



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON FRIDAY, 26 FEBRUARY 2021
COMMENCING 10.00 AM



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CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	4
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	4
3.	DISCLOSURE OF INTERESTS.....	4
4.	PUBLIC QUESTION TIME	5
4.0	QUESTIONS TAKEN ON NOTICE	5
4.1	QUESTIONS TAKEN WITHOUT NOTICE	5
5.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	5
6.	APPLICATIONS FOR LEAVE OF ABSENCE	5
7.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED.....	5
7.0	MEETINGS ATTENDED BY ELECTED MEMBERS.....	5
8.	CONFIRMATION OF MINUTES.....	6
8.1	ORDINARY COUNCIL MEETING	6
	MINUTES OF THE ORDINARY MEETING HELD 29 JANUARY 2021	6
9.	REPORTS OF COMMITTEE MEETINGS	6
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters	7
10.0	INFORMATION ITEMS	7
11.	MATTERS FOR DECISION	7
11.0	MATTERS BROUGHT FORWARD	7
11.1	TECHNICAL SERVICES	8
11.1.1	PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2020-21.....	8
11.1.2	TECHNICAL SERVICES MONTHLY REPORT AS OF THE 22 FEBRUARY 2021.....	13
11.2	DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH	13
11.3	FINANCE.....	15
11.3.1	ACCOUNTS FOR PAYMENT JANUARY 2021.....	15
11.3.2	INVESTMENTS AS AT 31 JANUARY 2021.....	20
11.3.3	FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 31 JANUARY 2021	22
11.4	ADMINISTRATION.....	24
11.4.1	CODE OF CONDUCT REFORMS.....	24
11.4.2	CHANGE OF DATE - MARCH ORDINARY MEETING	27
11.4.3	GRANTS COMMISSION SUBMISSION	28
11.4.4	WORKFORCE PLAN REPORT.....	29
11.4.5	YALGOO ARTS & CULTURE COMMITTEE.....	31
12.	NOTICE OF MOTIONS	32
13.	URGENT BUSINESS	32
14.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	32
14.0	STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC.....	32
15.	NEXT MEETING	34
16.	MEETING CLOSURE.....	34



Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, Yalgoo
On Friday, 26 February 2021 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

President Cr Gregory Payne declared the meeting open at 10.30 am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Gregory Payne, Shire President Cr Gail Trenfield, Deputy President Cr Raul Valenzuela Cr Gail Simpson Cr Percy Lawson
STAFF	Ian Holland, Chief Executive Officer
GUESTS	Nil
OBSERVERS	Nil
LEAVE OF ABSENCE	Nil
APOLOGIES	Cr Tamisha Hodder

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil

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 / COUNCIL DECISION

C2021-0201 **MINUTES OF THE ORDINARY MEETING HELD 29 JANUARY 2021**

That the Minutes of the Ordinary Council Meeting held on 29 January 2021 be confirmed as a true and correct record of proceedings.

Moved: Cr Gail Simpson

Seconded: Cr Percy Lawson

Motion put and carried: 5/0

9. REPORTS OF COMMITTEE MEETINGS

Cr Payne reported on the outcomes of the MRVC audit meeting, the progress of current fencing contracts and discussions on the future funding and structure of the MRVC.

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).

Prior to the meeting Margaret Hemsley LG People conducted a workshop with Councillors to establish timelines for the priorities that have become apparent during the Community Strategic Plan Review.

Cr Raul Valenzuela met with the Labour Candidate Cherie Sibosado who attended the Shire Office during the MRVC meeting. Ms Sibosado apologised for the limited notice as her original trip to local government offices was waylaid by flooding and damage to the roads in Carnarvon.

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

Nil

11.1 TECHNICAL SERVICES

11.1.1 PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2020-21

AUTHOR:	IAN HOLLAND, CEO
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	19 FEBRUARY 2021
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 JANUARY 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 January 2021
Governance					
000000-Admin Computers Hardware and System Upgrade	F & E	37,500	0	37,500	
000000-Admin Upgrade Cabling Fibre	F & E	13,000	12,111	889	Project completed with minor savings
000000-External Monitor Display	F & E	40,000	0	40,000	
000000-Admin Fire Proof Safe	F & E	11,000	813	10,187	Project commenced
000000-Financial Software	F & E	100,000	60,000	40,000	Project commenced
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	5,123	244,877	Project commenced
Communities Amenties					
000000- Community Bus	P & E	130,000	0	130,000	
000000- Yalgoo Rubbish Tip	Other	0	18,062	(18,062)	
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	46,309	(17,053)	Project commenced

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

		2020-21 ANNUAL BUDGET	2020-21 JANUARY 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 January 2021
Transport					
000000- Machinery Shed Depot Concrete Floor 2 Bays	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	379,130	870	Project completed
000000- Trailer Side Tipper	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	29,125	350,875	Project commenced
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ninghan Road - Seal to width 4m	Roads	514,110	49,813	464,297	Project commenced
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 JANUARY 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 January 2021
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	600,486	3,131,592	

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0202 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 January 2021.

Moved: Cr Raul Valenzuela

Second: Cr Percy Lawson

Motion put and Carried: 5/0

Cr Valenzuela left the meeting at 11.21am and returned at 11.23am

11.1.2 TECHNICAL SERVICES MONTHLY REPORT AS OF THE 22 FEBRUARY 2021

AUTHOR:	CRAIG HOLLAND, WORKS FOREMAN
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	22 FEBRUARY 2021
ATTACHMENTS	NIL

Matter for Consideration

That Council receives the Technical Services Monthly Report as at 22 February 2021.

Background

Nil

Statutory Environment

Nil

Statutory Implications

Nil

Consultation

Nil

Comment

1 ROAD CONSTRUCTION – CAPITAL

2 ROAD MAINTENANCE - OPERATIONS

Maintenance grading done on mid-section of Thundelarra RD, Ninghan station RD and Yalgoo Ninghan RD graded.

Repairs to grid on Yalgoo Ninghan RD. On going work to Yalgoo Ninghan Rd.

3 OTHER INFRASTRUCTURE MAINTENANCE

YA804 Serviced

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 oval and core stadium gardens. Turf renovations & top dressing with cream sand, fertilizing.

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

General gardening maintenance conducted on water park.

4.6 Yalgoo Caravan Park

General gardening maintenance is done every two weeks.

4.7 Paynes Find.

4.8 Railway Station

General gardening maintenance conducted on a weekly bases Mowing, pruning and watering. Graffiti removed, some repairs to guttering and down pipes.

4.9 Yalgoo Nursing Post

No changes or additions to the nursing post, besides general gardening maintenance.

4.10 Staff Housing

Some work done on 1 Stanley St sewage drains. gates repaired.
All air conditioners serviced and cleaned.

4.11 Yalgoo Rubbish Tip

Tip edge pushed over once a week.
Foot wine but around perimeter of fence to help contain rubbish.

4.12 Yalgoo & Paynes Find Airstrip

Waiting on a battery and a light to finished off lighting on Yalgoo strip.
Paynes Find air strip was graded some gravel was canted & watered bound to fill in wash outs.

5 INFRASTRUCTURE - CAPITAL

1 bay in depo shed has been concreted.
Driveway at core stadium has been concreted.

6 PRIVATE WORKS

7 PURCHASING

New bus has arrived at Geraldton Toyota.

8 STAFF

Phillip has passed his H.R License.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0203 Technical Services Monthly Report as at the 22 Feb 2020

That Council:

Receive the Technical Services report as at 22 Feb 2020.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

Cr Gail Trenfield left the meeting at 11.34am and returned at 11.36am

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

Nil

11.3 FINANCE

11.3.1 ACCOUNTS FOR PAYMENT JANUARY 2021

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	19 FEBRUARY 2021
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

Council approve the Accounts for Payment list for the period 1 January 2021 to 31 January 2021 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 2021 to 31 January 2021 are as follows:

SHIRE OF YALGOO
LIST OF ACCOUNTS PAID AND PAYABLE
FOR THE PERIOD 1 JANUARY 2021 TO 31 JANUARY 2021

	DATE	PAYEE	PARTICULARS	AMOUNT
	PAID			\$
1	25/01/2021	ATYEO'S ENVIRONMENTAL HEALTH SERVICES	CONSULTANCY FEES - ENVIRONMENTAL HEALTH SERVICES	4,175.53
2	25/01/2021	AVLITE SYSTEMS	YALGOO AIRSTRIP SOLAR AVIATION LIGHTS	712.80
3	25/01/2021	BATTERY MART	YALGOO AIRSTRIP BATTERIES FOR LIGHTS	2,112.00
4	25/01/2021	BOQ ASSET FINANCE AND LEASING PTY LTD	RENTAL FEES PHOTOCOPIER	329.50
5	25/01/2021	BRIDGED GROUP PTY LTD	MIRCOSOFTE SOFTWARE	2,994.95
6	25/01/2021	BUNNINGS BUILDING SUPPLIES	TYRE TUBES,SHOWER HEAD, BLEACH, BROOM	194.59
7	25/01/2021	CANINE CONTROL	CONTRACT RANGER	1,143.45
8	25/01/2021	CIVIC LEGAL	LEGAL FEES NATIVE TITLE, TRANSFER OF LAND AND COURT CLAIM GEM RESOURCES	8,259.97
9	25/01/2021	CONSTRUCTION FUND AUSTRALIA	BCITF LEVY PAYMENT	744.00
10	25/01/2021	DATACOM SYSTEMS PTY LTD	PAYROLL SERVICES DECEMBER 2020	427.90
11	25/01/2021	DEPARTMENT OF MINES,INDUSTRY REGULATIONS AND SAFETY	RENEWAL FEES SHIRE MINING TENEMENTS	1,800.00
12	25/01/2021	DOMINIC CARBONE AND ASSOCIATES	CONSULTANCY FEES - ADMIN AND FINANCE DECEMBER 2020	1,375.00
13	25/01/2021	E & MJ ROSHER	PARTS KUBOTA MOWER BLADES	372.90
14	25/01/2021	FIVE STAR BUSINESS EQUIPMENT	MAINTENANCE PHOTOCOPIER	1,337.05
15	25/01/2021	GERALDTON AG SERVICES	2 K29-01 FOR NEW GRADER AND PARKS AND GARDENS	331.17
16	25/01/2021	GERALDTON TOYOTA	SERVICE YA0	510.66
17	25/01/2021	HARVEY NORMAN COMPUTER STORE	LAPTOP KEYBOARD AND MOUSE	338.00
18	25/01/2021	HILL CORALIE	REFUND BOND - HIRE CORE STADIUM	160.00
19	25/01/2021	HOLLAND CRAIG	REIMBURSEMENTS SUPPLIES	249.48
20	25/01/2021	IT VISION	SYNERGY ACCOUNTING SOFTWARE SUPPLY ,IMPLEMENTATION AND TRAINING PROGRESS PAYMENT	22,000.00
21	25/01/2021	JASON SIGNMAKERS	SIGNS	918.50
22	25/01/2021	K9 K10 ELECTRICAL WA	SECURITY ALARM MONITORING - ADMIN OFFICE	167.20
23	25/01/2021	KALEIDOSCOPE STUDIO PTY LTD	WORKSHOP MURAL DESIGN AND PAINTING	5,500.00
24	25/01/2021	KICK SOLUTIONS	ENAMEL MUGS	201.00
25	25/01/2021	LANDGATE	VALUATIONS MINING TENEMENTS AND RURAL UV SCHEDULE	167.60
26	25/01/2021	LUSCOMBE SYNDICATE	CARAVAN PARK SUPPLIES	255.35
27	25/01/2021	MDF SERVICES PTY LTD	REPAIRS HYDRO HOSE	260.16
28	25/01/2021	MIDWEST BOUNCE AND FUN	HIRE OF ACTIVITIES EMU CHICK FESTIVAL	500.00
29	25/01/2021	MURCHISON REGIONAL VERMIN COUNCIL	SANFORD RIVER VERMIN FENCE AND FLOODWAY CONSTRUCTION	63,303.90
30	25/01/2021	POOL AND SPA MART	FITTINGS YALGOO WATER PARK,CHLORINE	150.60
31	25/01/2021	PROMOTIONS INTERNATIONAL PTY LTD	CARAVAN PARK YALGOO POLO SHIRTS	2,080.10
32	25/01/2021	PROTECTOR FIRE SERVICES	SERVICE FIRE EQUIPMENT PAYNES FIND COMMUNITY CENTRE	374.93
33	25/01/2021	REFUEL AUSTRALIA	FUEL DECEMBER 2020	9,257.72
34	25/01/2021	ROCKE DAVID	CLEANING PAYNES FIND COMMUNITY CENTRE FOR RFDS CLINIC	120.00
35	25/01/2021	SUN CITY BATTERIES	BATTERIES FOR FIRE TRUCK YA787	423.00
36	25/01/2021	SUN CITY PLUMBING	CORE STADIUM BLOCKED DRAIN	55.00
37	25/01/2021	SUN CITY PRINT	20 FUEL RECEIPT BOOKS DEPOT	297.00

SHIRE OF YALGOO
LIST OF ACCOUNTS PAID AND PAYABLE
FOR THE PERIOD 1 JANUARY 2021 TO 31 JANUARY 2021

	DATE	PAYEE	PARTICULARS	AMOUNT
	PAID			\$
38	25/01/2021	TOLL TRANSPORT	FREIGHT	215.83
39	25/01/2021	TOURISM COUNCIL WA LTD	CARVAN PARK MEMBERSHIP 2021	289.00
40	25/01/2021	VEOLIA ENVIRONMENTAL SERVICES	RUBBISH COLLECTION	5,111.43
41	25/01/2021	WESTRAC EQUIPMENT PTY LTD	PURCHASE OF GRADER LESS TRADE IN	290,543.00
42	25/01/2021	WOOLEEN STATION	ACCOMMODATION AND MEALS CEO	249.00
			TOTAL	430,009.27

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0204 ACCOUNTS FOR PAYMENT JANUARY 2021

That Council approve the list of accounts paid for the period 1 January 2021 to 31 January 2021 amounting to \$430,009.27 and the list be recorded in the Minutes.

Moved: Cr Raul Valenzuela

Seconded: Cr Percy Lawson

Motion put carried: 5/0

11.3.2 INVESTMENTS AS AT 31 JANUARY 2021

AUTHOR:	DOMINIC CARBONE
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	19 FEBRUARY 2021
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

That Council receive the Investment Report as at 31 January 2021.

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 2021.

SHIRE OF YALGOO CASH HOLDINGS AS AT 31 JANUARY 2021								
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	\$1,405,063.62
BENDIGO	N/A	Operating a/c	171336274	Ongoing	N/A	N/A	Variable	\$1,495,234.33
BENDIGO	N/A	Saving	171336282	Ongoing	N/A	N/A	Variable	\$25,067.78
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,129.42
TOTAL								\$2,977,495.15

RESERVE FUNDS								
Bendigo	N/A	Term Deposit	3479107	4 months	11.01.2021	11.05.2021	0.30%	\$169,381.54
Bendigo	N/A	Term Deposit	3483811	4 months	11.01.2021	11.05.2021	0.30%	\$471,899.08
Bendigo	N/A	Term Deposit	3483825	4 months	11.01.2021	11.05.2021	0.30%	\$1,134,864.04
TOTAL								\$1,776,144.66

INVESTMENT REGISTER						
01 JANUARY 2021 TO 31 JANUARY 2021						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARN TO 31.01.2021	INVESTMENT TRANSFERS	CLOSING BALANCE 31.01.2021
171336282	Ongoing	Variable	\$25,051.07	\$16.71		\$25,067.78
24-831-4222	Ongoing	Variable	\$52,118.23	\$11.19	0	\$52,129.42
3567670	11.05.2021	0.30%	\$468,712.48	\$3,186.60	0	\$471,899.08
3567677	11.05.2021	0.30%	\$1,127,240.64	\$7,623.40	0	\$1,134,864.04
3567669	11.05.2021	0.30%	\$168,854.45	\$527.09	0	\$169,381.54

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0205 INVESTMENTS AS AT 31 JANUARY 2021

That the Investment Report as at 31 January 2021 be received.

Moved: Cr Gail Trenfield

Seconded: Cr Gail Simpson

Motion put and carried: 5/0

11.3.3 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 31 JANUARY 2021

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 FEBRUARY 2021
Attachments	<ul style="list-style-type: none">• Statement of Comprehensive Income ending the 31 January 2021;• Financial Activity Statement; ending 31 January 2021;• Summary of Current Assets and Current Liabilities as of 31 January 2021;• Statement of Current Financial Position as at 31 January 2021;• Detailed worksheets;• Other Supplementary Financial Reports:<ul style="list-style-type: none">○ Reserve Funds;○ Loan Funds

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 / COUNCIL DECISION

C2021-0206 R34 (1) FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 31 JANUARY 2021.

That Council:

Adopts the Financial Activity Statement for the period ended 31 January 2021.

Moved: Cr Gail Trenfield

Seconded: Cr Raul Valenzuela

Motion put and carried: 5/0

11.4 ADMINISTRATION

11.4.1 CODE OF CONDUCT REFORMS

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 February 2021
Attachments	Complaint About Alleged Breach Form

MATTER FOR CONSIDERATION

For Council to endorse form and policy changes as required by the Local Government Act 1995 review and recent reforms.

BACKGROUND

On the 27th June 2019 the Local Government Legislation Amendment Act 2019 was passed by Parliament.

This Act addresses the following key areas:

- elected member training
- the treatment of gifts
- a new code of conduct
- changes to the Standards Panel
- best practice standards for CEO recruitment, performance review and early termination
- greater transparency through more information being made more easily accessible online.

The reforms that have already come into operation include:

- new gift framework
- universal training for council members
- online induction course for prospective local candidates
- changes to the Standards Panel
- greater transparency easier access to information (partly in place).

The following regulations took effect on the 3rd February 2021, implementing the remaining parts of the amendment Act:

Western Australian Government Gazette No. 23

Local Government (Administration) Amendment Regulations 2021

Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021

Local Government (Model Code of Conduct) Regulations 2021

The department acknowledges that there will be an implementation phase of up to three months where local governments must undertake a series of actions to operationalise these regulatory amendments. Local governments are required to take specific initial actions within three weeks of the regulations taking effect (by 24 February 2021).

It is further expected that local governments adopt the new regulations and any other procedures and processes required for implementation within three months from the regulations taking effect (by 3 May 2021).

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION – Department of Local Government

COMMENT

The Local Government (Model Code of Conduct) Regulations 2021 (Model Code Regulations) bring into effect sections 48-51 of the Amendment Act by introducing a mandatory code of conduct for council members, committee members and candidates.

The Model Code Regulations provide for:

- overarching principles to guide behaviour
- behaviours which are managed by local governments
- rules of conduct breaches which are considered by the Standards Panel.

The purpose of the Model Code is to guide decisions, actions and behaviours. It also recognises that there is a need for a separate code for council members, committee members and candidates to clearly reflect community expectations of behaviour and ensure consistency between local governments.

Each local government was previously required to develop their own code of conduct and manage behaviour in accordance with that code. These regulations replace these individual codes by introducing a Model Code that applies to all members and candidates. It also provides for a high-level process to deal with complaints to ensure a more consistent approach between local governments and across the sector. The intent of the Model Code is to address behaviour through education rather than sanctions.

If a council member does not comply with any action required by the local government following a breach of the Model Code, the local government may refer the matter to the Standards Panel as an alleged contravention of a rule of conduct. The Standards Panel has the authority to make binding decisions to resolve minor breaches.

Local governments will be required to prepare and adopt the Model Code within three months of these regulations coming into effect (by 3 May 2021). In adopting the Model Code, local governments can include additional behaviours under Division 3 provided these are consistent with the Model Code.

Until such time as a local government adopts the Code, the Model Code applies. To begin implementation of the Model Code, as soon as practical (by 24 February 2021), local governments must:

- appoint a person to receive complaints by either affirming the current complaint officers or appoint a new or additional officer(s), and
- approve a form for complaints to be lodged

As the local government has not received a complaint or request relating to the code of conduct since the 2nd February 2021 the Department of Local Government considers it fine to adopt the form and appoint an officer at the Ordinary meeting on the 26th February.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0207 CODE OF CONDUCT REFORM

That Council :

- 1. affirm the Chief Executive Officer as the person to receive complaints that relate to the Code of Conduct;
and**
- 2. approve the form of complaints as attached.**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.4.2 CHANGE OF DATE - MARCH ORDINARY MEETING

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	10 February 2021
Attachments	Nil

MATTER FOR CONSIDERATION

To change the date of the ordinary March Council Meeting to coincide with a visit from the Local Government Grants Commission.

BACKGROUND

The WA Local Government Grants Commission visits all WA local governments to discuss the methodology used in calculating each individual local government's Financial Assistance Grants.

The Commission will be visiting the Shire of Yalgoo and conducting a Public Hearing on Thursday the 25th March 2021 from 10:30am to 12:30pm and it would be beneficial if as many Councillors as possible attended.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

COMMENT

As this hearing has been scheduled for the day before our Ordinary March Council meeting it is proposed that the March meeting be moved from 10am on Friday the 26th of March in Paynes Find to 1:00pm on Thursday 25th March in the Yalgoo Shire Council Chambers. The April Meeting could then be scheduled for Paynes Find.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0208 **CHANGE OF DATE – MARCH ORDINARY MEETING**

That Council:

- 1. resolves to conduct the 2021 March Ordinary Council Meeting in Yalgoo (Council Chambers) at 1:00pm on Thursday the 25th March; and**
- 2. changes the location of the 2021 April Ordinary Council Meeting to be held in Paynes Find (Community Centre).**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.4.3 GRANTS COMMISSION SUBMISSION

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	10 February 2021
Attachments	1. Letter from the Department of Local Government, Sport and Cultural Industries 2. Notice of Hearing

MATTER FOR CONSIDERATION

For Council to consider potential submissions that could be made to the Commission.

BACKGROUND

As part of the WA Local Government Grants Commission hearing local governments are requested to prepare a short presentation, highlighting the major challenges facing the local government and any projects that are happening in their district.

Organisations and individuals are also able to provide submissions for the consideration of the visiting delegates.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

COMMENT

Councillors are requested to provide the CEO with any information they feel should be presented or could be worthy of a submission to the Grants Commission that creates a case for the Shires allocation of General Purpose or Local Road Grants. In 2020-21 the Shires allocation of General Purpose Grants was \$1,798,502 and Local Road Grants was \$608,012 resulting in a total allocation of \$2,406,514.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0209 **GRANTS COMMISSION SUBMISSION**

That Council give consideration to providing a submission to the WA Local Governments Grants Commission.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.4.4 WORKFORCE PLAN REPORT

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 February 2021
Attachments	Optimal Organisation Structure

MATTER FOR CONSIDERATION

That Council receive the CEO's report regarding the Shire of Yalgoo Workforce Plan.

BACKGROUND

Attached is the Optimal Organisational Structure as determined by the Shires last Integrated Workforce Plan.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

In order to implement the Shires Community Strategic Plan employees and contractors with a wide range of skills are required to implement policies and projects that meet the communities expectations.

Assessment of Staff Salaries and Wages will be carried out as part of the budget review process or next financial year budget.

CONSULTATION

COMMENT

It appears that the Shire of Yalgoo has failed to fill its organisation structure (original or proposed) for some time. This is in some ways supported by recent yearly budget surpluses. It can also be seen when looking at Local Governments of a similar size in the Mid-West that the role of Deputy Chief Executive Officer is still of importance. Due to significant legislation changes and regular projects, it is suggested that administration pursue a versatile individual to help improve the Shires Governance and Financial position while maintaining the services of existing contractors.

Until a further assessment of the Shires Workforce Plan can be completed, it is proposed that Administration work to implement the existing Optimal Organisation Structure as attached with the position of Executive Manager Corporate and Community reverted back to the name of Deputy Chief Executive Officer. The three FTE Community positions reflect current arrangements for a Community Development Officer (CDO), CDO Trainee and Arts Centre Trainee.

It is also proposed that to remain inline with other Local Governments in the region that Executive Manager Works and Infrastructure be simply referred to as the Works Manager and Working Operational Manager by referred to as Works Supervisor. Administration will look to implement these Works related changes as part of the next EBA review, which will be required at the end of this financial year and may be impacted by an upcoming hearing of the Western Australian Industrial Relations Commission which has received a request from the Western Australian Municipal, Administrative, Clerical and Services Union of Employees to assess both a new Municipal Employees (Western Australia) Award and Local Government Officers (Western Australia) Award and replace our existing awards.

With significant staff turnover in the past 5-10 years it is important to identify areas where knowledge and skills can be developed. For the small size of the existing team it is extremely important to conduct succession planning so that the Shire is less impacted by changes in positions.

It is not intended that any of the positions in the structure be designated a senior employee as it relates to section 5.37 of the Local Government Act 1995.

The DCEO position may not necessarily be required to act in the position of Chief Executive Officer or will only do so in specific circumstances. A policy will be developed for Council consideration when required.

VOTING REQUIREMENTS - Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0210 WORKFORCE PLAN REPORT

That Council approve the use of the Organisational Structure as provided including the terminology changes from the existing Optimal Organisational Structure in the Workforce Plan and agree that none of the listed positions be classed as senior employees.

Moved: Cr Gail Trenfield

Seconded: Cr Raul Valenzuela

Motion put and carried: 5/0

Cr Trenfield left the meeting at 12:00pm and returned at 12:02pm

11.4.5 YALGOO ARTS & CULTURE COMMITTEE

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 February 2021
Attachments	Nil

MATTER FOR CONSIDERATION

That Council consider the removal of the terms of reference for the Shire of Yalgoo Arts and Cultural Committee Terms of Reference and incorporate arts and community development reporting into the Ordinary Council Agenda.

BACKGROUND

It appears that the community positions of the Arts and Cultural Committee have remained empty for some time even after advertising. It is considered appropriate by administration that reporting on community development and art outcomes could be included in the ordinary agenda on a quarterly basis.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

COMMENT

It is proposed that the existing objectives of the committee already form part of the position description for the Shires yet to be appointed Community Development Officer and the Arts Centre has been functional for some time.

1. Develop the Shires Arts and Culture Plan
2. To advocate and Develop relationships with the Arts and Culture sector and identify opportunities for partnership ventures.
3. To monitor trends, issues and development occurring at a local, regional, State and National levels in the Arts and Culture sector.
4. To develop an operations plan for the new Arts and Culture facility.
5. To monitor the ongoing operations of the new Arts and Cultural facility.

Rather than amend Standing Orders or change the format of the agenda it is proposed that the Community Development Officer provide a report to the CEO every three months for inclusion in the agenda.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0211 **DATE YALGOO ARTS & CULTURE COMMITTEE**

That Council incorporate the functions and reporting of the Arts and Culture Committee into the Ordinary Council Agenda.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

Motion put and carried:

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

Nil

13. URGENT BUSINESS

Nil

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 Thursday 25 March 2021 commencing at 1.00 pm.

16. MEETING CLOSURE

There being no further business, the President declared the Ordinary meeting closed at 12:17pm

DECLARATION

These minutes were confirmed at the Ordinary Council Meeting held on the 25 March 2021.

Signed: _____
Person presiding at the meeting at which these minutes were confirmed.