



AGENDA
FOR THE ORDINARY MEETING
OF COUNCIL
TO BE HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON FRIDAY, 28 FEBRUARY 2020
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, 28 FEBRUARY 2020 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, 28 February 2020 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

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS

STAFF

GUESTS

OBSERVERS

LEAVE OF
ABSENCE

APOLOGIES

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING

BACKGROUND

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

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

MINUTES OF THE ORDINARY MEETING

That the Minutes of the Ordinary Council Meeting held on 31 January 2020 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).

10.1 Yamatji Nation Land Use Agreement - Department of the Premier and Cabinet

Debbie Fletcher and Sheridan Webb to brief Council on the Land Use Agreement.

The State Government and the people of the Yamatji Nation are entering into an Indigenous Land Use Agreement over approximately 48,000 square kilometres of land in the mid- west, including land in the Shire of Yalgoo.

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

AUTHOR:	JOHN READ, ACTING CEO
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	22 FEBRUARY 2020
ATTACHMENTS	NIL

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 JANUAR Y ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					The CEO to provide a verbal update on the status of the capital projects as at 31 JANUARY 2020
Governance					
000000-Admin Computers Hardware and System Upgrade	F & E	40,000	2,510	37,490	Bridged contracted to install upgrade
000000-Admin Upgrade Cabling Fibre	F & E	10,000	0	10,000	Fibre not available
000000-External Monitor Display	F & E	40,000	0	40,000	
000000-Admin Airconditioners	F & E	0	7,483	(7,483)	Not budgeted for
000000-Admin Fire Proof Safe	F & E	11,000	0	11,000	
000000-Admin Centre New Front Doors including Notice Board	L & B	6,000	0	6,000	Completed except for notice board
000000-Admin Centre Front Rails	L & B	2,500	0	2,500	Completed
000000- Motor Vehicle RAV4	P & E	44,000	0	44,000	Completed
000000- Motor Vehicle Fortunner	P & E	44,000	0	44,000	Completed
Housing					
000000-Staff Housing - Solar Panels	L & B	66,000	0	66,000	

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

		2019-20 ANNUAL BUDGET	2019-20 JANUAR Y ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					The CEO to provide a verbal update on the status of the capital projects as at 31 JANUARY 2020
Recreation and Culture					
000000 - Community Hall Renovations	L & B	100,000	0	100,000	
000000- Kabota ride On Mower	P & E	24,500	22,580	1,920	Completed minor saving
000000- Motor Vehicle Works Hilux	P & E	30,000	28,681	1,319	Completed
000000-Art Centre Camers,Lockers,Bookcase	F & E	4,500	0	4,500	Completed
000000- Sports Complex - Kerb , Seal and Footpath to School	Rec	90,000	32,394	57,606	Completed except for the footpath
Transport					
000000- Machinery Shed Depot Concrete Floor 2 Bays	L & B	39,000	39,850	(850)	Completed minor over expenditure
000000- Ice Machine Depot	P & E	2,500	0	2,500	
000000- Prime Mover	P & E	267,000	230,000	37,000	Completed with savings
000000- Backhoe	P & E	180,000	169,000	11,000	Completed minor saving
000000- Truck Cab Crew	P & E	73,000	0	73,000	Completed
000000- Fuel Tank	P & E	2,100	0	2,100	
000000- Deisel Air Compressor	P & E	3,200	0	3,200	Completed
000000- Paynes Find Public Toilets	Other	63,656	0	63,656	In Progress
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	377,293	375,250	2,043	Completed balance paid in December 2019
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ningham Road - Seal to width 4m	Roads	300,000	300,000	-	Completed balance paid in December 2019
MUNICIPAL FUND					
000000- Sandford River Crossing	Roads	25,000	0	25,000	

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

	2019-20 ANNUAL BUDGET	2019-20 JANUAR Y ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
	\$	YTD \$	\$	
By Program				
Economic Services				
000000-Caravan Park - Disabled Toilets Chairs and Rails L & B	2,900	0	2,900	The CEO to provide a verbal update on the status of the capital projects as at 31 JANUARY 2020
000000-Caravan Park - Upgrade Water and Power Supply L & B	30,000	0	30,000	Work to be completed in 1 month
000000-Caravan Park - 2 Self Contained Accommodation Units L & B	253,797	0	253,797	Tenders called shortly
000000- Shelter and Seating Jokker Tunnel L & B	4,054	0	4,054	Completed
000000- Shelter and Visitors Board at Railway Station L & B	4,054	0	4,054	Completed
	2,140,054	1,207,748	932,306	

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 31 January 2020.

Moved:

Second:

Motion put and Carried/lost:

11.1.2 TECHNICAL SERVICES MONTHLY REPORT AS OF THE 20 FEBRUARY 2020

AUTHOR:	RAY PRATT, WORKS FOREMAN
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	20 FEBRUARY 2020
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

That Council receives the Technical Services Monthly Report as at 20 February 2020.

BACKGROUND

Nil

STATUTORY ENVIRONMENT

Nil

STATUTORY IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

1 ROAD CONSTRUCTION – CAPITAL

- Nil

2 ROAD MAINTENANCE - OPERATIONS

2.1 Works as of 23 January 2020

Grading done to the following roads

- Ninghan Road, Maranalgo Road, Sandstone Road, Wydgee Road, Jokers Tunnel and Thunderlarra Road.

3 OTHER INFRASTRUCTURE MAINTENANCE

3.1 Plant and Equipment

- Services done to John Deer Grader and Mac Truck
- Service Aircon on CAT 12M Grader
- Mac Truck had Shire Logo installed
- Community Bus is at Pemco for Service
- New Truck tyres and grader tyres from Beaurepaires.

3.2 Buildings

- New Ice machine installed in Depot crib room
- Ellis Constructions have started the Paynes Find Community Hall ablutions project.

3.3 Town Street

- General Town Gardening maintenance completed on a weekly basis.

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 and fertilizing 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.

4.4 Community Park, Shamrock Street

- General Gardening Maintenance conducted on a weekly bases, Mowing, Pruning and watering.
- Damages to Shade Sails over Playground due to Storm damage

4.5 Water Park

- General maintenance conducted to the water park.

4.6 Yalgoo Caravan Park

- General gardening maintenance is done every two weeks.
- Gum trees planted for more shade.
- Elite Electrical check circuit breaker for safe operation.

4.7 Yalgoo & Paynes Find Rubbish Tip

- Rubbish tip has been blasted and excavated, just needs a tidy up with barriers and signs and will be ready to use.

4.8 Railway Station

- No changes or additions to the Railway Station, besides general Gardening maintenance, and septic pump out,.

4.9 Yalgoo Nursing Post

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

5 INFRASTRUCTURE - CAPITAL

Nil

-

6 PRIVATE WORKS

- Gardening at the Yalgoo Police Station

7 PURCHASING

- New Hino Crew cab has arrived in Perth and is being fitted out with crane and steel tray, this should be ready by the end of the month and will replace Isuzu crew cab.

8 STAFF

8.1 Training & Licences

- LGIS conducted a Short training lesson on safe work practice.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

TECHNICAL SERVICES MONTHLY REPORT AS OF THE 20 FEBRUARY 2020

That Council:

Receive the Technical Services report as at 20 February 2020.

Moved:

Seconded:

Motion put and carried/lost:

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

11.3 FINANCE

11.3.1 ACCOUNTS FOR PAYMENT JANUARY 2020

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	22 FEBRUARY 2020
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

Council approve the Accounts for Payment list for the period 1 January 2020 to 31 January 2020 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 January 2020 to 31 January 2020 are as follow.

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1007*2020	ATOM Supply	10/01/2020	LIFTING CHAIN	395.01
1012*2020	Australian Taxation Office	10/01/2020	Activity Statement October 2019	5,852.00
1015*2020	Beaurepaires	10/01/2020	YA795 Tyres, 2 GRADER TYRES YA 860	3,833.28
1018*2020	BOQ Asset Finance & Leasing Pty Ltd	10/01/2020	Photocopier rental	329.50
1028*2020	Civic Legal	10/01/2020	Legal Expenses	356.40
1034*2020	Communication Systems Geraldton	10/01/2020	SERVICE ON SHIRE PHONES RECEPTION AND CHAMBERS	495.00
1048*2020	Dominic Carbone & Associates	10/01/2020	Consultancy Service - Administration and Finance	6,875.00
1056*2020	Five Star Business Equipment & Comms	10/01/2020	Photocopier service fee	676.50
1073*2020	Great Northern Rural Services.	10/01/2020	SPRINKLERS AND PLUMBING SUPPLIES	343.60
1076*2020	Hi-Lite Security	10/01/2020	SECURITY FOR EMU FESTIVAL 5 OCTOBER 2019	2,331.43
1089*2020	K9 K10 ELECTRICAL WA	10/01/2020	Administration - Security Alarm Monitoring	168.76
1091*2020	Landgate	10/01/2020	Valuations-Mining Tenements	39.80
1100*2020	Market Creations Pty Ltd	10/01/2020	Onsite Software & hardware Audit	687.50
1139*2020	Lawson, PERCY (SENIOR)	10/01/2020	Council Meeting Fee and allowances 19 December 2019	529.67
1144*2020	Pool & Spa Mart	10/01/2020	D10 CHEMIGEM WATER MANAGEMENT SYSTEM	3,666.00
1153*2020	Pratt, Ray	10/01/2020	Reimbursement -sundry items for Caravan Park	62.90
1169*2020	St John Ambulance Geraldton Sub Centre	10/01/2020	RESTOCK FIRST AID KITS	1,660.69

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1174*2020	Sun City Plumbing	10/01/2020	WATER PARK - BLOCKED DRAINS, FAULTY KITCHEN MIXER TAP	1,804.00
1186*2020	Truck Centre(WA) Pty Ltd	10/01/2020	SERVICE AND SUPPLIES TO VEHICLE 1GYB410	2,308.56
1191*2020	Veolia Environmental Services	10/01/2020	Rubbish Collection fee	5,111.43
1234*2020	DATACOM SOLUTIONS (AU) PTY LTD	10/01/2020	Software Licence -Ozone Annual Licence 30 January 2020 - 29 January 2021	55,000.00
1240*2020	Westrac Equipment Pty Ltd	10/01/2020	Parts and Repairs- Plant	6,656.56
1240*2020	Westrac Equipment Pty Ltd	10/01/2020	Parts and Repairs- Plant	1,250.85
1243*2020	WURTH	10/01/2020	SUPPLIES	1,072.73
1245*2020	TYREPOWER GERALDTON	10/01/2020	YA800 -4 NEW TYRES, 4X NEW TYRES AND WHEEL ALIGNMENT FOR YA1000	2,866.30
1255*2020	TOLL TRANSPORT PTY LTD	10/01/2020	Freight Charges - State Library	268.96
1264*2020	PINPOINT CLEANING SOLUTIONS	10/01/2020	Monthly Clean of Shire Buildings - November 2019	2,640.00
1294*2020	DFES	10/01/2020	2019/20 ESL Quarter 2 Instalment	6,375.60
1319*2020	FRONTLINE FIRE & RESCUE	10/01/2020	SUPPLIES	318.68
1378*2020	DATACOM SYSTEMS WA	10/01/2020	SUPPLY IPADS, COVERS & KEYPADS	2,760.77
1411*2020	AVLITE SYSTEMS	10/01/2020	BATTERY PACK, DUAL, 16AH 3.6V	880.00
1423*2020	EVENT ART TENTS - EMMALINE JAMES	10/01/2020	School Holiday Program Expenses	816.30
1458*2020	ROWE CONTRACTORS	10/01/2020	Core Stadium Carpark Sealing Stockpiling Badja Woolshed Road	37,195.84

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1598*2020	TASTE BUDDS WA	10/01/2020	CATERING FOR END OF YEAR	484.00
1599*2020	JUPPS CARPETS & CERAMINCS PTY LTD	10/01/2020	CORONET BAY/FOREST FLOOR CARPET SUPPLY & INSTAL	3,200.00
1601*2020	CHRIS & SARYN JONES	10/01/2020	Catering - 2 X PAVLOVA, 2X FRUIT PLATTERS, 2X TRIFLE, 1X BANO	500.00
1602*2020	WILLETTON CHRISTIAN CHURCH	10/01/2020	Donation - Wheatbelt Christian Fellowsh	5,000.00
1605*2020	CLARKE, COLIN	10/01/2020	Art Centre - Woodwork Workshop	1,200.00
1606*2020	SOFTWARE PUBLICATIONS PTY LTD	10/01/2020	Art Centre - Computer Skills Text Documents	61.40
1607*2020	READ, JOHN	10/01/2020	SUPPLY OF PA SYSTEM CHRISTMAS EVENT	575.00
1608*2020	KRAMA PTY LTD	10/01/2020	Rate Incentive scheme-early payment of rates prize	1,000.00
1018*2020	BOQ Asset Finance & Leasing Pty Ltd	21/01/2020	Photocopier rental	329.50
1021*2020	Bunnings Building Supplies Pty Ltd	21/01/2020	Supplies- BIN LINERS, CHAIRS, WETA SOIL, GLOBES, ART MATERIALS, GAS, TAPS, Plants for Admin Office	1,851.76
1024*2020	Canine Control	21/01/2020	Ranger Service 5 & 10 December 2019	1,089.00
1056*2020	Five Star Business Equipment & Comms	21/01/2020	Photocopier service fee	2,036.10
1067*2020	Geraldton Toyota	21/01/2020	60,000KM SERVICE ON YA1000 ,20,000 km SERVICE ON YA0,PURCHASE OF NEW TOYOTA HILUX	33,747.12
1068*2020	GERALDTON TROPHY CENTRE	21/01/2020	Acrylic Desk Plates & Honour Board Councillor Plat	436.00
1069*2020	GG Pumps & Electrical Pty Ltd	21/01/2020	HIRE OF PUMP HIRE OF PUMP	2,373.24
1091*2020	Landgate	21/01/2020	GRV Mining Infrastructure	4,950.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1111*2020	Midwest Pest Management	21/01/2020	Termite maintenance, Rodents & General Pest Treatm	2,535.00
1124*2020	Murchison Regional Vermin Council	21/01/2020	PRECEPTS - YALGOO SHIRE 2019/2020 CONSTRUCTION OF FLOODGATES & FLIP UPS- VERMIN CELL	131,364.76
1137*2020	PaynesFind Road House & Tavern	21/01/2020	ACCOMMODATION & MEALS - 18 OCTOBER 2019- DIANE HOD	505.95
1153*2020	Pratt, Ray	21/01/2020	Sundry Items for Workshop	164.50
1199*2020	WestCoast SeaFood	21/01/2020	SEAFOOD FOR CAROLS ON THE GRASS	358.00
1207*2020	Yalgoo Hotel Motel	21/01/2020	Lunch and Dinner for John & Elisha - Election Day YALGOO COUNCIL LUNCH CATERING FOR 20 - LGE COLESLAW, LARGE GREEN SALAD, ACCOMMODATION AND MEALS FOR THE 4TH, 5TH & 6TH NOV Council Meeting Lunch 29 November 2019 BILL ATYEO - ACCOMMODATION & MEALS: 4,5,6 DECEMBER	1,863.50
1251*2020	Atyeo's Environmental Health Services PL	21/01/2020	Duties Within Shire	3,484.38
1255*2020	TOLL TRANSPORT PTY LTD	21/01/2020	Freight Charges - Wincs, Oxlades Freight Charges - Frontline, Winc	318.57
1280*2020	BP MECHANICAL MAINTENANCE	21/01/2020	YA 465 - Service & Repairs YA807 - Service & Repairs YA1660 - Service & Repairs YA479 - Service & Repairs YA1630 - Service & Repairs YA1622 - Service & Repairs YA453 - Service & Repairs	3,448.27
1341*2020	FAIR GAME	21/01/2020	Reimbursement for Accommodation	480.00
1372*2020	DARREN LONG CONSULTING	21/01/2020	Consultancy Fees -Audit Preparation, Compilation of Annual Financial Statements 2018-19	2,530.00
1412*2020	PRATT, HELEN	21/01/2020	Reimbursement -Sundry Supplies for Caravan Park	209.82
1423*2020	EVENT ART TENTS - EMMALINE JAMES	21/01/2020	Reimbursement - Sundry Items for Art Centre	378.26
1464*2020	PRIME MEDIA GROUP LTD	21/01/2020	Advertising for Emu Festival	699.60
1567*2020	HODDER, RHIANNON	21/01/2020	MOBILE CREDIT HOTSPOT 2 MONTHS	60.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1569*2020	DIRECT HEATING & COOLING	21/01/2020	REPAIRS AND MAINTENANCE -CARAVAN PARK FREEZER, YALGOO HALL EVAP COOLER, SERVICE TO STAFF HOUSING, SERVICE TO SHIRE PROPERTIES	15,768.50
1603*2020	LO-GO APPOINTMENTS	21/01/2020	Contracting Service for Acting CEO	6,414.19
1610*2020	SHIRE OF MOUNT MAGNET	21/01/2020	- New Grid Installation Mount Farmer	8,472.93
TOTAL				393,518.97

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

ACCOUNTS FOR PAYMENT JANUARY 2020

That Council approve the list of accounts paid for the period 1 January 2020 to 31 January 2020 to \$393,518.97 and the list be recorded in the Minutes.

Moved:

Seconded:

Motion put and carried / lost

11.3.2 INVESTMENTS AS AT 31 JANUARY 2020

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	22 JANUARY 2020
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

That Council receive the Investment Report as at 31 January 2020.

BACKGROUND

Money held in the Municipal Fund of the Shire of Yalgoo that is not required for the time being may be invested under the Trustee Act 1962 Part III.

STATUTORY ENVIRONMENT

Local Government Act 1995

6.14. Power to invest

(1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.

(2A) A local government is to comply with the regulations when investing money referred to in subsection (1).

(2) Regulations in relation to investments by local governments may —

(a) make provision in respect of the investment of money referred to in subsection (1); and

[(b) *deleted*]

(c) prescribe circumstances in which a local government is required to invest money held by it;

and

(d) provide for the application of investment earnings; and

(e) generally provide for the management of those investments.

Local Government (Financial Management) Regulations 1996

19. Investments, control procedures for

(1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.

(2) The control procedures are to enable the identification of —

(a) the nature and location of all investments; and

(b) the transactions related to each investment.

19C. Investment of money, restrictions on (Act s. 6.14(2)(a))

(1) In this regulation —

authorised institution means —

(a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or

(b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

foreign currency means a currency except the currency of Australia.

(2) When investing money under section 6.14(1), a local government may not do any of the following —

(a) deposit with an institution except an authorised institution;

(b) deposit for a fixed term of more than 12 months;

(c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;

(d) invest in bonds with a term to maturity of more than 3 years;

(e) invest in a foreign currency.

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

The worksheet below details the investments held by the Shire as at 31 January 2020.

SHIRE OF YALGOO CASH HOLDINGS AS AT 31 January 2020								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N ^o	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
MUNICIPAL FUND								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$1,819,563.04
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,333.47
NAB	N/A	Term Deposit	323-9716	3 months	07.01.2020	06.04.2020	1.55%	\$64,947.44
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,104.47
TOTAL								\$1,977,948.42

RESERVE FUNDS								
Bendigo	N/A	Term Deposit	323-9717	3 Months	07.01.2020	06.04.2020	1.55%	\$168,210.40
Bendigo	N/A	Term Deposit	323-9719	3 months	07.01.2020	06.04.2020	1.55%	\$466,924.72
Bendigo	N/A	Term Deposit	323-9720	3 months	07.01.2020	06.04.2020	1.55%	\$1,122,901.28
TOTAL								\$1,758,036.40

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

INVESTMENT REGISTER						
01 JANUARY 2020 TO 31 JANUARY 2020						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.01.2020	INVESTMENT TRANSFERS	CLOSING BALANCE 31.01.2020
86-538-7363	Ongoing	Variable	\$41,307.37	\$26.10	0	\$41,333.47
323-9716	06.04.2020	1.55%	\$64,336.35	\$611.09	0	\$64,947.44
24-831-4222	Ongoing	Variable	\$52,071.54	\$32.93	0	\$52,104.47
323-9717	06.04.2020	1.55%	\$166,627.70	\$1,582.70	0	\$168,210.40
323-9719	06.04.2020	1.55%	\$462,531.39	\$4,393.33	0	\$466,924.72
323-9720	06.04.2020	1.55%	\$1,112,335.83	\$10,565.45	0	\$1,122,901.28

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

INVESTMENTS AS AT 31 JANUARY 2020

That the Investment Report as at 31 January 2020 be received.

Moved:

Seconded:

Motion put and carried/lost

11.3.3 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 31 JANUARY 2020

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	22 FEBRUARY 2020
ATTACHMENTS	<ul style="list-style-type: none"> • STATEMENT OF COMPREHENSIVE INCOME ENDING THE 31 JANUARY 2020; • FINANCIAL ACTIVITY STATEMENT; ENDING 31 JANUARY 2020; • SUMMARY OF CURRENT ASSETS AND CURRENT LIABILITIES AS OF 31 JANUARY 2020; • STATEMENT OF CURRENT FINANCIAL POSITION AS AT 31 JANUARY 2020 • DETAILED WORKSHEETS; • OTHER SUPPLEMENTARY FINANCIAL REPORTS: <ul style="list-style-type: none"> ○ RESERVE FUNDS; ○ LOAN FUNDS; ○ TRUST FUND

MATTER FOR CONSIDERATION

Adoption of the Monthly Financial Statements.

BACKGROUND

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

STATUTORY ENVIRONMENT

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

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

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

STRATEGIC IMPLICATIONS

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

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

POLICY IMPLICATIONS

2.4 Material Variance

FINANCIAL IMPLICATIONS

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

CONSULTATION

Nil

COMMENT

The Shire prepares the monthly financial statements in the statutory format along with the other supplementary financial reports comprising of:

- Statement of Comprehensive Income;
- Statement of Financial Position;
- Reserve Funds;
- Loan Funds; and
- Trust Fund.

The areas where material variances have been experienced (10% or \$10,000 above or below budget) are commented on in the material variance column.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

R34 (1) FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 31 JANUARY 2020.

That Council:

Adopts the Financial Activity Statement for the period ended 31 January 2020.

Moved:

Seconded:

Motion put and carried/lost

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

Acceptance of annual reports s5.54.

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

* *Absolute majority required.*

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

Notice of annual reports s5.55.

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

Financial Implications

The cost of advertising incorporated in the 2019-2020 Annual Budget.

Consultation

Nil

Comment

The Annual Report for the 2018-2019 Financial year is now presented and Council is requested to give consideration to adopting the Report.

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

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

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

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

Copies of the Annual Report including financial statements for the year ended 30 June 2019 to be available at the Shire's Administration Centre in Yalgoo and a copy to be made available at Paynes Find or by contacting the Shire.

Voting Requirements

*Absolute Majority.

OFFICER RECOMMENDATION

Annual Report 2018-2019

That Council:

Accepts the 2018-2019 Annual Report for the Shire of Yalgoo as attached to this report in accordance with Section 5.54 of the Local Government Act 1995;

Moved:

Seconded:

Motion put and carried/lost

11.4 ADMINISTRATION

11.4.1 REPORT ON MATTERS OUTSTANDING AS AT 20 FEBRUARY 2020

AUTHOR:	JOHN READ, ACTING CEO
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	20 February 2020
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

That Council note the report on outstanding matters.

BACKGROUND

The report is compiled from resolutions of Council relating to reports presented to Council, Notice of Motions, and Urgent Business.

STATUTORY ENVIRONMENT

Nil

BUSINESS IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

Matters outstanding are detailed below with comments in relation to status.

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
31 Mar 17	Under-taking a Review of the Shire of Yalgoo Policies	That the CEO under-take a review of the Shire Policies over the next three months	<p>Part of the Policies are presented to the February 2020 Meeting for Council to adopt.</p> <p>The remained will be presented to Council at its Ordinary Council Meeting held in March 2020, following the CEO's meeting with Consultant Margaret Hemsley in Perth on the 6/3/2020 to review the Comprehensive Policies.</p>

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
31 January 2019 31 May 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. Council accepted the report of the EHO and requested the CEO and EHO to meet with the owner to address the problem areas	Further inspections planned with EHO.
27 September 2019	Paynes Find Public Toilet Facility	CEO to obtain quotations for the new toilet facility at the Paynes Find Community Centre	Quote from Ellis Construction accepted and within budget, Roly Brands has completed plans of the building. Construction now underway. Old Building going to Maranalgo Station, South of Paynes Find
14 February 2020	Construction of two new chalets at the Yalgoo Caravan Park	Council has budgeted for the Construction of two Rammed Earth self-contained Chalets at the Yalgoo Caravan Park.	Roly Brando of Environmental Design has completed the drawing, design specification and scope of works for the two chalets. Fire risk assessment has been completed. CEO to now invite tenders for their construction.
31 January 2020	ALGA Convention 2020	That Council determine any matter it wishes to raised with appropriate Federal Ministers of Parliament during the Australian Local Government Association (ALGA) convention to be held in Canberra on 14 – 18 June 2020 to be attended by a Murchison Zone delegation.	Councillors to discuss and matters forwarded to the CEO to presented as an agenda item at the Ordinary Council Meeting held in May 2020.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

REPORT ON MATTERS OUTSTANDING AS AT 24 JANUARY 2020

That Council:

Receives Report Nº 11.4.1 Report on Matters Outstanding as at 24 January 2020.

Moved:

Seconded:

Motion put and carried / lost

11.4.2 YALGOO COMMUNITY HALL

AUTHOR:	JOHN READ, ACTING CHIEF EXECUTIVE OFFICER
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	12 February 2020
ATTACHMENTS	ARCHITECTS ASSESSMENT REPORT & PRELIMINARY PLAN BILL ATYEO, EHO, REPORT

MATTER FOR CONSIDERATION

That Council determine at the February 2020 Council meeting whether to renovate the existing Yalgoo Community Hall building or construct a new building.

BACKGROUND

The Yalgoo Hall is an important historic building for the Yalgoo community however it currently requires substantial renovation or demolishing an a new facility built. The current building asbestos replacement, exterior and interior walls replaced, etc. etc.

Roly Brando, Architect, based in Geraldton has been engaged to advise Council on the state of the existing building and his recommendation regarding whether to demolish existing building and construct a new Community Hall or whether to renovate the existing building. Roly’s recommendation is that a new building be constructed due to the age of the existing building, its structural integrity may be compromised, its non conformity with todays building standards, extensive asbestos throughout the building, etc. He advises that the new building can be designed to match the shape of the existing building. However he also advises that the existing building can be renovated.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

The Yalgoo Community Hall provides an important venue for the Yalgoo community for a variety of activities.

CONSULTATION

Roly Brando, Environmental Design.

William Atyeo, Council’s Environmental Health Officer and Building Surveyor.

COMMENT

I have requested Bill Atyeo, Council’s EHO, to prepare a brief report on his recommendation regarding whether to renovate the existing building or demolish and build a new community hall.

Feedback from some Yalgoo residents indicates that most Yalgoo residents would prefer the old hall to remain and be renovated rather than demolished and a new structure built. Bill Atyeo’s report indicates that a renovation is entirely possible and in his estimation it would be significantly cheaper than building a new building. It seems the existing timber structures are mainly very sound and the main hall jarrah floorboards and the stage facility are in good condition. However the asbestos and corrugated tin cladding and walls inside and outside would all need replacing. The toilets are also fully compliant.

I have spoken with Tammy King of Grants Empire and she advised that we could apply for a Lotteries West grant for 50% of the project cost which could be determined by 30/6/2020, The Shire’s current budget has \$30,000 provided for detailed plans etc. to be drawn up (which would be required for a major renovation as well as a re-build and also required to support a grant application). The current budget also provides for \$100,000 towards the hall construction and additional Shire funding could be provided in the next 20/21 budget to compliment any grant funding, if required. This would allow the project to be undertaken in the 2020/21 financial year.

After considering the matter, I am of the view that the Yalgoo Community Hall be renovated in the 2020/21 financial year rather than it be demolished and a new hall be constructed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

YALGOO COMMUNITY HALL

That Council:

- 1. favours the renovation of the existing Yalgoo Community Hall to be carried out in the 2020/21 financial year and instructs its administration to arrange plans and scope of work to be drawn up for the project to support its Lottery West grant funding application.**
- 2. favourably consider making available necessary additional funds in its 2020/21 budgetary considerations for the Yalgoo Community Hall renovation project.**

Moved:

Seconded:

Motion put and carried/lost

11.4.3 ORGANISATIONAL RISK MANAGEMENT PLAN

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Organisational Risk Management Plan

MATTER FOR CONSIDERATION

Council formally adopt the Organisational Risk management Plan attached.

BACKGROUND

Margaret Hemsley, Consultant, has been engaged to review Council’s Policies and other plans including the Organisational Risk management plan.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATION

Nil

CONSULTATION

Margaret Hemsley, Consultant.

COMMENT

The Risk Management Plan is to be used by the Council, Executive and Line Managers, Staff, Contractors and Volunteers to ensure the effective management of Strategic and Operational Risk across the Organisation in decision making, project management, operations and events.

While the Plan does not identify specific risks and the level of potential risks relevant to the Shire of Yalgoo, it does give guidance as per AS/ ISO 31000:2018 Framework Standards in a general sense, as a management tool

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION		
<u>ORGANISATIONAL RISK MANAGEMENT PLAN</u>		
That Council formally adopt the attached/ tabled Risk Management Plan.		
Moved:	Seconded:	Motion put and carried/lost:

11.4.4 GOVERNANCE AND POLICY MANUAL

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Governance & Policy Manual

MATTER FOR CONSIDERATION

That Council formally adopt the attached Governance & Policy Manual

BACKGROUND

The Governance and Policy Manual has been reviewed by Consultant Margaret Hemsley and her draft reviewed by the Acting CEO.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Margaret Hemsley - Consultant

COMMENT

The Governance and Policy Manual (attached) comprises the following:

Preface Error! Bookmark not defined.

Part 1 Overview of Corporate Governance

Governance in the Legislative Environment.

Good Governance Principles and Practice

Part Two: Integrated Planning and Reporting

2.1 Integrated Planning and Reporting Principles and Processes

2.3 Shire Community Vision and Mission

2.4 Shire Strategic Key Focus Areas and Objectives

Part 3 Detailed Guidelines for Governance Practice

3.1 Vision and Organisational Culture

3.2. Roles, Responsibilities and Relationships

3.3. Decision Making **Error! Bookmark not defined.**

3.6. Accountability **Error! Bookmark not defined.**

3.7 Support for Elected Members in the Governance Process **Error! Bookmark not defined.**

3.8 Standards of Conduct **Error! Bookmark not defined.**

3.9 Enforcement of the Code **Error! Bookmark not defined.**

Part Four: Key Documents, Policies / Procedures for Council

4.0 Council Committees, Forums and Meeting **Error! Bookmark not defined.**

4.1 Policy Schedule 1.1 Code of Conduct - Elected Members

4.3 Policy Schedule 1.3 Authorised Meetings – Payment Claim

4.4 Policy Schedule 1.4 Council Chambers Usage

4.5 Policy Schedule 1.5 Portraits in Council Chambers

4.6 Policy Schedule 1.6 Councillors Recognition of Service

4.7 Policy Schedule 1.7 External Organisations – Council Representatives

4.8 Policy Schedule 1.8 Elected Members Records Capture and Management

4.9 Policy Schedule 1.9 Shire Logo

4.10 Policy Schedule 1.10 Digital Recording of Proceedings in Council Meeting

- 4.11 Policy Schedule 1.11 Community Engagement and Consultation
- 4.12 Policy Schedule 1.12 Organisational Risk Management
- 4.13 Policy Schedule 1.13 Media Communications Policy 4.14 Policy Schedule 1.14 Social Media Policy
- 4.14 Schedule 3.7 Press Releases

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

GOVERNANCE AND POLICY MANUAL

That Council formally adopt as Council Policy the attached/tabled Governance and Policy Manual.

Moved:

Seconded:

Motion put and carried/lost:

11.4.5 EMPLOYEE ORIENTATION AND HUMAN RESOURCE MANUAL

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Employee Orientation and Human Resource Manual

MATTER FOR CONSIDERATION

That Council receive and endorse the Employee Orientation and Human Resource Manual.

BACKGROUND

The Employee Orientation and Human Resource Manual has been in operation for many years as part of the induction process of new Shire employees and has recently been revised.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Margaret Hemsley, Consultant

COMMENT

The Employee Orientation and Human Resource Manual is a necessary and important document that is provided to each new Shire employee. All Shire employees salary, wages, etc. and conditions of employment, with the exception of the CEO, are contained in the 2019 – 2021 Shire of Yalgoo Enterprise Bargaining Agreement (EBA) which is about to be approved by the WA Industrial Relations Commission. The Manual compliments the EBA, incorporating relevant Council Policy, and is part of the induction process for all new employees.

Under the Local Government Act 1995 and Council Policy, this responsibility area of induction of new employees and the preparation of the Employee Orientation and Human Resource Manual comes under the jurisdiction of the Chief Executive Officer, rather than Council/elected members. However I personally think that Council need to be aware of the manual and the conditions etc. that apply to all new Shire employees.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION		
<u>EMPLOYEE ORIENTATION AND HUMAN RESOURCE MANUAL</u>		
That Council receive and endorse the Employee Orientation and Human Resource Manual:		
Moved:	Seconded:	Motion put and carried/lost:

11.4.6 REVIEW OF DELEGATIONS REGISTER 2019/2020

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Delegations Register

MATTER FOR CONSIDERATION

Council to review and formally adopt the 2019/20 Delegations Register

BACKGROUND

Each year the CEO and Council are required to review the Shire of Yalgoo’s Delegation Register. The Register has been reviewed by the Acting CEO and is attached for Councillors to review and Council to adopt.

STATUTORY ENVIRONMENT

Local Government Act Sections:

- 5.16 – Delegation of some powers and duties to certain committees
- 5.17 – Limits on delegations of powers and duties to certain committees
- 5.18 – Register of delegations to committees
- 5.42 – Delegation of some powers and duties to CEO
- 5.43 – Limits on delegations to CEO
- 5.44 – CEO may delegate powers and duties to other employees
- Various other Acts (Dog Act, etc.)

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

The reviewed Delegations Register has been unchanged from the previous year apart from adding John read as the new CEO, Ray Pratt as the Deputy Fire Control Officer for the North area.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION		
<u>REVIEW OF DELEGATIONS REGISTER 2019/2020</u>		
That Council formally adopt the attached reviewed 2019/20 Delegations Register.		
Moved:	Seconded:	Motion put and carried/lost:

11.4.7 HOUSING IN YALGOO

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	11 February 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council lobby the State Government to provide housing in Yalgoo to meet the public demand.

BACKGROUND

Currently there is a shortage of housing in Yalgoo. This is evidenced by no housing in Yalgoo being unoccupied, extended families living in overcrowded houses with no alternative housing available and members of the Yalgoo community advising that there are families elsewhere that would like to relocate back to Yalgoo and due to the lack of available housing, cannot do so.

The Shire is endeavouring to establish a list of names of persons requiring housing in Yalgoo. In the February 2020 local Bulldust Newsletter the Shire is advertising for people to fill out the registration form provided and lodge it with the Shire. From this it is hoped that the Shire will achieve a list of names that demonstrates the need for several houses being provided by Homeswest in Yalgoo.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

The Shire’s Community Strategic Plan promotes the growth of our communities in Paynes Find and Yalgoo.

CONSULTATION

Nil

COMMENT

Armed with a list of members of the public who require housing in Yalgoo, it is recommended that the Shire lobby the State Government to achieve adequate housing being built in Yalgoo to satisfy the demand. It is expected that the housing demand almost entirely comprises indigenous families and individuals. In some cases the demand is from state government organisations to house employees such as West Australian Country Health Services (WACHS) who currently require housing for the Yalgoo based Nurse.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION		
<u>HOUSING IN YALGOO</u>		
That Council lobby the State Government to provide housing in Yalgoo to meet public demand.		
Moved:	Seconded:	Motion put and carried/lost:

11.4.8 GRV RATING MINING INFRASTRUCTURE

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council consider applying to the Minister for Local Government for approval to applying GRV rating of mining infrastructure retrospective from 1/1/2020 to assist the Shire in meeting its corporate objectives.

BACKGROUND: Following Council’s decision to proceed to Gross Rental Value (GRV) rate mining infrastructure of mining operations within the Shire of Yalgoo, five operations were identified as having rateable mining infrastructure. Landgate were engaged and have advised indicative GRV values on each projects infrastructure as well as formal Technical Land Descriptions at each project.

STATUTORY ENVIRONMENT

Sections 6.28 and 6.29 of the Local Government Act 1995

STRATEGIC IMPLICATIONS

The additional rate income will assist the Shire of Yalgoo meet its corporate objectives.

CONSULTATION

Nil

COMMENT

I have sent a letter to each mining company concerned advising them of Council’s intention to rate the mining infrastructure and advising them of the nett estimated increase in rates that will apply, given that Council has indicated that in the new 20/21 financial year the rate in the dollar for (UV) Mining Leases (currently considered high) will be reduced from 0.3743025c down to 0.2985c reducing overall rating income by some \$360,000. I have enclosed the State Governments Policy documents relating to GRV rating of mining infrastructure for the information of the mining companies affected and advised them that they may make a submission to the Shire of Yalgoo regarding the proposal to rate by 12 March 2020.

The next step in the process is to formally request the Minister for Local Government’s approval to rate mining infrastructure. I recommend that Council request that the rating apply retrospectively from 1/1/2020 so that rating income for the half year can be achieved in the current financial year. Council has had the ability to rate mining infrastructure of mining operations for approximately ten (10) years and when considering the amount of rates the mining companies have avoided paying over that period, it certainly can be considered reasonable and justified in the Shire requesting retrospective rating for the half year.

VOTING REQUIREMENTS: Simple Majority

OFFICER RECOMMENDATION		
<u>GRV RATING MINING INFRASTRUCTURE</u>		
That Council seek Local Government Ministerial approval to GRV rate mining infrastructure retrospectively from 1/1/2020.		
Moved:	Seconded:	Motion put and carried/lost:

11.4.9 ABORIGINAL RANGER PROGRAM

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Nil

MATTER FOR CONSIDERATION

Council cavass extent of interest in local aboriginal organisations within the Shire of Yalgoo applying for a grant under the State Government’s Aboriginal Ranger Program.

BACKGROUND

The McGowan Government is providing \$4 million in the latest round of funding for the \$20 million Aboriginal Ranger Program that is creating jobs and training opportunities across Western Australia. Expressions of interest for the third round of the Aboriginal Ranger Program are now open. Almost \$16 million has already been invested in 25 projects across the State over the first two rounds of funding.

Under the program, new and existing Aboriginal organisations can employ and train rangers to carry out land and sea management and tourism activities across a range of tenures in remote and regional WA. Funded projects are creating pathway for Aboriginal people to develop careers in land and sea management while also providing long-term cultural and conservation outcomes. The existing 25 projects have included biodiversity monitoring and research, traditional knowledge transfer, fire management, cultural site management, feral animal and weed management.

Other examples of the projects have involved cultural awareness and immersion experiences for visitors, guided welcome to country tours for visitors, management of visitors or tourists and tourism assets, and education programs and mentoring.

Expressions of interest can be submitted to the Department of Biodiversity, Conservation and Attractions, and are open until March 27, 2020. An expression of interest application form and the Aboriginal Ranger Program guidelines are available on line.

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

It would appear that this WA State Government initiative offers employment to aboriginals and assist the unemployed gain skills that would assist them in gaining long term employment as Rangers associated with tourist attractions, etc.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

ABORIGINAL RANGER PROGRAM

That Council advertise locally to gauge the extent of interest in local aboriginal organisations within the Shire of Yalgoo applying for a grant under the State Government’s Aboriginal Ranger Program.

Moved:

Seconded:

Motion put and carried/lost:

11.4.10 SUPPORT REQUEST FROM GRAHAM BASSELL – RANGER PROGRAM

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Letter requesting Shire Support

MATTER FOR CONSIDERATION

BACKGROUND

Mr Graham Bassell and Dr Karen Cosgrove, Directors of Social Innovations act on behalf of the Badimaya Nyngaru Tuba Indigenous Corporation, whose Chairperson is Adrian Lawson. They are seeking Shire of Yalgoo support for their application for grant funding with the State Government to engage Aboriginal Rangers on Department of Parks and Wildlife stations within the Shire of Yalgoo. Their letter is attached.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

The State Government are currently seeking applications for grant funding for the Aboriginal Ranger Program, which is the subject of a separate agenda item to this meeting. Under that agenda item Council is requested to consider advertising to all aboriginal organisations in the Shire of Yalgoo seeking interest in applying for such a grant. Council may consider it appropriate not to support any one application as other local aboriginal groups may also be applying for a grant.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION		
<u>SUPPORT REQUEST FROM GRAHAM BASSELL – RANGER PROGRAM</u>		
That Council advise Mr Bassell that as Council is advertising for all aboriginal groups in the Shire of Yalgoo to possibly apply for State Government funding of the Aboriginal Ranger Program, it declines giving support to any one application in preference to others.		
Moved:	Seconded:	Motion put and carried/lost:

11.4.11 YALGOO ARTS & CULTURE COMMITTEE

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	14 February 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council consider appointing the two necessary members from the public to the Yalgoo Arts & Culture Committee.

BACKGROUND

Of the various Committees established by Council, the Arts & Culture Committee is to comprise the Shire President, two Shire Councillors (Councillors Simpson and Hodder were appointed by Council recently) and two members from the local community.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

Possible Committee members who have strong involvement with the Arts & Culture Centre are Margaret Simpson, Charmaine Simpson and Maureen Page.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION		
<u>YALGOO ARTS & CULTURE COMMITTEE</u>		
<p>That Council appoint two members of the local community to the Yalgoo Arts & Culture Committee to compliment existing appointees the Shire President, Councillors Simpson and Hodder, with Margaret Simpson and Maureen Page appointed as community representatives and Charmaine Simpson appointed as Proxy.</p>		
Moved:	Seconded:	Motion put and carried/lost:

11.4.12 LOCAL GOVERNMENT HOUSE TRUST - DEED OF VARIATION

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 February 2020
Attachments	Deed of Variation

MATTER FOR CONSIDERATION

That the Shire of Yalgoo supports the variations proposed by WALGA as detailed in the Deed of Variation to the Local Government House Trust Deed.

BACKGROUND

Shire of Yalgoo is a unit holder and beneficiary to the Local Government House Trust, holding 1 unit/s as advised in WALGA's recent Quarterly Report Q4 2019.

The Trust's Board of Management is seeking to vary the Trust Deed in order to assist the Trust's income tax exempt status. As stipulated by the Deed, the Trust requires consent of at least 75 per cent of all beneficiaries in order to execute this variation.

As a beneficiary, the Shire of Yalgoo is requested to consent to the enclosed Deed of Variation supported by a resolution of Council; and to communicate this consent to us in writing. Please note, we are requesting consent for the Trustee to formally execute the attached Deed of Variation – your Local Government is not required to sign the enclosed document.

The Local Government House Trust ("The Trust") exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies "upon Trust" and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to *Division 1AB of the Income Tax Assessment Act 1936*.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax exempt status by strengthening the position that the Trust is a State / Territory Body (STB).

Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). This view, while based upon highly technical grounds, is a risk nonetheless.

Subsequently the Deed of Variation aims to strengthen the position that the Trust is a STB.

to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION

That Council supports the variations proposed by WALGA as detailed in the Deed of Variations to the Local Government House Trust Deed.

Moved:

Seconded:

Motion put and carried/Lost:

11.4.13 DONATION REQUEST FOR NATIVE ANIMALS BUSHFIRE AFFECTED – BLAIR BAYENS

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 February 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council donate \$2,000.00 towards Blair Bayens fundraising efforts on behalf of NSW Wildlife Information Rescue & Education Service (WIRES) in assisting native animals affected by the recent bush fires, with the Shire President and Cr Valenzuela attending the dinner function for the event held in Perth on 28 March 2020.

BACKGROUND

Blair Bayens, who works as a Paramedic with St John Ambulance, is raising funds for WIRES, who are very actively working with other organisations (RSPCA, National Parks Association, The Wilderness Society, Nature Conservation Council, Animal Welfare League, etc.) in the rehabilitation of the native animals affected by the recent devastating bush fires in NSW. WIRES has over 2,500 volunteers in 28 branches involved in the rescue and care of wildlife.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.8

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

Cr Raul Valenzuela, Shire President Greg Payne.

COMMENT

Many local governments throughout Australia are supporting organisations involved in the recovery effort as a result of the recent eastern states bush fires. The fund raising effort by Blair Bayens, with all proceeds going to WIRES who are at the forefront of the rehabilitation of native Australian animals affected by the NSW bush fires, is considered an appropriate avenue for the Shire of Yalgoo to support the rehabilitation effort by donating \$2,000.00. It is also recommended that the Shire President, Cr Greg Payne and Cr Valenzuela attend the dinner as part of the fund raising program.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION

DONATION REQUEST FOR NATIVE ANIMALS BUSHFIRE AFFECTED – BLAIR BAYENS

That Council, in accordance with Section 6.8 of the Local Government Act 1995, donate \$2,000.00 towards Blair Bayens fundraising efforts on behalf of NSW Wildlife Information Rescue and Education Service (WIRES) in assisting native animals affected by the recent NSW bushfires, with the Shire President Cr Payne and Cr Valenzuela attending the fundraising dinner in Perth on 28 March 2020.

Moved:

Seconded:

Motion put and carried:

11.4.14 SHIRE OF YALGOO STRATEGIC PLANS REVIEW AND INTEGRATION

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 February 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That the CEO advertise locally inviting the Shire of Yalgoo residents to participate in a public consultation meeting as part of the Council’s review of its Strategic Plans.

BACKGROUND

It is a requirement under the Local Government Act 1995 that local governments review their Strategic Plans which includes the Community Strategic Plan, Corporate Business Plan, Long Term Financial Plan, Asset Management Plan and Workforce Plan.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.56 Planning for the Future.

- (1) A local government is to plan for the future of its district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

19C Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to sub regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

(10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

19DA Corporate business plans, requirements for (Act s. 5.56)

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to —

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and

(3) (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and

(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

19DB Transitional provisions for plans for the future until 30 June 2013

(1) In this regulation —

former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under sub regulation (2);

former regulation 19D means regulation 19D as in force immediately before 26 August 2011;

plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.

(2) Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under sub regulation (7).

(3) A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.

- (4) A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.
- (5) If, for the purposes of complying with sub regulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.
- (6) If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with sub regulation (3) or otherwise —
- (a) the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and
 - (b) local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.
- (7) This regulation expires at the end of 30 June 2013.

[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]

19D Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with sub regulation (2).
- (2) The local public notice is to contain —
- (a) notification that —
 - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the plan may be inspected;
 - or
 - (b) where a strategic community plan for the district has been modified —
 - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the modified plan may be inspected.

[Regulation 19D inserted in Gazette 31 Mar 2005 p. 1033-4; amended in Gazette 26 Aug 2011 p. 3486.]

STRATEGIC IMPLICATIONS

A process to facilitate identifying the aspirations, vision and objectives of the community, which identifies the needs and sets out the priorities and how they will be achieved.

CONSULTATION

Nil

COMMENT

In 2013 the Shire prepared a Strategic Community Plan for the period 2013-2023 and is to carry out a review of the plan at least once in every 4 years. In September 2013 the Council adopted a Corporate Business 2013-2017 and is to carry out a review of the plan every year.

As a major review of the Strategic Community Plan has not yet been undertaken it is recommended that this be completed which in turn will allow the Preliminary Draft Corporate Business 2018-2022 to address prioritising all important projects, services and activities needed to implement the Strategic Community Plan. In turn this will allow the Asset Management Plan, Long Term Financial Plan and Workforce Plan to be reviewed. This will then ensure that the Shire has met its integrated planning requirements and achieve an alignment between the plans.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

SHIRE OF YALGOO STRATEGIC PLANS REVIEW AND INTEGRATION

That Council progress the review of its Strategic Plans commencing with the CEO advertising locally inviting the Shire of Yalgoo residents to participate in a public consultation meeting.

Moved:

Seconded:

Motion put and carried:

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

13. URGENT BUSINESS

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

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

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

Local Government Act 1995

s5.23. Meetings generally open to the public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to —

- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
- (ii) endanger the security of the local government’s property; or
- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971 ; and
- (h) such other matters as may be prescribed.

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

s5.92 Access to information by council, committee members

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

s5.93. Improper use of information

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

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

Local Government (Rules of Conduct) Regulations 2007

s6. Use of information

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

- (g) if the disclosure is required or permitted by law.

15. NEXT MEETING

The next Ordinary Meeting of Council is due to be held at the Council Chambers, Yalgoo on the 27 March 2020 commencing at 10.00 am.

16. MEETING CLOSURE

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