

SHIRE OF YALGOO

Table of Contents

Ordinary Council Meeting 17.05.07

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	2
RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
PUBLIC QUESTION TIME	2
APPLICATIONS FOR LEAVE OF ABSENCE	2
NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	2
OC0501 CONFIRMATION OF MINUTES ORDINARY MEETING 19.04.07.....	3
OC0502 CONFIRMATION OF MINUTES SPECIAL MEETING 19.04.07.....	3
OC0503 CONFIRMATION OF MINUTES SPECIAL MEETING 02.05.07.....	3
ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	3
PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	3
ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED	
THE PRESIDENT.....	3
MRVC.....	4
ACEO.....	4
REPORTS OF COMMITTEES	
Minutes HCPRC Meeting 07.05.07	
OC0504 HC0503 (4.1.2) After School Activities	4
OC0505 HC0504 (4.1.3) Children’s Performer – Jimbo	4
OC0506 HC0505 (4.1.4) Emu Cup	5
OC0507 HC0508 (5.1) Yalgoo Primary School Camp – Ningaloo	5
REPORTS OF OFFICERS	
Environmental Health Officer/Planning, Health & Building Report	
OC0508 Yalgoo Caravan Park – Purchase of Single Persons’ Quarters	7
Deputy Chief Executive Officer	
OC0509 (11.2.1) Accounts Paid April 2007	8
OC0510 (11.2.2) Finance Reports	10
OC0511 (11.2.3) Financial Activity Statements.....	12
OC0512 (11.2.4) FESA Payment Option	14
OC0513 (11.2.5) Purchase of New MetroCount	15
OC0514 (11.2.6) Reserve Fund Transfers	16
OC0515 (11.2.7) Sundry Debtor Write-off	17
OC0516 (11.2.8) Sporting Facilities	19
OC0517 (11.2.9) Yalgoo/Morawa and Yalgoo/Ninghan Roads Sealing	21
Acting Chief Executive Officer	
OC0518 (11.3.1) Local Government Convention 2007 – Voting Delegates for AGM	24
OC0519 (11.3.1) Local Government Convention 2007 – Professional Development costs	25
OC0520 (11.3.1) Local Government Convention 2007 – Partners of Members	25
OC0521 (11.3.2) Uniting Church – lot 179 Henty Street, Yalgoo	27
MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	27
URGENT BUSINESS.....	27
ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS.....	27
MEETING CLOSURE.....	27



Minutes
of an Ordinary Meeting of Council held in the Council Chambers
on 17 May 2007

ORDER OF BUSINESS

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Ordinary Meeting of Council open at 10:10am

RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

COUNCILLORS

Cr DE Anderson
Cr DJ Grey
Cr L Hodder
Cr DP Morrissey
Cr LJ O'Connor
Cr EC Rowe

ALSO IN ATTENDANCE

Acting Chief Executive Officer	Mr RJ Adams
Healthy Community Coordinator	Mr G Daniel (11:00am)
Community Capacity Builder	Ms L Adams (11:00am)
Minute Clerk	Mrs K Power

APOLOGIES

Works Foreman	Mr CF Hodder
---------------	--------------

LEAVE OF ABSENCE

Cr EF Taylor

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

PUBLIC QUESTION TIME

Nil

APPLICATIONS FOR LEAVE OF ABSENCE

Nil

NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

CONFIRMATION OF MINUTES

OC0501 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr DP Morrissey

That the Minutes of the Ordinary Council Meeting held on 19 April 2007, be confirmed as a true and correct record of proceedings.

Motion put and carried 6/0

OC0502 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr LJ O'Connor, Seconded Cr EC Rowe

That the Minutes of the Special Council Meeting held on 19 April 2007, be confirmed as a true and correct record of proceedings.

Motion put and carried 6/0

OC0503 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr LJ O'Connor, Seconded Cr EC Rowe

That the Minutes of the Special Council Meeting held on 2 May 2007, be confirmed as a true and correct record of proceedings.

Motion put and carried 6/0

ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

- **PRESIDENT** attended the Cue Parliament on 4 May and requested delegates, Councillors Rowe and Hodder, to report on the meeting. Councillors Rowe and Hodder reported that the meeting was well attended, although Cr Hodder expressed his disappointment at the number of people who say they will attend but do not turn up.

Cr Rowe commented that perhaps it is held on the wrong day of the week. Cr Anderson said that this issue has already been explored and all other days present difficulties, especially for State Ministers.

Minister for Local Government, Hon Ljiljana Ravlich MLC attended and will take matters discussed back to Parliament. All motions put were carried.

Rob Jeffries of Iron Ore Alliance gave an overview of operations.

Submission is to be made to State Parliament re PATS scheme.

Cr Anderson is retiring from Cue Parliament at the completion of the November meeting.

President stated he had heard that the upgrade of Yalgoo's water supply is 18 months away. Cr Grey said he had been told by Hugh Low from the Water Corporation, that the water plant will be operational in June and undergo a 12month trial.

ACEO Mr Ron Adams advised that the results of ACEO Mr Glenn Bone's meeting with the Water Corporation will be included in the agenda for the next meeting of Council on 14 June 2007.

- MRVC Cr Morrissey
 - Reported that there was a meeting on 7 May 2007. Ashley carried out an inspection of the vermin fence and it is in good condition. Clearing will be done along the fence and MRVC intends to get work done on the top half.
 - The President raised the issue of wild dogs, as he heard Hon Kim Chance's reply to a reporter on radio, that no submission had been received by State Parliament regarding wild dogs. Cr Morrissey pointed out that Kim Chance was at the PGA Conference in Mt Magnet on 26/27 April 2007 when there was extensive discussion of the wild dog problem.
- ACEO Mr Ron Adams
 - On 18 April he met with Brian Eckert of Local Government Insurance.
 - On 24 April he participated in a teleconference with Midwest Regional Road Group.
 - On 2 May he attended a Corruption and Crime Commission workshop on Identifying Conflict of Interest.
 - On 9 May he attended the meeting of the Yalgoo Town Bushfire Brigade. There are 14 new members.
 - On 15 May he met with Brendin Flanagan from Midwest Development Commission, Wayne McDonald, Aboriginal Economic Development Officer and Darryl Ingvarson from Small Business Centre. Matters discussed were Sporting Complex, Art Complex and Small Business Training for new café.
The President suggested funds may be available for the art complex from mining sources.
 - On 16 May Peter Teakle inspected the Railway Complex to complete warranty period.

The President tabled a letter from the Country Medical Association. He requested that a report be included in the agenda for the Council meeting on 14 June 2007.

Note: The meeting proceeded to item 12, so that the Healthy Community Coordinator and the Community Capacity Builder could return to their normal duties.

Ms Leanda Adams and Mr Greg Daniel joined the meeting at 11:00am.

REPORTS OF COMMITTEES

Minutes HCPRC Meeting 07.05.07

HC0503 (4.1.2) AFTER SCHOOL ACTIVITIES

OC0504 COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr DP Morrissey, Seconded Cr EC Rowe

That Council set a monthly budget of \$450 for running the After School Activities Program.

Motion put and carried 6/0

HC0504 (4.1.3) CHILDREN'S PERFORMER – JIMBO

OC0505 COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr LJ O'Connor, Seconded Cr DP Morrissey

That Council approve that the \$270 cost of the one hour children's show as performed by Jimbo, be funded by the Healthy Community Project.

Motion put and carried 6/0

HC0505 (4.1.4) EMU CUP

OC0506 COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr DJ Grey

That Council underwrite the entire expenses for the “Yalgoo Emu Cup” event to a maximum of \$5000, to be taken from the Healthy Community Project Funds on the following conditions:

- 1. That the community committee makes every attempt to reimburse all expenses.**
- 2. That the community committee retains any profits made from the event, with any profits to be held in trust by the Shire of Yalgoo for future Yalgoo Emu Cups.**

Motion put and carried 6/0

HC0508 (5.1) YALGOO PRIMARY SCHOOL CAMP – NINGALOO

OC0507 COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr DJ Grey, Seconded Cr EC Rowe

That Council authorises the Healthy Community Coordinator, Mr Greg Daniel to attend the Yalgoo School Camp at Ningaloo from 17–22 June 2007.

Motion put and carried 6/0

Ms Leanda Adams and Mr Greg Daniel left the meeting at 11:40am.

11. REPORTS OF OFFICERS

11.1 ENVIRONMENTAL HEALTH OFFICER/PLANNING, HEALTH & BUILDING

File: C1-1 Yalgoo Caravan Park–Single Persons Quarters
Author: David Williams Environmental Health Officer
Interest Declared: No interest to disclose
Date: 8 May 2007
Attachments: Floor plan of 4 room Single Person Quarters (SPQ) skid mounted ex Ravensthorpe is 18 months old and valued at \$42,000.
 Floor plan of 4 room SPQ pre stressed concrete new from Fleetwood Pty Ltd (Oxiana) valued \$80,000.

MATTER FOR CONSIDERATION

The proposal is for Council to consider investigating the potential of acquiring similar types of the SPQ with accessible (disabled) access to enhance accommodation available at the Shire of Yalgoo Caravan Park.

BACKGROUND

The Yalgoo Caravan Park has on-site a 6 berth old SPQ that is of poor quality when compared to accommodation on offer in neighbouring communities. The units are of a substandard nature and do not offer accessible access. The alternative units are available for purchase from Fleetwood Pty Ltd for a price similar to that quoted above.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.2(4)–The annual budget is to incorporate particulars of the estimated expenditure proposed by the local government.

STRATEGIC IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Policy 4.9–Preparation of annual budget

FINANCIAL IMPLICATIONS

There will be an initial cost to Council of a SPQ however a reasonable return on investment could be expected over a period of three years. If three SPQ's were fully occupied for a period of six months at a tariff of \$80/night this would return \$131,400 less maintenance and expenses. Furthermore, grant funds may be available from the Department of Transport and Regional Services through the Regional Partnerships programme. The Midwest Development Commission also has programmes that would reduce the cost to Council.

The Shire of Morawa was recently successful in obtaining \$100,000 towards a similar project at its Caravan Park.

CONSULTATION

Discussions have been held with Gordon Edwin from Fleetwood and it has been suggested that conversion of two SPQ's into an accessible unit would be achievable at minimal additional cost.

COMMENT

Visitors and tourists frequenting the Yalgoo Area have commented that the standard of accommodation in Yalgoo is substandard and there is no accessible accommodation available.

With the increase in mining activity, now may be the opportune time for Council to consider actual costing for the upgrading of accommodation at the Caravan Park. The preferred unit would be the Oxiana type as the unit provides more space and has a pre-stressed concrete floor whereas the cheaper unit is skid mounted and is second hand.

When actual costs are available Council can consider the amount for inclusion in the 2007/2008 budget. Should Council consider purchasing two 4 bed SPQ's and converting one to an accessible unit, this will result in seven high standard bed units being available for hire at the Caravan Park.

If funding is not obtainable through the Department of Transport and Regional Services and the Midwest Development Commission, then the cost to Council would be approximately \$160,000, plus relocation costs.

VOTING REQUIREMENTS

Simple majority

OC0508 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr DJ Grey

That the Acting Chief Executive Officer be authorised to liaise with Fleetwood Pty Ltd to provide the Shire of Yalgoo with cost estimates for the purchase of 2 Single Persons Quarters on the basis one of the units is converted to accessible accommodation.

Motion put and carried 6/0

DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

(11.2.1) ACCOUNTS PAID DURING THE MONTH OF APRIL 2007

File: F8
 Author: Ron Adams, Deputy Chief Executive Officer
 Interest Declared: No interest to disclose
 Date: 2 May 2007
 Attachments: EFT & Cheque Detail for April 2007

MATTER FOR CONSIDERATION

Authorization of accounts paid during the month of April 2007.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996
 Reg 13(1)–Requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Account.

CONSULTATION

Nil

COMMENT

Payments made during the month of April as per attached schedule.

VOTING REQUIREMENTS

Simple majority

Note: Cr EC Rowe declared a financial interest and left the Chambers at 11:42am. The nature of the interest being a partner in W & E Contractors and re EFT 10.

OC0509 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr DP Morrissey, Seconded Cr DJ Grey

That:

- 1. The Cheque Detail of payments covering vouchers EFT 1 to EFT 34 totalling \$86969.85 paid during the month of April 2007 be received;**
- 2. Cheque payments covering cheque numbers 10461 to 10481 totalling \$30044.35 paid during the month of April 2007, be received; and**
- 3. Salaries and Wages totalling \$53928.58 paid during the month of April 2007, be received.**

Motion put and carried 6/0

Cr EC Rowe returned to the Chambers at 11:43am

Cr LJ O'Connor left the meeting at 11:43am and returned at 11:44am

(11.2.2) FINANCE REPORTS – DRAFT POLICY

File: F8
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 3 May 2007
Attachments: Nil

MATTER FOR CONSIDERATION

To:

1. Determine a policy of reporting of Financial Activity Statements and other reports necessary for Council to be informed.
2. For Council to set parameters for reporting.

BACKGROUND

At the April Council meeting, members expressed a concern about reading and interpreting the financial reports. The financial activity statement is in compliance with regulations as set out in The Local Government (Financial Management) Regulations 1996.

This activity statement however is not an easy document to interpret and understand. By preparing a “Profit & Loss Vs Actual Statement” that will show all Council income and expenditure year to date along with the budget and a percentage of what the year to date compared to the budget.

When reviewing each item a comment is attached to variances and over budget accounts as required by Regulation 34. The idea behind this report is so that members can quickly and easily interpret areas that are close to or about to exceed budgets. Staff is able to generate reports or required actions to keep Council both compliant and informed.

In establishing a policy, Council need to agree what areas need to be reported for example: A variance of 10% from previous month report or variances \$5000 from previous months report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7(2)(b)–Enables the Council to determine local government’s policies.

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

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Not at this stage.

FINANCIAL IMPLICATIONS

Nil

CONSULTATION

David Tomasi - UHY Haines Norton.

Mandy Wynne - UHY Haines Norton

Glenn Bone - A/CEO

COMMENT

By adopting a policy as proposed, continuity of financial reporting can be achieved by staff. As the financial year progresses members are able to keep track the Shire’s progress and will be informed progressively as items change or other circumstances are adopted by Council.

VOTING REQUIREMENTS

Simple majority

OC0510 OFFICER RECOMMENDATION/COUNTIL DECISION

Moved Cr EC Rowe, Seconded Cr LJ O'Connor

That Council adopt the following policy:

Policy 4.9 – Finance Report

Introduction

the Local Government (Financial Management) Regulations 1996 at regulation 34 stipulates that a local government is to prepare each month a statement of financial activity.

Objective

To provide clear financial information for members and staff and comment on variances and performance indicators.

Policy Statement

As a base standard for preparation of monthly statements, staff are to prepare a Profit & Loss Vs Actual Report and make comment of items of a 10% variance or \$5000 from the previous month.

Motion put and carried 6/0

(11.2.3) FINANCIAL ACTIVITY STATEMENTS – APRIL 2007

File: F8
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 2 May 2007
Attachments: Financial Activity Statements for April 2007

MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for April 2007.

BACKGROUND

Amendments to the Local Government (Financial Management) Regulations 1996 that were gazetted on 31 March 2005 and became effective from 1 July 2005 have resulted in regulations 34 and 35 relating to monthly financial reports and quarterly/triennial financial reports being repealed and substituted with a new regulation 34. The new regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported with the intention of establishing a minimum standard across the industry.

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

Nil

POLICY IMPLICATIONS

See agenda item 11.2.2

FINANCIAL IMPLICATIONS

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

CONSULTATION

Nil

COMMENT

As observed by Council at the April meeting, the activity statement is difficult to understand and interpret. Included at agenda item 11.2.2 is a draft policy setting out reports and parameters for reporting to Council financial information that can be monitored by members and staff. The statutory reporting requirements will still be included to meet the compliance requirements.

VOTING REQUIREMENTS

Simple majority

OC0511 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr DP Morrissey

That Council adopt the financial statements for the period ending 30 April 2007, as attached.

Motion put and carried 6/0

The meeting adjourned for lunch at 12:04pm and recommenced at 1:07pm with Cr DE Anderson, Cr DJ Grey; Cr L Hodder, Cr DP Morrissey, Cr LJ O'Connor, Cr EC Rowe, Acting CEO Mr Ron Adams and Minute Clerk present.

(11.2.4) FESA PAYMENT OPTION

File: F7
Author: Ron Adams
Interest Declared: No interest to disclose
Date: 3 May 2007
Attached: Nil

MATTER FOR CONSIDERATION

Council to select a payment option for the next four years to streamline the payments to FESA.

BACKGROUND

Fire and Emergency Services Authority (FESA) have made available two options for handling payments of the ESL charges collected by the Shire. Currently the Shire of Yalgoo remit to FESA on a monthly basis.

The basis of the agreement is for a 4 year term covering the period 1 July 2007 to 30 June 2011. The Option B arrangement as it is known will require the Shire make ESL related payments by the twenty first day of September, December, March and June.

There are some transitional arrangements that will apply as the Shire moves from Option A in 2006/07 to Option B in 2007/08.

1. Council will be required to remit to FESA all ESL related amounts collected in June 2007 by 21 July 2007.
2. Council will be required to lodge the "ESL End of Year Reconciliation Report" (Form C) for the 2006/07 financial year by 31 July 2007. This will be the final time that this type of lodgement will be required; and
3. Using the return referred to in 2) above, FESA will calculate the amount referred to in the "Additional Clauses" at Item 6 of the Schedule to the attached Agreement and communicate that amount, and the payment arrangement, to Council in separate correspondence in due course.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be no effect on the Shire's financial position. It will simply make only four payments per annum instead of twelve.

CONSULTATION

Nil

COMMENT

Under the present arrangements the Shire is required to remit ESL payments on a monthly basis. In summary, under the Option B agreement a local government:

- Reports to FESA the amount of ESL that the local government has invoiced (Form A) within 14 days of the rates run; and
- Makes the following payments to FESA:
 - 30% of ESL involved by the local government by COB 21 September;
 - 30% of ESL involved by the local government by COB 21 December;
 - 30% of ESL involved by the local government by COB 21 March;
 - 10% of ESL involved (plus or minus any ESL billing adjustments – Annexure A) by the local government by COB 21 June.

The new procedures under Option B are seen to be as a simpler and more effective ESL administrative arrangement.

VOTING REQUIREMENTS

Simple majority

OC0512 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr LJ O'Connor, Seconded Cr DP Morrissey

That Council advise FESA that the Shire of Yalgoo select Option B as their preferred payment option.
Motion put and carried 6/0

(11.2.5) PURCHASE OF A NEW MetroCount

File: R11
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to declare
Date: 3 May 2007
Attachments: Nil

MATTER FOR CONSIDERATION

To consider the purchase of a new MetroCount machine.

BACKGROUND

A new MetroCount machine was included in the 2006/07 budget. The amount allowed for was \$1800. It was queried at the March Council Meeting as to when this matter could be attended to. The quote to supply a new MetroCount machine is \$3204.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.8—States that 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;
- b) is authorised in advance by resolution; or
- c) is authorised in advance by the mayor or president in an emergency.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is an amount allocated in the budget for the purchase of a new MetroCount of \$1800. An amount of \$1404 be noted as an over expenditure to this account.

CONSULTATION

Nil

COMMENT

There have been savings achieved in the current financial year. The purchase of the item will have a minor impact on the Shire's financial position.

VOTING REQUIREMENTS

Simple majority

OC0513 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr L Hodder

That Council approve:

- 1) The purchase of a new MetroCount unit for \$3204**
- 2) Council note the over allocation of funds to E122016 – Road Maintenance Other.**

Motion put and carried 6/0

(11.2.6) RESERVE FUND TRANSFERS

File: F8
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to declare
Date: 3 May 2007
Attachments: Nil

MATTER FOR CONSIDERATION

Council to approve transfer of funds from Plant & Long Service Leave Account to the Municipal Account.

BACKGROUND

Three motor vehicles were purchased during 2006/07. These were paid for from the Municipal Account. A transfer from Plant Reserve to the Municipal Account needs to take place prior to 30 June 2007.

Also, there have been two Long Service Leave payouts during the current financial year. These have been paid from the Municipal Account and the transfers need to take place prior to 30 June 2007.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.11—Provides that where a local government wishes to set aside money for purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

1. In line with the adopted budget for 2006/07 transfer from Plant Reserve to Municipal Account an amount of \$37,329.50.
2. Transfer from Long Service Leave Account to Municipal Account an amount of \$13889.30.

COMMENT

Nil

VOTING REQUIREMENTS

Absolute majority

OC0514 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr DP Morrissey, Seconded Cr DJ Grey

That Council:

1. **Approve the transfer of \$37,329.50 from Plant Reserve to the Municipal Account.**
2. **Approve the transfer of \$13,889.30 from the Long Service Leave Reserve to the Municipal Account.**

Motion put and carried by an Absolute Majority 6/0

(11.2.7) SUNDRY DEBTOR WRITE-OFF

File: F8
Author: Ron Adams, Deputy Chief Executive Officer
Interest Declared: No interest to declare
Date: 3 May 2007
Attachments: Nil

MATTER FOR CONSIDERATION

To write off a book entry of \$7843.15 from the sundry debtor account.

BACKGROUND

The sundry debtor account for CALM was raised as at 30/06/06 and carried forward to the current financial year 2006/07.

CALM had a Memorandum of Understanding in place with the Shire of Yalgoo for servicing arrangements to former pastoral leases. The charges were for part of ex-gratia rates assessments which have been superseded by the MOU accounts.

The A/CEO has since determined the correct charges for all six former pastoral leases. These charges have been raised on new invoices and sent to CALM for payment.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.12–Provides a local government a power to grant discounts, waive or grant concessions in relation to any amount of money or write off any debt which is owed to the local government.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be no financial loss, the entry is simply a journal entry to reverse an incorrect entry.

VOTING REQUIREMENTS

Absolute majority

OC0515 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr DP Morrissey, Seconded Cr EC Rowe

That Council write off \$7,843.15 from its Sundry Debtor account–CALM.

Motion put and carried by an Absolute Majority 6/0

(11.2.8) SPORTING FACILITIES

File: S18
 Author: Ron Adams, Deputy Chief Executive Officer
 Interest to Declare: No interest to declare
 Date: 9 May 2007
 Attachments: Nil

MATTER FOR CONSIDERATION

To determine Council's intentions for the upgrading or provision of Sporting Facilities in Yalgoo.

BACKGROUND

Primary discussions commenced in 1997 about upgrading the sporting facilities in Yalgoo. The next discussion was held in September 2005 (Ordinary Meeting Item 10.1.2.4) and at this meeting a proposed timeline was set. Council committed to funding for the 05/06 budget of \$20,000 to complete feasibility studies. The proposed time line was:

October	2005	Feasibility grant submitted.
February	2006	Grant recipients announced.
June	2006	Money received by Council.
October	2006	Grant application submitted for stage one of facility development.
February	2007	Grant recipients announced.
June	2007	Start construction.

ABV Leisure Consultancy Services were engaged by Council to perform a "draft Sporting Facility Upgrade Needs Feasibility Study". This report was completed and presented to Council's Ordinary Meeting in October 2006 (Item 10.5.3). The study was completed with the original HPC officers and community members were involved in the survey process.

Council resolved at its meeting in October 2006 the following:

1. "That the Draft Sporting Facility Upgrade Needs and Feasibility Study prepared by ABV Leisure Consultancy Services be received.
2. The need for sporting facilities within the Shire to be upgraded with the inclusion of a community swimming pool and
3. That the next stage of the Feasibility Study including the commissioning of architectural concept plans with quantity surveyor costings and indicative management plans be progressed."

Considerable time has passed since this resolution and along with several staff changes, the project has ground to a halt.

The project certainly needs to be included into the Plan for the Future as required by the Local Government Act 1995.

STATUTORY ENVIRONMENT**Local Government Act 1995**

Section 2.7(2)–Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and

Section 3.1–Provides that the general function of the local government is to provide for the good government of persons in its district.

STRATEGIC IMPLICATIONS

Provision of a Recreation Centre type facility is considered with the key strategic mission of providing community, cultural, recreation and welfare services, facilities and programs which meet the needs of the community.

POLICY IMPLICATIONS

Policy 4.9–Preparation at Annual Budget.

Capital Works Program including Capital Expenditure and Capital Funding possibilities and options to be decided by 30 April.

FINANCIAL IMPLICATIONS

Provision in the budget for 2007/08 needs to be included for the commissions at architectural concept plans with quantity survey costing.

Based on a complex of 50 metres x 25 metres the general rule of at thumb is \$2000 + 30% (Yalgoo Loading) per square meter. To design and draw concept plans is calculated at 1.1% of the square metre value cost. Therefore to have drawings to present to Council an allowance of \$40,000 would be required. Further provisions of \$8,000 for a topographical survey and \$5,000 for advertising and sundry items need to be made.

The total financial implication for the budget for 2007/08 is estimated at \$53,000.

COMMENT

A corollary issue for the sporting facilities is the provision within the 2006/07 Budget of \$40,000 for the resurfacing of the courts should this be required. Obviously this has not been implemented this financial year and from a quote on the file from TigerTurf Australia Pty Ltd, the budget provision is only about half of the expected outlay.

However before committing to resurfacing, consideration should be made as to whether this is really what is required, or alternatively, whether this site might be redeveloped for other uses.

The sporting complex or facility has been part of Council's long term plans. Yalgoo has been slowly changing over the last twelve months with changes in mining activity, pastoral leases and the general community. Although the Needs and Feasibility study has had a large focus on a pool and heavily weighted in that direction, the next stage is for Council to give a clear direction as to what it wants.

VOTING REQUIREMENTS

Simple majority

OC0516 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr L Hodder

That Council determine the following actions in regard to a review of Sporting Facilities need in Yalgoo:

- 1. Advertise for submissions and concepts from Yalgoo Community and members by 30 June 2007.**
- 2. Consider Draft Submissions and concepts at the August 2007 Council meeting.**
- 3. Engage an architectural draftsman to prepare concept drawings for completion and consideration at the October 2007 Council meeting.**
- 4. Allowance in budget of \$48,000 for surveying and conceptual drawing.**
- 5. Enter provision in the draft 2007/08 Budget of \$53,000 for the preparation of concept drawing, topographical survey, advertising and sundry items.**

Motion put and carried 6/0

(11.2.9) YALGOO/MORAWA & YALGOO/NINGHAN ROADS SEALING

File: R11
Author: Ron Adams, Deputy Chief Executive Officer
Interest: No interest to disclose
Date: 9 May 2007
Attachments: Nil

MATTER FOR CONSIDERATION

For Council to:

1. Authorise payment for additional aggregate to that in the tender and used for the extended sealing works on the Yalgoo/Morawa Road.
2. Sanction the purchase of additional aggregate to that in the tender for the extended sealing works proposed on the Yalgoo/Ninghan Road.

BACKGROUND

At the Ordinary Council Meeting in August 2006, (Item 10.2) Council was advised of the Supplementary Roads to Recovery Grant. This grant is to be expended over three years. Council resolved to spend the grant in 2006/07 by extending the seal on the Morawa and Ninghan Roads.

Greenfield Technical Services handle the tendering process for supply of aggregate on behalf of the Shire. The tender process was carried out for the works program of 4km on each of these roads. However, the tender process did not take into account the decision by Council from the August 2006 meeting (Item 10.2).

STATUTORY ENVIRONMENT

There has been a change to the statutory environment from when this matter was considered by Council in August 2006. This is set out below:

Local Government (Functions and General) Regulations 1996.

Reg 11A(1)—A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.

Previously the figure was \$50,000.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy 5.4—Purchasing

To deliver a best practice approach and procedures to internal purchasing for the Shire of Yalgoo

This policy was adopted by Council at the Ordinary Meeting in February 2007 (Item 10.5.4).

FINANCIAL IMPLICATIONS

An amount of \$90,562 for purchase of aggregate for additional sealing of the Yalgoo Morawa and Yalgoo/Ninghan Roads is to come from the supplementary Roads to Recovery program (\$262,868). This does not have any financial impact on the Shire's financial position as the grant has been received and is being expended as per the grant guidelines.

CONSULTATION

Nil

COMMENT

Nil

VOTING REQUIREMENT

Simple majority

OC0517 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr DP Morrissey, Seconded Cr DJ Grey

That Council authorise the expenditure of \$90,562 for the purchase of additional aggregate from Winchester Quarries for the completion of sealing of an extra 6 km for both the Yalgoo/Morawa and Yalgoo/Ninghan Roads.

Motion put and carried 6/0

ACTING CHIEF EXECUTIVE OFFICER**(11.3.1) LOCAL GOVERNMENT CONVENTION 2007 – ELECTED MEMBER ATTENDANCE**

File: C10
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 8 May 2007
Attachments: Provided as a separate document to Councillors

MATTERS FOR CONSIDERATION

1. Appointment of voting delegates for the WALGA annual general meeting on 5 August 2007.
2. Nomination of President and Councillors to attend the Local Government Convention from 3–6 August 2007.
3. Approval for interest Councillors to attend professional Development sessions on Thursday 2 August, Friday 3 August, Tuesday 7 August, Wednesday 8 August and Thursday 9 August 2007.

BACKGROUND

Council is invited to join other local governments in attending the Local Government Convention 2007 at the Burswood Resort Convention Centre, Perth.

The theme chosen for this year's Convention is "Connecting Communities" and Councillors are encouraged to attend to hear from knowledgeable speakers on subjects including the common issues currently being experienced in local government and business at large. These topics include the trends and attitudes on generational changes in the workplace, finding a balance between the economic realities and the creative needs in our communities, and on insight into the all important, ever challenging inter-governmental working relationships.

A copy of the Local Government Convention 2007 program has been provided to Councillors as a separate document.

Council is entitled to have a maximum of two voting delegates (excluding observers) at the WALGA Annual General Meeting held during the Local Government Convention on Sunday 5 August 2007. This has in the past been the President and Deputy President, unless they do not attend the Local Government Convention, when other Councillors may have been nominated as voting delegates.

The Mayors and Presidents forum on the Friday has again been deleted this year with only the cocktail reception at Council House on Friday evening being retained for them. Local Government Convention Plenary sessions are being conducted on the Saturday and Sunday with Focus Group forums and Field trips on the Monday. Professional Development sessions on the Thursday, Friday, Tuesday, Wednesday and following Thursday are also being held.

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The following details relate to the Local Government Convention sessions on the Saturday and Sunday and provide approximate costs for delegates and partners if they attend all functions (excluding GST):

	\$
Full Registration (Delegate only)	770
Accommodation Holiday Inn Burswood and meals	880
Gala Dinner + partner	290
Sundowner (partner)	30
Sundry conference allowance	40
	<hr/>
	2010

Note: As the sessions commence on the Saturday at 9:00am and conclude on the Sunday at 5:15pm, costs have been included for accommodation for four nights(Fri–Mon) and evening meals on the assumption that those attending would stay for the WALGA AGM, the gala dinner on the Sunday night and the Focus Group sessions on the Monday.

Costs for attendance at the Professional Development sessions are \$325 each full day session or \$163 for half day sessions. These costs are additional to those mentioned above and provision would also have to be made for further accommodation and meals beyond the Monday.

At this stage no allocation has been made in the 2007/08 Draft Budget for the Local Government Convention or Councillors training. However, by way of an indication Council expended \$13540 on Conference Expenses for the Convention last year plus \$1155 for Members' Training Expenses.

In summary, the attendance of say five Councillors plus the CEO at the Local Government Convention sessions (4–5 August) and Focus Group (6 August), would incur costs of approximately \$12060, with additional costs for attendance at any of the Professional Development opportunities on 2,3,7,8 and 9 August.

Finally, attendance of partners at any of the partners programs will be an additional expense and similarly any expenses incurred for alcohol will be charged to the Councillor after the conference.

CONSULTATION

Nil

COMMENT

Full details of the programme are outlined in the separate attachment, however in summary the relevant parts of the Local Government Convention are:

- Thursday 2 August – Professional Development sessions for Councillors during the day.
- Friday 3 August – Professional Development sessions for Councillors during the day and the Mayors' and Presidents' evening cocktail reception.
- Saturday 4 August – Local Government Convention sessions.
- Sunday 5 August – continuation of Local Government Convention sessions, the WALGA AGM in the afternoon and the Convention dinner at night.
- Monday 6 August – Focus Groups forums – site visits.
- Tuesday 7 August – Professional Development sessions for Councillors.
- Wednesday 8 August – Professional Development sessions for Councillors.
- Thursday 9 August – Professional Development sessions for Councillors.

In past years the President and Deputy President have been Council's nominated voting delegates leaving the opportunity for additional Councillors to attend the Local Government Convention.

No accommodation has been booked at this time, however the costs detailed under financial implications are based on staying at the Holiday Inn Burswood and includes breakfast for two.

Whilst it is briefly mentioned in the report, the CEO would normally be attending parts of the Local Government Convention also and a separate budget allocation is made for his attendance.

Finally, I have drafted the recommendation below on the basis that the President and Deputy President and nominated Councillors can attend the three days of the Convention (Saturday, Sunday and Monday).

Should any of the Councillors have a desire to attend any of the Professional Development sessions on the Thursday, Friday, Tuesday, Wednesday or Thursday, a separate motion can be moved after the staff recommendations. There are some good sessions that would be more than useful and one in particular is Module 3 'Performance Appraisals of the CEO.' This is scheduled for Thursday 9 August 2007.

Registrations close on 4 July 2007.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION 1

That Council nominates the President and Deputy President as its voting delegates for the WALGA Annual General Meeting on Sunday 5 August 2007.

OFFICER RECOMMENDATION 2

That Council nominates:

1. The President and Deputy President, Councillors and the CEO to attend the Local Government Convention from Friday 3 August to Monday 6 August 2007 and meet all conference registration and accommodation costs, and
2. The President and Deputy President to attend the Mayors' and Presidents' reception on Friday 3 August.

OC0518 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr DJ Grey, Seconded Cr EC Rowe

That Council nominate the President and Deputy President as its voting delegates for the WALGA Annual General Meeting on Sunday 5 August 2007.

Motion put and carried 6/0

OC0519 COUNCIL DECISION

Moved Cr DJ Grey, Seconded Cr EC Rowe

That Council:

- 1. Nominates the President and Deputy President, Councillors and the CEO to attend the Local Government Convention from Friday 3 August to Monday 6 August 2007 and meet all conference registration and accommodation costs;**
- 2. Nominates the President to attend the Mayors' and Presidents' reception on Friday 3 August 2007; and**
- 3. Authorise the additional costs for attendance at any of the Professional Development sessions on 2,3,7,8 and 9 August 2007.**

Motion put and carried 6/0

REASONS:

- *The Deputy President is not invited to the Mayors' and Presidents' reception on Friday 3 August.*
- *Council resolved to authorise that the cost of attendance at Professional Development sessions be met by Council.*

Council discussed partners of members and current Council Policies re attendance at the Local Government Convention.

OC0520 COUNCIL DECISION

Moved Cr LJ O'Connor, Seconded Cr L Hodder

That Council Policy be reviewed to include that the cost of attendance of partners of Councillors at any of the partners' programs will be met by Council

Motion put and carried 6/0

11.3.2 UNITING CHURCH – LOT 179 HENTY STREET, YALGOO

File: Ass.533
Author: Glenn Bone, Acting Chief Executive Officer
Interest Declared: No interest to disclose
Date: 9 May 2007
Attachments: Nil

BACKGROUND

Negotiations have been proceeding since August 2002 regarding the transfer of lot 179 Henty Street from the Uniting Church Synod of Western Australia to the control of the Shire of Yalgoo.

A study of the documentation on file reveals progress has stalled a couple of times for various reasons, however the way is now clear for the transfer to take place.

The Council's last involvement with the subject took place at the meeting held on 17 February 2005, when Council resolved it was interested in having lot 179 Henty Street, Yalgoo vested with the Shire. The CEO was instructed at the time to investigate a suitable vesting for the property and to report back to Council.

Whilst there does not appear to have been a further report to Council, the CEO did pursue the matter and wrote to Land Asset Management Services (LAMS) in March 2005 suggesting a suitable purpose would be "Recreation" as the land is adjacent to Reserve 5703 "School" which is presently used by the Yalgoo Primary School as an oval.

STATUTORY ENVIRONMENT

Local Government Act 1995.

Section 2.7(2)(b)–Enables the Council to determine the local government's policies.

Section 3.1–Provides that the general function of the local government is to provide for the good government of persons in its district.

STRATEGIC IMPLICATIONS

Acquisition of land available for development is consistent with the strategic mission to ensure the provision of all services meet the needs of the community.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Transfer costs of around \$200

CONSULTATION

Correspondence with the Church and also LAMS as mentioned in the foregoing report.

COMMENT

LAMS advised in April 2005 that the process will be that the Uniting Church in Australia Synod WA (the Church) will need to prepare and execute a Transfer of Land document to transfer lot 179 to the State of Western Australia. The Transfer document is to be sent to LAMS together with the Duplicate Certificate of Title. The Church will need to confirm that all rates, taxes etc. are paid and advise whether there are any hazards, contaminants etc. (including asbestos) on the land.

LAMS also noted that the Church be advised that the transfer will be at no cost to the Department.

Apart from an enquiry in August 2005 from the Church as to the progress on the surrender of the lot, no other action on the subject took place until March this year, when I received a follow-up telephone call, also from the Church. My subsequent research revealed that the LAMS advice of April 2005 had not been communicated to the Church.

This was sorted out last month with the outcome being the Church is still willing to dispose of the lot, but at no cost to them.

There are no rates outstanding and transfer costs will be no more than \$200. Needless to say it would not be unreasonable for the Shire to accept this and any other incidentals.

It will also be necessary to obtain comment from the EHO as to any hazards or contaminants on the land.

VOTING REQUIREMENTS

Simple majority

OC0521 OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr DP Morrissey, Seconded Cr DJ Grey

That the Uniting Church Synod of Western Australia (the Church) be advised that Council:

- 1. Will advise Land Asset Management Services as to any hazards or contaminants on lot 179 Henty Street, Yalgoo.**
- 2. Confirm to Land Asset Management Services that there are no rates outstanding on lot 179 Henty Street, Yalgoo.**
- 3. Wishes the Church to prepare and execute a Transfer of Land document to transfer lot 179 to the State of Western Australia.**
- 4. Will accept the cost of the transfer documentation.**

Motion put and carried 6/0

Cr Morrissey left the meeting at 1:47pm and returned at 1:49pm

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

URGENT BUSINESS

Nil

ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

Nil

MEETING CLOSURE

The meeting closed at 1:57pm

I hereby certify that this report was confirmed at a meeting of the Council held on _____
as a true and correct record of proceedings.

Signature of Person Presiding