORATION</u></b>		
<b>That Council:</b>		
<b>Advise the Murchison Region Aboriginal Corporation as follows;</b>		
<b>1. That the following properties are considered exempt from rating for the 2019-20 financial year in accordance with section 6.26(z)(g).</b>		
<b>91 Henty Street</b>	<b>YALGOO</b>	
<b>25 Henty Street</b>	<b>YALGOO</b>	
<b>92 Henty Street</b>	<b>YALGOO</b>	
<b>83 Milligan Street</b>	<b>YALGOO</b>	
<b>29 Selwyn Street</b>	<b>YALGOO</b>	
<b>2. Subject to (1) above the rates exemption will trigger an increase in the annual rubbish charge from \$250.00 to \$600.00 per property.</b>		
<b>Moved:</b>	<b>Seconded:</b>	<b>Motion put and carried / lost</b>

**11.4.11 FIJV DELEGATES VISIT TO YALGOO**

<b>Author:</b>	<b>John Read, Acting CEO</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>24 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

**MATTER FOR CONSIDERATION**

That Council receive the Acting CEO's verbal report on the outcome of the meeting to be held on 26 October, 2019 between representatives of FIJV and the Shire of Yalgoo.

**BACKGROUND**

FIJV visited Yalgoo in June 2019 to inform the Shire of Yalgoo progress regarding its proposed magnetite iron ore project 'Yogi' located approximately 15 kilometres from Yalgoo town site.

FIJV have arranged a further meeting to be held on 26 October 2019 to be attended by Ms Shadi Sadegh, Acting Managing Director of FIJV and Mr. Moazenzadeh, top adviser of "NSP". Also attending will be FIJV Board of Directors including:

- Mr. Mohammad Vahid Sheikhzadeh Nadjar, Chairman of the Board
- Dr. Hamid Sheikhzadeh Nadjar, Director
- Mr. Javad Karbalaei Sadegh, Director

Also attending will be the following representatives from Gol-e-Gohar Iron Ore Co who are accompany FIJV representatives on this Business Trip:

- Mr. Mollarahman , GEG Managing Director
- Mr. Taherzadeh, GEG Vice MD
- Mr. Asgarizadeh ,GEG Executive Top adviser
- Mr. Ziyaei, GEG Technical Manager

It is understood that FIJV are awaiting environmental approval from the state government and are currently undertaking further exploration drilling. At some stage in the future a Bankable Feasibility Study (BFS) will be completed which will determine the future of the project. It is expected that the meeting will inform the Shire of the expected timeframe of when the project is expected to commence production.

**STATUTORY ENVIRONMENT**

Nil

**STRATEGIC IMPLICATIONS**

Subject to the project going ahead, development of the iron ore project may involve locating the mining company's administration and employee housing infrastructure within the Yalgoo town site, which I expect would be welcomed by the Shire of Yalgoo. This would certainly boost the population of the Yalgoo town site and impact significantly on the existing Yalgoo community. Such town site growth needs to be considered in conjunction with the Shire's Town Planning Scheme, Community Strategic Plan, Corporate Business Plan, Long Term Financial Plan, etc.

**Consultation**

Nil

**Comment**

The Acting CEO will give a verbal report on the outcome of the meeting held on 26 October 2019 with FIJV representatives to Council.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**FIJV DELEGATES VISIT TO YALGOO**

**That Council received the Acting CEO’s verbal report on the outcome of the meeting to be held on 26 October 2019 between representatives of the FIJV and the Shire of Yalgoo.**

**Moved:**

**Seconded:**

**Motion put and Carried:**



#### 11.4.12 YALGOO ARTS & CULTURAL CENTRE - TRAINEESHIP

<b>Author:</b>	<b>John Read, Acting Chief Executive Officer</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>24 October 2019</b>
<b>Attachments</b>	<b>Nil</b>

#### MATTER FOR CONSIDERATION

That Council authorise the expenditure totalling \$12,000.00,(to be included in the 2019/20 Budget Review to be held at its Ordinary Council Meeting in February, 2020), pursuant to Section 6.8 of the Local Government Act 1995, for the part time engagement of a Trainee to attend the Yalgoo Arts & Cultural Centre on Mondays, Tuesdays and Wednesdays 9am – 12.00pm up to the 30 June 2020 to allow the Centre to be open to visiting tourists and the public.

#### BACKGROUND

Currently the Centre is only open on Thursdays, Fridays and Saturdays. During the other week days there has been numerous occasions when visiting tourists including tourist buses visit the town and are unable to access the Centre.

The current budget for the Centre does not allow provision for the employment of a part time Trainee to attend to the Centre during the three week days that the Centre is closed.

#### STATUTORY ENVIRONMENT

##### 6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*
- (1a) In subsection (1) —
 

**additional purpose** means a purpose for which no expenditure estimate is included in the local government’s annual budget.
- (2) Where expenditure has been incurred by a local government —
  - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
  - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

[Section 6.8 amended: No. 1 of 1998 s. 19.]

#### STRATEGIC IMPLICATION

The Council’s Community Strategic Plan embraces the development of tourism and the provision of arts and cultural amenities within the Shire of Yalgoo.

**CONSULTATION**

Emmaline James, Manager of the Yalgoo Arts and Cultural Centre fully supports this proposal.

**COMMENT**

The additional funds made available in the 2019/20 Budget will allow for the Trainee to be engaged and trained in the area of managing the Arts and Cultural Centre to allow the recipient to run the Centre Monday to Wednesday mornings, making it available to visiting tourists, etc. The Trainee will also be encouraged to undertake on-line studies in the tourism/business management area as part of the Traineeship. Rhiannon Hodder who takes an active volunteering role currently at the Centre has been identified as an ideal candidate for the Traineeship. The additional funds will also allow for some support to be provided at the Centre on Saturday mornings when some 20 children are present and actively involved in arts. This support is anticipated to be supported financially by MEEDAC and CDEP.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

**YALGOO ARTS & CULTURAL CENTRE - TRAINEESHIP**

**That Council:**

- 1. pursuant to Section 6.8 of the Local Government Act 1995, authorise an additional \$12,000.00 expenditure (not provided for in the current 2019/20 budget) for the engagement of a part time Trainee for the Yalgoo Arts and Cultural Centre.**
- 2. as part of its 2019/20 Budget Review to be held at its Ordinary Council meeting in February, 2020, incorporate the cost of 1. above.**

**Moved:**

**Seconded:**

**Motion put and Carried:  
ABSOLUTE MAJORITY REQUIRED**

## 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](http://www.auslii.edu.au) on 8 November 2010.

#### Local Government Act 1995

##### s5.23. Meetings generally open to the public

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

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

**s5.92 Access to information by council, committee members**

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

**s5.93. Improper use of information**

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

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

**Local Government (Rules of Conduct) Regulations 2007**

**s6. Use of information**

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

This item was deferred from the Ordinary Council Meeting held 27 September 2019.

**14.1 TRANSFER OF PROPERTY AT 14 SELWYN STREET, YALGOO TO SHIRE**

<b>Author:</b>	<b>Civic Legal</b>
<b>Interest Declared:</b>	<b>No interest to disclose</b>
<b>Date:</b>	<b>26 September 2019</b>
<b>Attachment</b>	<b>Formal advice from Civic Legal</b>

**15. NEXT MEETING**

The next Ordinary Meeting of Council is due to be held at the Council Chambers, Yalgoo on Friday 29 November 2019 commencing at 11.00 am.

**16. MEETING CLOSURE**

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