



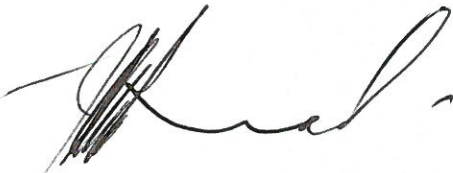
AGENDA
FOR THE ORDINARY MEETING
OF COUNCIL
TO BE HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON WEDNESDAY, 26 AUGUST 2020
COMMENCING 10.00 AM



SHIRE OF YALGOO

NOTICE OF ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS, YALGOO ON WEDNESDAY, 26 AUGUST 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 Wednesday, 26 August 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 HELD 26 JUNE 2020

That the Minutes of the Ordinary Council Meeting held on 31 July 2020 be confirmed as a true and correct record of proceedings.

Moved:

Seconded:

Motion put and carried / lost

8.2 SPECIAL MEETING OF COUNCIL HELD 20 AUGUST 2020

BACKGROUND

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

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD 20 AUGUST 2020

That the Minutes of the Special Meeting of Council held on the 20 August 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).

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

11.1 TECHNICAL SERVICES

11.1.1 PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2020-21

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

MATTER FOR CONSIDERATION

To receive the Progress Report on the 2020-2021 Capital Works Program.

BACKGROUND

The Shire in adopting its 2020-2021 Annual Budget has allocated funds amounting to \$3,732,078 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 2020-2021 financial year are detailed be:

CAPITAL WORKS PROGRAMME 2020-21

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

		2020-21 ANNUAL BUDGET	2020-21 JULY 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 July 2020
Governance					
000000-Admin Computers Hardware and System Upgrade	F & E	37,500	0	37,500	
000000-Admin Upgrade Cabling Fibre	F & E	13,000	0	13,000	
000000-External Monitor Display	F & E	40,000	0	40,000	
000000-Admin Fire Proof Safe	F & E	11,000	0	11,000	
000000-Financial Software	F & E	100,000	0	100,000	
Law Order Public Safety					
000000- CCTV Yalgoo Townsite	F & E	30,000	0	30,000	
Housing					
000000-Other Housing - Nurse Accommodation	L & B	250,000	0	250,000	
Communities Amenties					
000000- Community Bus	P & E	130,000	0	130,000	
Recreation and Culture					
000000 - Community Hall Renovations	L & B	600,000	0	600,000	
000000 - Museum Improvements	L & B	117,157	0	117,157	
000000-Art Centre	F & E	4,500	0	4,500	
000000- Sports Complex	F & E	500	0	500	
000000- Sports Complex -Footpath to School	Recreation	29,256	0	29,256	

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

		2020-21 ANNUAL BUDGET	2020-21 JULY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 31 July 2020
Transport					
000000- Machinery Shed Depot Concrete Floor bay	L & B	20,000	0	20,000	
000000- Street Lighting	Other	50,000	0	50,000	
000000-Works Foreman Ute	P & E	75,000	0	75,000	
000000- Grader	P & E	380,000	0	380,000	
000000- Trailer Side Tippers	P & E	180,000	0	180,000	
000000- Truck Tipper	P & E	80,000	0	80,000	
000000- Fuel Tank	P & E	2,100	0	2,100	
000000- Deisel Air Compressor	P & E	3,200	0	3,200	
000000- Generator 4.5 kva	P & E	6,000	0	6,000	
000000- Road Sweeper Attachment	P & E	25,000	0	25,000	
000000- Paynes Find Public Toilets	Other	33,655	0	33,655	
000000- Paynes Find Entry Statements	Other	30,000	0	30,000	
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	380,000	0	380,000	
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ninghan Road - Seal to width 4m	Roads	514,110	0	514,110	
MUNICIPAL FUND					
000000- Sandford River Crossing	Roads	25,000	0	25,000	
000000- Badga Woolshed Seal to Airstrip	Roads	80,000	0	80,000	

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

	2020-21 ANNUAL BUDGET	2020-21 JULY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
	\$	YTD \$	\$	
By Program				The CEO to provide a verbal update on the status of the capital projects as at 31 July 2020
Economic Services				
000000-Caravan Park - Upgrade Water and Power Supply L & B	30,000	0	30,000	
000000-Caravan Park - 2 Self Contained Accommodation Units L & B	340,000	0	340,000	
000000-Caravan Park -CCTV F & E	13,600	0	13,600	
000000-HCP Program- Computer F & E	1,500	0	1,500	
Other Propert and Services				
000000-Shire Building- Solar Panels L & B	100,000	0	100,000	
	3,732,078	0	3,732,078	

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2020 - 2021

That Council receive the Progress Report on the Capital Works Program 2020 – 2021 as at 31 July 2020

Moved:

Second:

Motion put and Carried/lost:

11.1.2 TECHNICAL SERVICES MONTHLY REPORT AS OF THE 20 AUGUST 2020

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

MATTER FOR CONSIDERATION

That Council receives the Technical Services Monthly Report as 20 August 2020

BACKGROUND

Nil

STATUTORY ENVIRONMENT

Nil

STATUTORY IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

1 ROAD CONSTRUCTION – CAPITAL

- Nil

2 ROAD MAINTENANCE - OPERATIONS

- Maintenance grading done on the Maranalgo Road, Pindathuna Road, Yalgoo North Road, Barnong Wuraga Road and Badja Woolshed Road.

3 OTHER INFRASTRUCTURE MAINTENANCE

- Services carried out on the Iszuz Tipper, Bomag Roller, CAT Truck, adjusting brakes on tipping trailer and water tanker, Mack truck has its 20,000km serviced at truck world

4 PARKS, RESERVES AND PROPERTIES

4.1 Art & Culture Centre

- General gardening maintenance carried out.

4.2 Community Town Oval

- General gardening maintenance and fertilizing conducted to the Town Oval and Core Stadium Gardens.
- Removed dead palm trees and replaced with new ones.

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.

4.5 Water Park

- Closed for Winter
- General maintenance conducted to the water park.

4.6 Yalgoo Caravan Park

- General gardening maintenance is done every two weeks.

4.7 Paynes Find

Nil

4.8 Railway Station

- General Gardening Maintenance conducted on a weekly bases, Mowing, Pruning and watering.

4.9 Yalgoo Nursing Post

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

4.10 Staff Housing

- Painted inside and outside of Units 18A, B & C Shamrock Road.
- New HOT WATER SYSTEM INSTALLED AT 19A Stanley Street.

4.11 Yalgoo Rubbish Tip

- Tip Tidied and rehabilitated, fencing materials purchased to commence on Monday 24 August 2020.

4.12 Yalgoo and Paynes Find Airstrip

- Nil

5 INFRASTRUCTURE – CAPITAL

- Nil

6 PRIVATE WORKS

- 4 hrs grading on the Ninghan Station Road.
- Grant Simpson hired Truck to shift Backhoe and loader, hired for 10 hrs.
- Raul Valenzuela hired truck and purchased 2.3 cubic metres of concrete and mesh.

7 PURCHASING

- Nil

8 STAFF

- Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

TECHNICAL SERVICES MONTHLY REPORT AS OF THE 20 AUGUST 2020

That Council receive the Technical Services report as at 20 August 2020.

Moved:

Seconded:

Motion put and carried/lost:

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

11.3 FINANCE

11.3.1 ACCOUNTS FOR PAYMENT JUNE 2020

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	20 AUGUST 2020
ATTACHMENTS	NIL

PAYMENT LIST TO BE PROVIDED TO ELECTED MEMBERS PRIOR TO OR AT THE MEETING

MATTER FOR CONSIDERATION

Council approve the Accounts for Payment list for the period 1 July 2020 to 31 July 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 July 2020 to 31 July 2020 are as follows:

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

ACCOUNTS FOR PAYMENT JULY 2020

That Council approve the list of accounts paid for the period 1 July 2020 to 31 July 2020 amounting to \$_____ and the list be recorded in the Minutes.

Moved:

Seconded:

Motion put carried/Lost:

11.3.2 INVESTMENTS AS AT 31 JULY 2020

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	20 AUGUST 2020
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

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

SHIRE OF YALGOO CASH HOLDINGS AS AT 31 JULY 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	50-832-4540	Ongoing	N/A	N/A	Variable	\$412,326.97
BENDIGO	N/A	Operating a/c	171336274	Ongoing	N/A	N/A	Variable	\$988,668.72
BENDIGO	N/A	Saving	171336282	Ongoing	N/A	N/A	Variable	\$25,054.15
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,120.44
TOTAL								\$1,478,170.28

RESERVE FUNDS								
Bendigo	N/A	Term Deposit	3330616	3 months	06.07.2020	06.10.2020	1.75%	\$470,446.07
Bendigo	N/A	Term Deposit	3330634	3 months	07.04.2020	06.07.2020	1.75%	\$1,131,369.74
TOTAL								\$1,601,815.81

INVESTMENT REGISTER						
01 JULY 2020 TO 31 JULY 2020						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.07.2020	INVESTMENT TRANSFERS	CLOSING BALANCE 31.07.2020
171336282	Ongoing	Variable	\$25,051.07	\$3.08		\$25,054.15
24-831-4222	Ongoing	Variable	\$52,118.23	\$2.21	0	\$52,120.44
3330616	06.07.2020	1.75%	\$468,712.48	\$1,733.59	0	\$470,446.07
3330634	06.07.2020	1.75%	\$1,127,240.64	\$4,129.10	0	\$1,131,369.74

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

INVESTMENTS AS AT 31 JULY 2020

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

Moved:

Seconded:

Motion put and carried/lost

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

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	20 August 2020
Attachments	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 31 July 2020; • Financial Activity Statement; ending 31 July 2020; • Summary of Current Assets and Current Liabilities as of 31 July 2020; • Statement of Current Financial Position as at 31 July 2020; • Detailed worksheets; • Other Supplementary Financial Reports: <ul style="list-style-type: none"> ○ Reserve Funds; ○ Loan Funds

ATTACHMENTS TO BE PROVIDED TO ELECTED MEMBERS PRIOR TO OR AT THE MEETING

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 JULY 2020.

That Council:

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

Moved:

Seconded:

Motion put and carried/lost

11.4 ADMINISTRATION

11.4.1 ROAD USE AGREEMENTS

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

MATTER FOR CONSIDERATION

That Council consider increasing the per kilometre per tonne rate that applies to Road Use Agreements from .0126c to .0162c.

BACKGROUND

In 2013 when the Shire of Yalgoo first introduced Road Use Agreements, Mark Bondiotti (MSc Eng CPEng), Policy Manager Transport and Roads of WALGA initially calculated a rate of 1.26 cents per tonne per kilometre using tools developed by Austroads to assess the cost of wear and tear that RAV traffic will cause on rural/regional roads.

Mark subsequently advised that he had re-run the calculation and the amount should be 1.62 cents per kilometre. In 2013 negotiations with mining companies had already commenced based on 1.26 cents. The method of calculation is untested therefore the Shire implemented the inaugural Agreements at 1.26 cents, with the intention of reviewing the rate annually against actual costs.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS – Nil

CONSULTATION – Nil

COMMENT

No change has been made to the rate since 2013 and it is therefore considered appropriate that the rate recommended by Mark Bondiotti of .0162c per kilometre per tonne be implemented as part of the Shires Schedule of Fees and Charges applying to all Road Use Agreements in the 2020/21 financial year.

With the amount of road trains (many of which are super quads) carting ore on Shire roads to Geraldton Port or processing facilities, wear and tear on the roads, particularly sealed roads is certainly evident, with the cost of re-sealing the roads significant. It is therefore vital that adequate funds are captured and held in Reserve Fund for the purpose of maintaining these road assets in good condition.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION

ROAD USE AGREEMENTS

That Council increase the rate per tonne per kilometre applying to Road Use Agreements to .0162 cents as from 1 July 2020, as part of the Shire’s Schedule of Fees & Charges, in accordance with the rate recommended by Mark Bondiotti, Policy Manager, Transport and Roads, WALGA in 2013.

Moved:

Seconded:

Motion put and carried:

11.4.2 SHIRE OF YALGOO – PROSPECTING LICENSES

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 August 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council receive the Acting CEO’s report regarding the Shire of Yalgoo’s Prospecting Licenses.

BACKGROUND

Prospecting Licenses 59/2191, 59/2193 and 59/2194, after being pending for over one year, were granted on 12 February 2020. The licenses were pegged by Ray Pratt, Works Foreman on behalf of the Shire on the basis of providing areas for prospectors to prospect for gold and encourage patronage to our caravan park.

This initiative is a first for a West Australian local government, and possibly Australia wide, as no other local government provides such a service for prospectors.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Mining Act

STRATEGIC IMPLICATIONS

The initiative aligns well with the aims and objectives of the Shire’s Community Strategic Plan in encouraging tourists to our region.

CONSULTATION

Nil

COMMENT

The three Prospecting Licenses have proven very successful with over 83 Prospecting Permits issued (at \$10 each) and recording of over 96 hours of metal detecting/prospecting. The hours spent by permit holders can be used as evidence of expenditure on the leases to satisfy the Department of Mines expenditure requirements. Many successes of finding gold have occurred and recently one caravan park patron and prospector with an \$800 detector found a two ounce nugget valued at over \$5,000 on the Shire leases. In the same week a further three ounces was found.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION		
<u>SHIRE OF YALGOO – PROSPECTING LICENSES</u>		
That Council receive the Acting CEO’s report giving an update of the success of the Shire’s Prospecting Licenses in attracting patrons to the Yalgoo Caravan Park.		
Moved:	Seconded:	Motion put and Carried:

11.4.3 CONFIRMED GRV'S FOR RATING MINING INFRASTRUCTURE

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

MATTER FOR CONSIDERATION

That Council accept and adopt the confirmed Gross Rental Values of the now rateable mining infrastructure located at various mine sites within the Shire of Yalgoo, received from Landgate's Principal Valuer, Mr Stephen Fern.

BACKGROUND

The process to rate mining infrastructure located at five mine sites within the Shire of Yalgoo has been lengthy, commencing in October 2019. Initially Landgate placed Indicative Values on the infrastructure based on advice received from the respective mining companies. This allowed the Shire to progress the process in accordance with provisions of the Local Government Act and State Government Policies which lay down the procedure required.

This procedure included advising the respective mining company's the Shire's intention to rate mining infrastructure, the anticipated rating income affecting each company and inviting mining company's to make submissions. Two submissions were received from Silver Lake Resources and EMR Golden Grove, which were responded to and forwarded to the Minister for Local Government's office. The process was delayed to an extent by the restrictions part of the COVID 19 pandemic.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 6.29

STRATEGIC IMPLICATIONS

The significant additional rating income derived from rating mining infrastructure will assist the Shire of Yalgoo meet its corporate objectives pursuant to its Community Strategic Plan.

CONSULTATION - Nil

COMMENT

Below is the comparison between Indicative and confirmed values:

OLD INDICATIVE GRV'S	ADMIN / WORKSHOP	VILLAGE	TOTAL
MT GIBSON IRON	\$45,000	\$ 235,000	\$ 280,000
EXTENSION HILL/ASIA IRON	N/A	\$ 250,000	\$ 250,000
EMR GOLDEN GROVE	\$56,000	\$1,200,000	\$1,256,000
MINJAR GOLD	\$36,000	\$ 140,000	\$ 176,000
SILVER LAKE RESOURCES	\$65,000	\$ 480,000	\$ 545,000
		TOTAL:	\$2,507,000
<u>NEW CONFIRMED GRV'S</u>	ADMIN / WORKSHOP	VILLAGE	TOTAL
MT GIBSON IRON	\$45,000	\$ 235,000	\$ 280,000
EXTENSION HILL/ASIA IRON	N/A	\$ 250,000	\$ 250,000
EMR GOLDEN GROVE	\$76,000	\$1,195,000	\$1,271,000
MINJAR GOLD	\$30,000	\$ 168,000	\$ 198,000
SILVER LAKE RESOURCES	\$125,000	\$ 480,000	\$ 605,000
		TOTAL:	\$2,604,000

The confirmed values were determined by Stephen Fern of Landgate following his recent site inspection of each mine site. \$745,833.00 rating income will be derived from the rating category of GRV Mining Infrastructure in 2020/21.

Ministerial approval has been obtained to allow the Shire to rate the mining infrastructure and the Technical Land Descriptions of the rateable land located within the various mining leases has been determined by Landgate and has now been formally Gazetted.

This completes the process and allows the Shire to rate the mining infrastructure for the foreseeable future. Future Shire administrations will need to monitor changes and new mining operations that come on board in the future. New infrastructure becomes rateable after it is 12 months old and the process will need to be followed in accordance with Section 6.29 of the Local Government Act 1995 and the State Government’s Policy documents, to enable the Shire of Yalgoo to rate additional infrastructure of new mining operations.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION			
<u>CONFIRMED GRV’S FOR RATING MINING INFRASTRUCTURE</u>			
That Council accept and adopt the confirmed Gross Rental Values of the now rateable mining infrastructure located at various mine sites within the Shire of Yalgoo, received from Mr Stephen Fern, Principal Valuer, Landgate as follows:			
<u>NEW CONFIRMED GRV’S</u>	<u>ADMIN / WORKSHOP</u>	<u>VILLAGE</u>	<u>TOTAL</u>
MT GIBSON IRON	\$45,000	\$ 235,000	\$ 280,000
EXTENSION HILL/ASIA IRON	N/A	\$ 250,000	\$ 250,000
EMR GOLDEN GROVE	\$76,000	\$1,195,000	\$1,271,000
MINJAR GOLD	\$30,000	\$ 168,000	\$ 198,000
SILVER LAKE RESOURCES	\$125,000	\$ 480,000	\$ 605,000
		TOTAL:	\$2,604,000
Moved:	Seconded:	Motion put and carried:	

11.4.4 ACTING CEO JOHN READ - FAREWELL

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	12 August 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council acknowledge the services delivered by John Read in the capacity of serving the Shire of Yalgoo in the capacity of Acting Chief Executive Officer for the past twelve months.

BACKGROUND

Following the departure of Silvio Brenzi, the previous CEO, John Read was appointed as Acting CEO and commenced duties on 23 September 2019.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS - Nil

CONSULTATION - Nil

COMMENT

I have enjoyed working with Council and all employees of the Shire of Yalgoo over the past twelve months. I always endeavour to leave the organisation in better shape than when I started and believe this has been achieved.

A significant achievement has been the introduction of rating mining infrastructure, which will bring in \$745,833.00 rating income for the Shire of Yalgoo in the current budget and for future years.

I believe the Shire now has a more stable workforce and my introduction of the Shire’s outside crew carrying out road construction works in the AGRN 903 Flood Damage reinstatement works has not only been of significant economic benefit to the Shire’s finances, but has proven that the Shire’s workforce are very capable of carrying out this work to a high standard. This has lead positively to the Shire’s road construction crew carrying out the current year’s Regional Road Group, Roads to Recovery and Local Roads & Community Infrastructure grant road construction works totalling almost \$900,000, previously granted to a contractor, which again will have significant positive benefits to the Shire’s finances.

Ending the 2019/20 financial year with a \$1.8 million surplus in real terms is also a very pleasing result, which together with the additional rating income from Mining Infrastructure has allowed for a significant and unprecedented capital works program for the 2020/21 financial year.

I sincerely wish the Shire of Yalgoo every success in the future.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION		
<u>ACTING CEO – JOHN READ - FAREWELL</u>		
That Council receive the Acting Chief Executive Officer’s report regarding his twelve month tenure in the position.		
Moved:	Seconded:	Motion put and Carried:

11.4.5 MURCHISON GEO-TOURISM

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 August 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That the Acting CEO’s report regarding the launch of the Murchison Geo-tourism initiative and booklet be received

BACKGROUND

The establishment of the Murchison Geo-tourism initiative was born out of meetings with the Murchison Executive Group made up of the CEO’s from Murchison, Meekatharra, Mt Magnet, Cue, Sandstone and Yalgoo Shires as well as regional representatives from the Mid West Development Commission and the Department of Primary Industries and Regional Development. In the current 2020/21 year, each Shire has contributed \$15,000 towards this initiative.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

The Murchison Geo-tourism initiative is aimed at attracting more tourists to the Murchison region and is entirely complimentary to the Shire’s Community Strategic Plan which also encourages tourism.

CONSULTATION

Nil

COMMENT

Tabled is a copy of the Geo-tourism Booklet for each Councillor. The launch of Murchison Geo-tourism is to be held in Mount Magnet on Friday 18 September 2020. The Shire President, A/CEO and Emmaline James who has been appointed as the Shire of Yalgoo’s representative on the Working Group, have been invited to attend.

Geo-tourism is growing internationally and in many countries where such unique geology exists, Geo Parks have been established, which are patronised by international tourists who have a strong interest in this area.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION		
<u>MURCHISON GEO-TOURISM</u>		
That Council receive the report of the A/CEO regarding the launch of the Murchison Geo-tourism initiative and booklet.		
Moved:	Seconded:	Motion put and carried:

11.4.6 CHIEF EXECUTIVE OFFICER APPOINTMENT

Author:	John Read, Acting Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 August 2020
Attachments	Nil

MATTER FOR CONSIDERATION

That Council progress the appointment of the permanent Chief Executive Officer.

BACKGROUND

Following the appointment of LOGO Appointments to carry out the recruitment, the position was advertised in the West Australian Newspapers and SEEK. Following numerous enquiries nine candidates applied.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 5.36(2).

STRATEGIC IMPLICATIONS

The position of CEO is critically important in the delivery of projects and the day to day management of the Shire’s operations.

CONSULTATION – LOGO Appointments

COMMENT

Candidates have been shortlisted to three candidates who have been interviewed via Zoon video conferencing, facilitated by Silvana of LOGO Appointments. At the time of writing this report, Council are in the process of determining which candidate(s) to invite to an in person interview in Yalgoo. Following this it is expected that Council will be in a position to determine and appoint the successful candidate.

Under section 5.36(2) of the Local Government Act, 1995 a person is not to be employed in the position of CEO unless the Council believes that the person is suitably qualified for the position and is satisfied (Absolute Majority required) with the provisions of the proposed employment contract. This means that it requires an Absolute Majority decision of Council to not only formally resolve to appoint the successful candidate with Council being satisfied that the appointee is suitably qualified for the position, but also to formally resolve that Council is satisfied with the provisions of the contract with the CEO.

LOGO Appointments will assist the Shire in the negotiation and preparation of the employment contract. It is recommended that the Shire President negotiate the contract assisted by LOGO and following this, present the contract for formal acceptance of the provisions of the contract by Council. Given the timing on matters it likely will be necessary for the Shire to hold a Special Meeting for this purpose.

It is also recommended that LOGO’s services be extended to include the preparation of the Key Performance Indicators (KPI’s) that will apply to the Chief Executive Officer position and will be utilised by the Council at the conclusion of the CEO’s probationary period and annual performance reviews. LOGO has also requested to be involved in the probationary period assessment and the annual performance review.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION

CHIEF EXECUTIVE OFFICER APPOINTMENT

- 1. That Council progress and determine the appointment of the successful candidate for the Chief Executive Officer position.**
- 2. Council resolves that it is satisfied that the appointee is suitably qualified for the CEO position.**
- 3. Council request the Shire President to negotiate the terms and conditions of the CEO contract assisted by LOGO Appointments and present the contract for Council to formally resolve that it is satisfied with the provisions of the contract.**
- 4. LOGO Appointments services be extended to include the preparation of the Key Performance Indicators (KPI's) that apply to the Chief Executive Officer position, assisting Council with managing the Probationary Period review, as well as the Annual Performance Review.**

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 Paynes Find Community Centre, Paynes Find on the 25 September 2020 commencing at 10.00 am.

16. MEETING CLOSURE

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