



UNCONFIRMED MINUTES
FOR THE ORDINARY MEETING
OF COUNCIL
TO BE HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON THURSDAY, 25 MARCH 2021
COMMENCING 1.00 PM



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Minutes for the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, Yalgoo
On Thursday, 25 March 2021 commencing at 1.00 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President Cr Gregory Payne declared the meeting open at 1.08pm

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 Tamisha Hodder
STAFF	Ian Holland, Chief Executive Officer Elisha Hodder, Executive Officer
GUESTS	Nil
OBSERVERS	Nil
LEAVE OF ABSENCE	Nil
APOLOGIES	Cr Percy Lawson

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Cr Gail Trenfield and Cr Tanisha Hodder disclosed a Financial interest in 11.4.6 Yalgoo Primary School Community Bus Use.

Cr Gail Trenfield, Cr Tanisha Hodder and Cr Gail Simpson disclosed a Proximity Interest in Item 11.4.1 Request For Donation.

4. PUBLIC QUESTION TIME

4.0 QUESTIONS TAKEN ON NOTICE

Nil

4.1 QUESTIONS TAKEN WITHOUT NOTICE

Nil

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.4.2 QUOTES TO WIDEN THE MORAWA YALGOO ROAD

President Cr Gregory Payne advised the Meeting will be closed to the Public to discuss the Quotes received for the tender on Yalgoo Morawa Road.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.0 MEETINGS ATTENDED BY ELECTED MEMBERS

Date	Details	Attended with whom
16-17 March 2021	Mental Health Workshop	Cr Raul Valenzuela Cr Tamisha Hodder Ian Holland, CEO

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 DCISION

C2021-0301 MINUTES OF THE ORDINARY MEETING HELD 26 FEBRUARY 2021

That the Minutes of the Ordinary Council Meeting held on 26 February 2021 be confirmed as a true and correct record of proceedings.

Moved: Cr Raul Valenzuela Seconded: Cr Gail Trenfield Motion put and carried: 5/0

9. REPORTS OF COMMITTEE MEETINGS

AUDIT COMMITTEE MEETING HELD 25 MARCH 2021

9.1 REPORT ON COMPLIANCE AUDIT RETURN 2020

AUTHOR:	IAN HOLLAND
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	18 March 2021
ATTACHMENTS :	2020 COMPLIANCE AUDIT RETURN

MATTER FOR CONSIDERATION

That the Committee give consideration to the Compliance Audit Return 2020 and recommend to Council that the Compliance Audit Return be adopted and certified by the President and Chief Executive Officer and a copy to be forwarded to the Department of Local Government Sport and Culture Industries by 31st March 2021.

BACKGROUND

Regulation 14 and 15 of the Local Government (Audit) Regulations 1996 requires that the Council carry out a Compliance Audit for the period 1st January to the 31st December in each year and be submitted to the Executive Director by the 31st March of the following year.

STATUTORY ENVIRONMENT

Local Government Act 1995 - 7.13. Regulations as to audits

- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —
- (i) of a financial nature or not; or
- (ii) under this Act or another written law.

Local Government (Audit) Regulations 1996

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3)
- (3A) The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (4) (3) After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —
- (5) (a) presented to the council at a meeting of the council; and
- (6) (b) adopted by the council; and
- (7) (c) recorded in the minutes of the meeting at which it is
- (8) adopted.

15. Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation —
 - certified in relation to a compliance audit return means signed by —
 - (a) the mayor or president; and
 - (b) the CEO.

BUSINESS IMPLICATIONS

Nil

CONSULTATION

Nil

COMMENT

The Shire of Yalgoo is required to carry out an Annual Compliance Audit for the period 1st January 2020 to 31st of December 2020. The Compliance Return for 2020 has been completed online on the Department of Local Government Sport and Culture Industries website and is attached for consideration.

The Compliance Return is to be adopted by Council and certified by the President and the Chief Executive Officer along with a copy of the relevant section of the Minutes be forwarded to the Director General by the 31st March 2021.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0302 Report on Compliance Audit Return 2020

That Council adopt the Audit Committee recommendation that the 2020 Compliance Audit Return be adopted and certified by the President and Chief Executive Officer and forwarded to the Department of Local Government along with the relevant section of the Minutes.

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 5/0

9.2 REPORT ON 2020-21 ANNUAL BUDGET REVIEW

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 March 2021
Attachments :	Statement of Financial Activities , Statement of Surplus/ Deficit, Statement of Closing Funds, Budget Analysis Worksheets

Matter for Consideration

That council review the 2020-21 Annual Budget Review

Background

Regulation 33A of the Local Government Act (Financial Management) Regulations 1996 requires that a Local Government between 1st February and 31st March in each year carry out a review of its Annual Budget for that year. A copy of the review and the determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

Council adopted a 10% or \$10,000.00 variance or whatever is the greater for the reporting of material variances identified in the annual budget review

Statutory Environment

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government’s financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

6.8. Expenditure from municipal fund not included in annual budget

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

- (1a) In subsection (1) —
 - additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.
- (2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Business Implications

Nil

Consultation

Dominic Carbone

Comment

A review of the Shire’s 2020-21 Annual Budget has been undertaken in accordance with the Financial Management Regulations and the following worksheets have been prepared;

Statement of Financial Activities	(refer attachments)
Statement of Surplus/ Defecate	(refer attachments)
Statement of Closing Funds	(refer attachments)
Budget analysis Worksheets	(refer attachments)

The review of the 2020-21 Annual Budget revealed:

- 1) An increase in operating revenue amounting to \$346,809 comprising of:

REVENUE

Increase in LRCI grants received	\$285,431
Decrease in intermin rating	(\$16,150)
Increase in financial assistance grants	\$16,975
Increase in FESA grant received	\$4,505
Decrease in staff housing rental	(\$3,000)
Increase in town planning fees	\$2,064
Increase in sponsorship -carols on the grass	\$3,000
Decrease in roads to recovery grant	(\$2,707)
Increase in DFES flood damage grant	\$32,501
Decrease in Emu cup funding	(\$25,000)
Increase in caravan park fees and charges	\$40,000
Increase in private works charges	\$3,305
Increase in commission vehicle licencing	\$1,500
Decrease other minor variances	\$4,385
	\$346,809

2) An decrease in operating expenditure amounting to \$301,586 comprising of:

EXPENDITURE

Increase in valuation expenses	(\$7,000)
Decrease in Members conference expenses	\$7,000
Decrease in consultancy CEO recruitment	\$6,250
Decrease in additional nurse expenses	\$50,000
Decrease in staff housing insurance expenses	\$2,502
Decrease in staff housing utilities	\$5,000
Increase in staff housing repairs and maintenance	(\$54,364)
Decrease in household refuse collection costs	\$5,000
Decrease in Yalgoo refuse site maintenance	\$20,778
Decrease in public conveniences maintenance	\$11,198
Increase in community bus expenses	(\$7,831)
Decrease in Yalgoo hall expenses	\$4,000
Increase in railway station ground maintenance	(\$42,000)
Decrease in Payne's Find complex maintenance	\$30,025
Increase in community oval pavilion maintenance	(\$47,101)
Decrease in celebration expenditure	\$6,000
Decrease in art centre operations and maintenance	\$24,559
Increase in roads inspection after rain	(\$7,673)
Increase in flood damage costs refer grant above	(\$32,501)
Decrease in rural road maintenance	\$163,077
Increase in Yalgoo airstrip maintenance	(\$6,000)
Decrease in Payne's Find airstrip maintenance	\$4,000
Decrease in contributions to MRVC vermin cell fence construction	\$218,000
Increase in caravan park operations	(\$68,044)
Decrease in emu cup event	\$39,000
Decrease in banners in the terrace	\$3,500
Increase in HCP project	(\$34,585)
Increase in private works expenses	(\$3,305)
Decrease other minor variances	\$12,101
	<u>\$301,586</u>

3)	Gain or loss on sale of assets:	
	Increase in proceeds from sale of assets	\$11,364
	Increase in net loss on sale of assets	<u>\$11,364</u>
4)	Furniture and Equipment	
	Minor saving - upgrade cabling admin. centre	\$889
		<u>\$889</u>
5)	Land and Buildings	
	Additional expend.on Yalgoo hall renovation due to additional LRCI grant received	(\$285,431)
	Savings -machinery shed concrete floor	\$1,819
		<u>(\$283,612)</u>
6)	Plant and Equipment	
	Over expenditure - CEO vehicle	
	Savings - grader	\$870
	Over expenditure - works foreman vehicle	
		<u>\$870</u>
7)	Roads Infrastructure	
	Less expenditure on roads to recovery -Yalgoo/Morawa rd. less grant received	<u>\$2,707</u>
8)	Infrastructure Recreation Facilities	
	Additional expend. Sports complex carpark and footpath to school	<u>(\$2,281)</u>
9)	Infrastructure Other	
	Additional expend. Yalgoo rubbish tip	<u>(\$18,062)</u>
10)	Reserve Funds	
	Additional transfer of funds - interest	<u>(\$650)</u>
10)	Book Value Of Assets Sold Written Back	
		<u>\$0</u>
11)	Surplus Brought Forward	
	Variance to 2019-20 end of year accruals	<u>(\$78,257)</u>
	Net Estimated Variance (Surplus)	<u><u>\$281,363</u></u>

Council is requested to authorise the following budget amendment.

- | | | |
|-----|--------------------------------------|-----------|
| (1) | Surplus Carried Forward increase by. | \$200,000 |
| (2) | Yalgoo Hall Renovation increase by | \$200,000 |

In order to allocate additional funds to the project Council is requested to give consideration to and adopt the Annual Budget Review.

Voting Requirements

Absolute Majority.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0303 Report on 2020-21 Annual Budget Review

That Council adopt the Audit Committee recommendation

- 1.) Adopts the 2020-21 Annual Budget Review together with the variations detailed in the Budget Analysis Worksheet attached to this Report.**

- 2.) A copy of the 2020-21 Annual Budget Review and the determination be provided to the Department of Local Government and Communities.**

- 3.) That the 2020-21 Annual Budget be amended as follows:**
 - Surplus Carried Forward increase by \$200,000.**
 - Yalgoo Hall Renovations increase by \$200,000.**

Moved: Cr Gail Trenfield

Seconded: Cr Tamisha Hodder

Motion put and carried: 5/0

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters

10.0 INFORMATION ITEMS

Sharing of operational information on items that are not confidential, do not require a decision and do not meet the definition of matters for which the meeting may be closed under section 5.23 of the Local Government Act (e.g.: matters affecting employee/s or the personal affairs of any person).

10.1 Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates.

CEO Ian Holland explained to council the new guidelines for the code of conduct for Council Member, committee members and candidates and advised Council this code is not in effect until Council adopts their own code based on legislated changes to Local Government Regulations. .

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:	Ian Holland, CEO
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	18 March 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 FEBRUARY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 28 February 2021
Governance					
000000-Admin Computers Hardware and System Upgrade	F & E	37,500	0	37,500	Cloud Svstem captured operationlv
000000-Admin Upgrade Cabling Fibre	F & E	13,000	12,111	889	Project complted with minor savings
000000-External Monitor Display	F & E	40,000	0	40,000	Project Commenced
000000-Admin Fire Proof Safe	F & E	11,000	813	10,187	Project Completed
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 – Tender prepared Feedback sought from WACHS
Communities Amenties					
000000- Community Bus	P & E	130,000	0	130,000	Project Completed – Purchase of Bull bar and seat covers
000000- Yalgoo Rubbish Tip	Other	0	18,062	(18,062)	within budget
Recreation and Culture					
000000 - Community Hall Renovations	L & B	600,000	0	600,000	Quantity Surveyor / Building report conducted
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 FEBRUARY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 28 February 2021
Transport					
000000- Machinery Shed Depot Concrete Floor 2 Bays	L & B	20,000	0	20,000	Project Completed
000000- Street Lighting	Other	50,000	0	50,000	Horizon Power conducting Business case for smart lighting
000000-Works Foreman Ute	P & E	75,000	0	75,000	Completed
000000- Grader	P & E	380,000	379,130	870	Project completed
000000- Trailer Side Tipper	P & E	180,000	0	180,000	Project Completed
000000- Truck Tipper	P & E	80,000	0	80,000	Project Completed
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	Project Commenced
000000- Paynes Find Public Toilets	Other	33,655	0	33,655	Project Completed
000000- Paynes Find Entry Statements	Other	30,000	0	30,000	Project Commenced
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	380,000	29,125	350,875	Project commenced - Quotes Received
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ninghan Road - Seal to width 4m	Roads	514,110	49,813	464,297	Project commenced - Capturing Data from Maintenance Account
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 FEBRUARY 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 28 February 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	57,372	282,628	Project Commenced
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	Horizon Business case for renewables - Quotes Received
		3,732,078	657,858	3,074,220	

VOTING REQUIREMENTS

Simple Majority

CEO Ian Holland explained to Council the status of each project.

Cr Gail Simpson requested the policy and fees be reviewed for the use and hire of the Community Bus.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0304 PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2020 - 2021

That Council receive the Progress Report on the Capital Works Program 2020 – 2021 as at 28 February 2021.

Moved: Cr Raul Valenzuela

Second: Cr Gail Trenfield

Motion put and Carried: 5/0

11.1.2 Technical Services Monthly Report as of the 18 March 2021

Author:	Craig Holland, Works Foreman
Interest Declared:	No interest to disclose
Date:	18 March 2021
Attachments	Nil

Matter for Consideration

That Council receives the Technical Services Monthly Report as at 18 March 2021.

Background

Nil

Statutory Environment

Nil

Statutory Implications

Nil

Consultation

Nil

Comment

1 ROAD CONSTRUCTION – CAPITAL

On going road works on the Yalgoo Ninghan Road.

2 ROAD MAINTENANCE - OPERATIONS

Maintenance grading done on the Yalgoo North Road, Badja Road, Yalgoo Ninghan Road and Ninghan Access Road.

3 OTHER INFRASTRUCTURE MAINTENANCE

Services carried out to YA800 and YA1000.

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.

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 maintenance conducted on the water park.

4.6 Yalgoo Caravan Park

General gardening maintenance is done every two weeks.
Toilet cistern changed out.

4.7 Paynes Find.

Roads around Paynes Find needs maintenance will commence in 10 days time.

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

Some plumbing work has been done to 19A Stanley Street.

4.11 Yalgoo Rubbish Tip

Tip edge pushed over once a week and tidies up.

4.12 Yalgoo & Paynes Find Airstrip

New light and batteries have arrived for the Yalgoo Airstrip.
Paynes Find airstrip checked, ok for now.

5 INFRASTRUCTURE - CAPITAL

Nil

6 PRIVATE WORKS

Maintenance Grade on Badja Station

7 PURCHASING

The new bus and tipper has arrived.

8 STAFF

A few staff members have attended the Mental Health Fist Aid Training held on 16-17 March 2021.

Voting Requirements

Simple Majority

Cr Greg Payne advised the Muralgarra -Wagga Wagga Road need to be assessed for flood damage.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0305 Technical Services Monthly Report as at the 18 March 2021

That Council:

Receive the Technical Services report as at 18 March 2021.

Moved: Cr Gail Trenfield

Seconded: Cr Gail Simpson

Motion put and carried: 5/0

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

See CEO report

11.3 FINANCE

11.3.1 ACCOUNTS FOR PAYMENT FEBRUARY 2021

AUTHOR:	Dominic Carbone
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	18 MARCH 2021
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

Council approve the Accounts for Payment list for the period 1 February 2021 to 28 February 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 sub regulation (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 February 2021 to 28 February 2021 are as follows:

**SHIRE OF YALGOO
LIST OF ACCOUNTS PAID AND PAYABLE
FOR THE PERIOD 1 FEBRUARY 2021 TO 28 FEBRUARY 2021**

	DATE	PAYEE	PARTICULARS	AMOUNT
	PAID			\$
1	5/02/2021	BOC LIMITED	RENTAL GAS CYCLINDER	329.50
2	5/02/2021	BUNNINGS BUILDING SUPPLIES	SUNDRY SUPPLIES	622.14
3	5/02/2021	CONSTRUCTION FUND AUSTRALIA	BCITF LEVY PAYMENT	491.75
4	5/02/2021	FIVE STAR BUSINESS EQUIPMENT	MAINTENANCE PHOTOCOPIER	212.49
5	5/02/2021	GERALDTON AIR COMPRESSOR	VESSEL INSPECTION AND REPORT	165.00
6	5/02/2021	GERALDTON MOWER AND REPAIR SPECIALISTS	CARAVAN PARK BRUSHCUTTER, BLADE AND BOLT SET FOR HONDA AND VICTA MOWERS	1,047.25
7	5/02/2021	GREAT NORTHERN RURAL SERVICES	RETICULATION - SPRINGLERS	528.00
8	5/02/2021	HODDER GINA	BOND REFUND CORE STADIUM	300.00
9	5/02/2021	INCITE SECURITY	SECURITY MONITORING ADMIN CENTRE	147.00
10	5/02/2021	IT VISION	SYNERGY ACCOUNTING SOFTWARE SUPPLY ,IMPLEMENTATION AND TRAINING PROGRESS PAYMENT	22,000.00
11	5/02/2021	KIN	2021 AUSTRALIA DAY PERFORMANCE	1,000.00
12	5/02/2021	MIDWEST LOCK AND SAFE	SUPPLY KEYS TO 18C SHAMROCK,19B STANLEY	320.00
13	5/02/2021	MIDWEST TURF SUPPLIES	FERTILISER CORE STADIUM AND RETICULATION REPAIRS CARAVAN PARK AND NURSING POST,CORE STADIUM OVAL RENOVATION SALT BUILDUP	25,500.30
14	5/02/2021	PAYNE GREGORY ARTHUR	COUNCIL MEETING FEES AND ALLOWANCES JANUARY 2021	1,850.98
15	5/02/2021	PAYNES FIND ROAD HOUSE AND TAVERN	ACCOMMODATION AND MEALS RAY WINFIELD	343.00
16	5/02/2021	RAUL VALENZUELA	COUNCIL MEETING FEES AND ALLOWANCES JANUARY 2021	529.67
17	5/02/2021	SIMPSON GAIL	COUNCIL MEETING FEES AND ALLOWANCES JANUARY 2021	821.34
18	5/02/2021	SIMPSON PHYLLIS	REFUND BUS HIRE BOND	400.00
19	5/02/2021	TOTALLY WORKWEAR GERALDTON	UNIFORM BRITT HOLLAND	228.28
20	5/02/2021	TRENFIELD GAIL	COUNCIL MEETING FEES AND ALLOWANCES JANUARY 2021	779.67
21	5/02/2021	WESTRAC EQUIPMENT PTY LTD	PARTS AND REPAIRS YA457,YA860	672.18
22	5/02/2021	WINC	CARAVAN PARK PAPER TOWELS AND INK	127.64
23	12/02/2021	AUSTRALIAN TAXATION OFFICE	BAS FOR NOVEMBER AND DECEMBER 2020	47,302.00
24	12/02/2021	BEAUREPAINES	TYRES FOR CAT TRUCK YA807	5,861.09
25	12/02/2021	CIVIC LEGAL	LEGAL FEES FOI REQUEST	1,650.00
26	12/02/2021	DEPARTMENT OF MINES,INDUSTRY REGULATIONS AND SAFETY	BCITF LEVY PAYMENT	847.79
27	12/02/2021	PROUDLOVES SMASH REPAIRS	VEHICLE REPAIRS YA840	300.00
28	12/02/2021	QUICK CORPORATE AUSTRALIA	OFFICE SUPPLIES	1,276.26
29	12/02/2021	STRATA GREEN	JARRAH STAKES CORE STADIUM	186.34
30	12/02/2021	WILLOUGHBY CONSTRUCTIONS	PROGRESS PAYMENT CHALET CARAVAN PARK	64,253.20
31	12/02/2021	WINC AUSTRALIA PTY LIMITED	CLEANING SUPPLIES ADMIN CENTRE	88.46
32	12/02/2021	YUIN PASTORAL	CONCRETE SLAB DEPOT MACHINERY SHED	45,705.00

SHIRE OF YALGOO
LIST OF ACCOUNTS PAID AND PAYABLE
FOR THE PERIOD 1 FEBRUARY 2021 TO 28 FEBRUARY 2021

DATE	PAYEE	PARTICULARS	AMOUNT	
PAID			\$	
33	19/02/2021	AERODROME MANAGEMENT SERVICES PTY LTD	AERODROME SAFETY INSPECTION	5,052.03
34	19/02/2021	ATYEO'S ENVIRONMENTAL HEALTH SERVICES	CONSULTANCY FEES - ENVIRONMENTAL HEALTH SERVICES	4,106.41
35	19/02/2021	AVLITE SYSTEMS	AIRSTRIIP SOLAR AVIATION LIGHTS	554.40
36	19/02/2021	BATTERY MART	BATTERY FOR KUBOTA GENSET	100.10
37	19/02/2021	BP MECHANICAL MAINTENANCE	SERVICE YA453 AND YA1683	770.00
38	19/02/2021	BRIDGED GROUP PTY LTD	COMPUTER MAINTENANCE SUPPORT	1,782.00
39	19/02/2021	BUNNINGS BUILDING SUPPLIES	SUNDRY SUPPLIES AND BOLLARDS FOR SHAMROCK PARK	1,749.63
40	19/02/2021	CANINE CONTROL	CONTRACT RANGER FEBRUARY 2021	1,143.45
41	19/02/2021	CIVIC LEGAL	LEGAL FEES AUSTRALIAN GEM RESOURCES	1,650.00
42	19/02/2021	DATACOM SYSTEMS PTY LTD	PAYROLL SERVICES JANUARY 2021	300.30
43	19/02/2021	FIVE STAR BUSINESS EQUIPMENT	MAINTENANCE PHOTOCOPIER	1,100.38
44	19/02/2021	GERALDTON APPLIANCE REPAIRS	REPAIRS TO WASHING MACHINE 18B SHAMROCK STREET	264.00
45	19/02/2021	GERALDTON TOYOTA	REPAIRS AND PARTS FOR YA1000 AND SERVICE FOR YA804	2,352.65
46	19/02/2021	GERALDTON TROPHY CENTRE	ENGRAVING OF PLAGUES CEO'S	66.00
47	19/02/2021	HODDER ELISHA	REIMBURSEMENT WORKING WITH CHILDREN APPLICATION FEE	87.00
48	19/02/2021	HODDER RHIANNON	PROCEEDS SALE OF ART	22.50
49	19/02/2021	HOPPYS PARTS R US	PARTS AIR ,OIL AND FUEL FILTERS	212.20
50	19/02/2021	INTERFIRE AGENCIES	PARTS FOR FIRE TRUCK	382.73
51	19/02/2021	JACKSONS DRAWINGS SUPPLIES	ART CENTRE SUPPLIES FOR AFTER SCHOOL ACTIVITIES	145.25
52	19/02/2021	KARL MONAGHAN PHOTOGRAPHY	PHOTOGRAPHY OF ORIGINAL PAINTINGS - ART CENTRE	560.00
53	19/02/2021	LUSCOMBE SYNDICATE	CARAVAN PARK SUPPLIES	375.05
54	19/02/2021	MARKETFORCE	ADVERTISING MEETING DATES	767.71
55	19/02/2021	MDF SERVICES PTY LTD	PARTS YA807	472.76
56	19/02/2021	MIDWEST LOCK AND SAFE	SUPPLY KEYS TO ADMIN CENTRE,CORE STADIUM,ART CENTRE,75 AND 74 WEEKES AND RACECOURSE AND LOCKS AND HANDLE CARAVAN PARK LAUNDRY	1,242.00
57	19/02/2021	PEARCE PAINTING AND DECORATING	EXTERIOR PAINTING 43 GIBBONS STREET	4,976.34
58	19/02/2021	POOL AND SPA MART	YALGOO WATER PARK,CHLORINE	100.20
59	19/02/2021	SIMPSON MARGARET	PROCEEDS SALE OF ART	585.00
60	19/02/2021	TOTALLY WORKWEAR GERALDTON	UNIFORM PATRICIA BENNELL	295.40
61	19/02/2021	TYREPOWER GERALDTON	TYRES YA1683	760.75
62	19/02/2021	VEOLIA ENVIRONMENTAL SERVICES	RUBBISH COLLECTION	4,089.14
63	19/02/2021	WARRIEDAR MINING PTY LTD	REFUND OVER PAYMENT OF RATES	10,982.81
64	19/02/2021	WESTRAC EQUIPMENT PTY LTD	PARTS AND REPAIRS SIDE BROOM ATTACHMENT	2,171.27
65	19/02/2021	YALGOO HOTEL MOTEL	COUNCIL MEETING LUNCHES ,LUNCHES AERODROME TRAINING,ACCOMMODATION AND MEALS BILL ATYEO,LUNCH ART CENTRE WORKSHOP	3,682.50
		TOTAL		278,788.29

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0306 ACCOUNTS FOR PAYMENT FEBRUARY 2021

That Council approve the list of accounts paid for the period 1 February 2021 to 28 February 2021 amounting to \$278,788.29 and the list be recorded in the Minutes.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put carried: 5/0

11.3.2 INVESTMENTS AS AT 28 FEBRUARY 2021

AUTHOR:	Dominic Carbone
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	18 MARCH 2021
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

That Council receive the Investment Report as at 28 February 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 28 February 2021.

SHIRE OF YALGOO CASH HOLDINGS AS AT 28 FEBRUARY 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	\$1,405,064.39
BENDIGO	N/A	Operating a/c	171336274	Ongoing	N/A	N/A	Variable	\$1,868,758.59
BENDIGO	N/A	Saving	171336282	Ongoing	N/A	N/A	Variable	\$25,068.84
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,129.82
TOTAL								\$3,351,021.64

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 FEBRUARY 2021 TO 28 FEBRUARY 2021						
NATIONAL AUSTRALIA BANK						
ACCOUNT N^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 28.02.2021	INVESTMENT TRANSFERS	CLOSING BALANCE 28.02.2021
171336282	Ongoing	Variable	\$25,051.07	\$17.77		\$25,068.84
24-831-4222	Ongoing	Variable	\$52,118.23	\$11.59	0	\$52,129.82
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

C2021-0307 INVESTMENTS AS AT 28 FEBRUARY 2021

That the Investment Report as at 28 February 2021 be received.

Moved: Cr Gail Simpson

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.3.3 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 28 FEBRUARY 2021

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	18 MARCH 2021
Attachments	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 28 February 2021; • Financial Activity Statement; ending 28 February 2021; • Summary of Current Assets and Current Liabilities as of 28 February 2021; • Statement of Current Financial Position as at 28 February 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;

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

C2021-0308 R34 (1) FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 28 FEBRUARY 2021.

That Council:

Adopts the Financial Activity Statement for the period ended 28 February 2021.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

Motion put and carried: 5/0

11.4 ADMINISTRATION

Cr Gail Trenfield, Cr Tanisha Hodder and Cr Gail Simpson disclosed a Proximity Interest in Item 11.4.1 Request For Donation but remained in the room and voted on the officer recommendation

11.4.1 REQUEST FOR DONATION.

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 March 2021
Attachments	Letter from Wheatbelt Christian Fellowship and supporting references

MATTER FOR CONSIDERATION

That Council give consideration to granting a donation towards the Wheatbelt Christian Fellowship.

BACKGROUND

Rev Geoff Schie represents the Wheatbelt Christian Fellowship a faith based organisation that is dedicated to visiting remote areas by aviation, assisting the Yalgoo Primary School. In 2018 the Shire provided a donation to help meet ongoing costs of flying to the region to assist in teaching.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 5.56

Policy 7.7 Donation and Sponsorship states the following:

1. As a general practice, Council will restrict making donations of cash, materials and/or works to organisations which benefit the local community.
2. Sponsorship of individuals will not be considered, unless it is determined by Council that –
 - The person is representing the Shire as a community,
 - Is acting for the Shire’s benefit to some extent, and
 - Is authorised by a non-profit and non-government organisation which benefits the community.

Policy Schedule 7.7 (b) – Criteria for Assessment of Requests

Applicants should note that donations will be made at the absolute discretion of Council and that Council may use the following criteria when addressing applications.

Donation requests will not be considered where;

- The applicant is a private and for profit organisation or association
- The applicant is an individual person
- The applicant is in relation to general fundraising

Priority will be given where;

- The applicant is a registered not for profit organisation and has a base or visible presence in the shire of Yalgoo.
- The applicant is a community group based in the Shire of Yalgoo or has visible presence within the Shire of Yalgoo or has a significant impact on residents of the Shire of Yalgoo.
- The applicant can demonstrate that the funds will provide some benefit to the Shire of Yalgoo residents.
- The funds are required for a new initiative or significant once off project.
- The applicant has not received a donation from Council within the previous two years.
- If the donation is for an event, entry to the event is free of charge to Shire of Yalgoo residents to attend and participate.

- The application is made in the financial year prior to the funds being required in time for inclusion in the coming year’s budget deliberations.

STRATEGIC IMPLICATIONS

CONSULTATION – Yalgoo Primary School

COMMENT

The Shire of Yalgoo has been presented with a request from Wheatbelt Christian Fellowship that is supported by the Yalgoo Primary School.

The School and Community appear very receptive of Geoff and his program with assistance in the music and performances at the end of year concert as well as assisting at the school throughout the year.

It should be noted that the school is responsible under the School Education Act 1999 to ensure religious education is non denomination and aligns with the Australian Curriculum.

The requested donation is currently outside the Members Donation Budget so it is proposed that \$1000 be donated this financial year and Council include a commitment of a further \$4000 donation in the 2021/22 Budget for donation in a few months time.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0309 REQUEST FOR DONATION

That Council approve the donation of \$1000 to the Wheatbelt Christian Fellowship for its support of education at the Yalgoo Primary School and agree to budget for a second \$4000 donation in the 2021/22 financial year.

Moved: Cr Gail Simpson

Seconded: Cr Raul Valenzuela

Motion put and carried: 5/0

11.4.2 QUOTES TO WIDEN THE MORAWA YALGOO ROAD

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 March 2021
Attachments	Two quotes to be tabled

MATTER FOR CONSIDERATION

That Council consider quotes received for the widening of 7.58km of Morawa-Yalgoo Road from SLK 17.54 to SLK29.49 from 4m to 7m.

BACKGROUND

The Shire of Yalgoo provided a request for quote document to four Local/Geraldton WALGA preferred suppliers for the abovementioned works. 2 responses was received from the four companies before the 4pm deadline March 19th 2021.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 5.56

STRATEGIC IMPLICATIONS

CONSULTATION

Red Dust Holdings, Centrals Earthmoving, Lenane Holdings and Rowe Contractors

COMMENT

Quotes received and officer assessment will be tabled at the Council Meeting.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION		
C2021-0310	<u>QUOTES TO WIDEN THE MORAWA YALGOO ROAD</u>	
<p>That Council accepts the quote from Rowe Contractors for the provision of 7.58km of road widening on Morawa Yalgoo Road for the sum of \$384,988.20 inc GST as per the quote received.</p>		
Moved: Cr Gail Simpson	Seconded: Cr Tamisha Hodder	Motion put and carried: 5/0

11.4.3 DEVELOPMENT APPLICATION EXPANSION PAYNES FIND ROADHOUSE

Author:	Paul Bashall, PLANWEST (WA) Pty Ltd – Planning Consultant
Officer:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	10 March 2021
Attachments	Development Application

MATTER FOR CONSIDERATION

That Council determine a Development Approval (DA) application for an extension to the Paynes Find roadhouse (Lot 14234 on Plan 73886, Great Northern Highway).

BACKGROUND

The Paynes Find roadhouse has provided an important stopping point on the Great Northern Highway for many years. The facility currently provides several functions for travelling tourists and operators. These services include a fuel station, tavern, caravan site and an outdoor eating area.

The roadhouse is located 423 kilometres from Perth, 155 from Yalgoo, 153 from Wubin and 143 from Mt Magnet. **Figure 1** shows the location in respect to the wider region.

FIGURE 1 – LOCATION PLAN



Source: Landgate, Planwest

Figure 2 provides an aerial photograph of the immediate surrounding area. **Figure 3** is a photograph from the Paynes Find Roadhouse web site showing the entrance to the facility.

FIGURE 2 – PHOTOGRAPH OF IMMEDIATE AREA



Source: Roadhouse web site, Planwest

The DA seeks the local government’s approval for several additional components including:

Guest accommodation units

The development includes 4x4 room guest accommodation units with ensuites, each building measuring 14m x 3m (although the report discusses 3 dongas consistent with the previous plan).

Staff accommodation units

This includes 2x4 room staff accommodation units and 1x4 room staff accommodation units with ensuites.

Laundry

A single 6m x 3m laundry building for guest and staff use.

Caravan Park

The new Site Plan shows the location of 5 new caravan sites. Each caravan stopover bay measures 10m x 10m with a 3m separation between bays.

Lot 14234 is the only freehold lot in the vicinity and therefore the DA will not need to be advertised for comment from neighbours. The property is owned by Outback Enterprises Pty Ltd and measures 2.73 hectares. The site is located on the corner of Paynes Find Townsite Road and Paynes Find Battery Road.

FIGURE 3 –ROADHOUSE ENTRY



Source: Roadhouse web site, Planwest

FIGURE 4 – PHOTOGRAPH OF EXISTING CARAVAN SITE AND MAIN BUILDINGS



Source: Roadhouse web site, Planwest

It is clear from **Figure 2** that the site abuts Paynes Find Town Road with the intersections of Paynes Find Town Road with the Highway remaining unchanged.

As the facility does not have direct access to Great Northern Highway, there is no need to refer the application to Main Roads WA., however it is important that any new crossovers be subject to the Council’s satisfaction in relation to location and construction standards.

• **STATUTORY ENVIRONMENT**

Local Planning Scheme No 2 (the Scheme) was gazetted on 5th October 2011. The southern part of Lot 14234 is zoned Special Use 2 with the northern part designated as a local scheme reserve for ‘Recreation’ (see **Figure 5**). The provisions for Special Use zones are detailed in Schedule 4 of the Scheme – as shown below.

Schedule 4 - Special use zones

No.	Description of land	Permitted Special Use	Conditions
1.	Proposed Lot Ptn Reserve 39961 Piesse St, Yalgoo	Caravan Park	Nil
2.	Lot 4315, 4234 and Lot 305 Great Northern Highway, Paynes Find. <i>AMD 1 GG 17/11/15</i>	Road House Short-term accommodation Caravan Park	1. Permitted use of Lot 305 is restricted to service station and automotive repair services that are consistent with motor vehicle repair.

Whilst the permissibility of uses in this the Special Use zone are controlled through Schedule 4 (above), development on the area designated as a local scheme reserves is different. Clause 3.4 of the Scheme is as follows.

3.4 Use and development of Local Reserves

3.4.1 A person must not —

- a) use a Local Reserve; or
- b) commence or carry out development on a Local Reserve,

without first having obtained planning approval under Part 9 of the Scheme.

3.4.2 In determining an application for planning approval the local government is to have due regard to —

- a) the matters set out in clause 10.2; and
- b) the ultimate purpose intended for the Reserve.

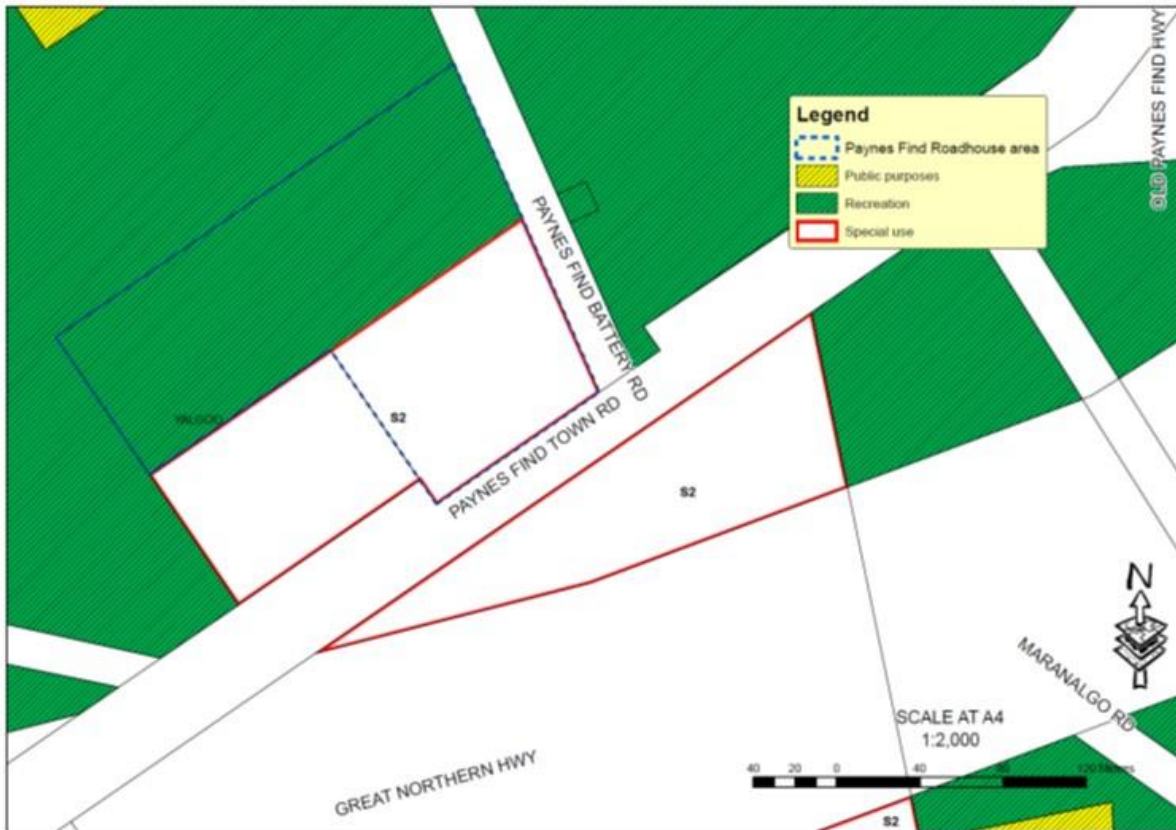
3.4.3 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for planning approval.

The Scheme does not prohibit the Council from determining a DA simply because of the ‘Recreation’ designation, however the Scheme should be amended in the next review to correct this anomaly.

The Scheme clearly outlines the process in clauses 3.4.2 (as shown above) for the Council to determine this DA.

Advice indicates that this local scheme reserve area was previously the subject of a Scheme amendment approved by the Council, however it appears that the amendment process has yet to be finalised.

FIGURE 5 – EXTRACT FROM SCHEME 2 MAPPING



Source: DPLH, Planwest

STRATEGIC IMPLICATIONS

The Council prepared a Local Planning Strategy in 2010 that was endorsed by the WA Planning Commission in March 2011.

The Community Strategic Plan is an important document that details the aspirations and future projects of the Shire of Yalgoo, as determined by the Council. The document is used to assist preparation of future budgets and support grant applications.

The Strategy focusses on Yalgoo Townsite and has no specific recommendations that impact the current DA at Paynes Find.

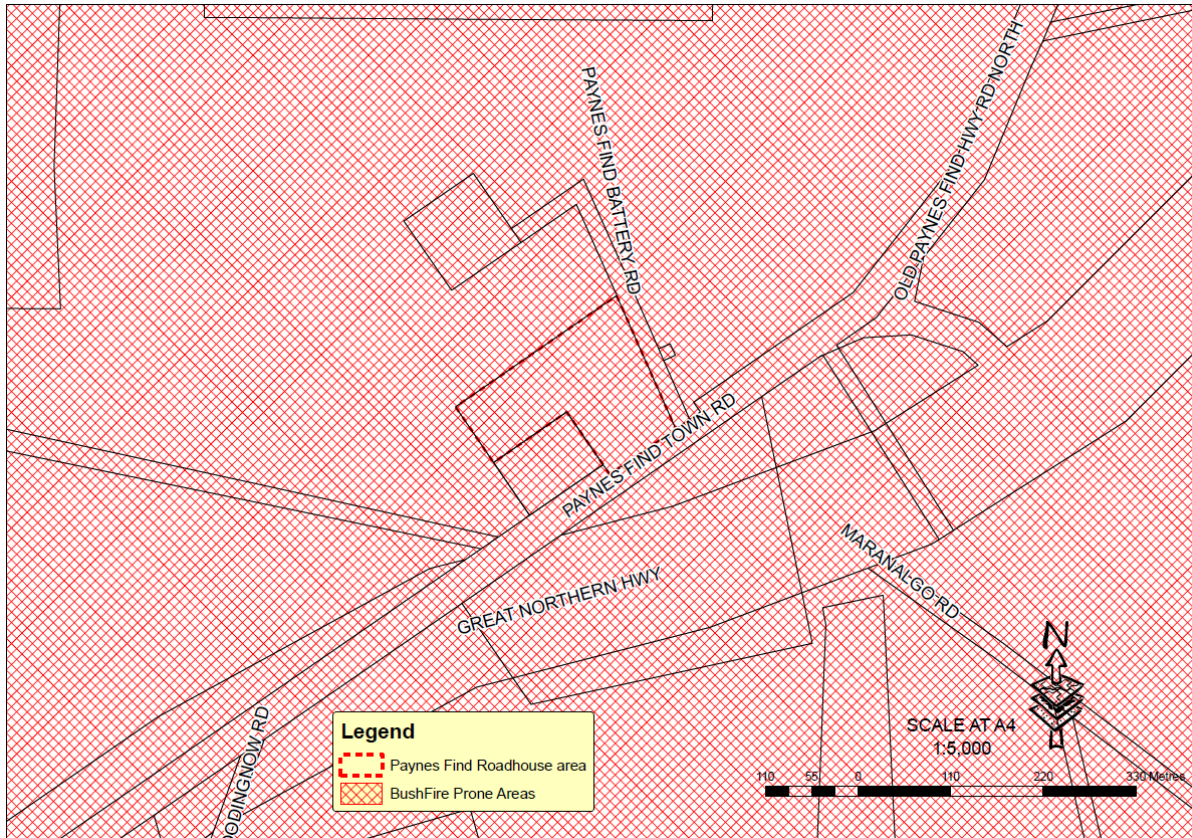
CONSULTATION – DPLH, Planwest (WA) Pty Ltd

COMMENT

The Paynes Find roadhouse is recognised as an important stopping place for travellers on Great Northern Highway and is supported by the Council.

Because the site is included in the State’s Bushfire Prone mapping area, the Council will need a Bushfire Management Plan to the satisfaction of the Council and/or the DFES (Department of Fire and Emergency Services). **Figure 6** shows the extent of the Bushfire Prone Mapping.

FIGURE 6 – BUSHFIRE PRONE MAPPING



Source: DPLH, DFES, Planwest

The original drawings for the DA were not at an acceptable standard for the Council to make a determination. As a result, the applicant was advised to resubmit these drawings.

The revised Site Plan now shows:

- Four new dongas for customers, (the original plans showed 3 dongas with the accompanying report mentions 3 dongas).
- A slightly different location of the staff accommodation and facilities.
- A new proposed toilet block.
- The location of a driveway and the location of the new caravan stopover bays.

None of these components are of concern in terms of use and location, however it is considered prudent to ensure that;

- a Bushfire Management Plan is prepared to the satisfaction of the local government.
- these components are setback 10m from boundaries (as shown on the revised Site Plan).
- the location of proposed driveway crossover to Paynes Find Battery Road is constructed in a location and to a standard acceptable to the local government.
- Septic tanks and toilet blocks are located, and built to a standard, acceptable to the local government.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0311 DEVELOPMENT APPLICATION EXPANSION PAYNES FIND ROADHOUSE

That Council approves the Development Approval application dated 26 February 2021, subject to the following conditions.

- 1. The preparation of a Bushfire Management Plan to the satisfaction of the local government.**
- 2. All new development to be located at least 10 metres from a Lot boundary (as shown on the Site Plan).**
- 3. All new crossovers to be in a location, and built to a standard, to the satisfaction of the local government.**
- 4. All development requiring drainage and effluent disposal is to be built to the satisfaction of the local government.**
- 5. Before the new development is occupied it is to be licensed with the Shire of Yalgoo under the Caravan and Camping Act 1995.**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.4.4 YALGOO RACES DONATION

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 March 2021
Attachments	Letter – Yalgoo Jockey Club

MATTER FOR CONSIDERATION

That Council offer its support towards the Yalgoo Race Meeting to be held on 24th April 2021.

BACKGROUND

For many years the Yalgoo Races has proven a very successful event. Last year and the year prior the event was cancelled and this year (2021) the event is scheduled for Saturday the 24th April. The Shire traditionally donates \$10,000.00 which is provided in our current budget towards the event and local mining companies also support the event financially.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 5.56

STRATEGIC IMPLICATIONS

The Yalgoo Races event is an important annual community event. Such events are supported in the Shire’s Community Strategic Plan.

CONSULTATION – Melissa Evans, Yalgoo Jockey Club

COMMENT

The Shire has received a request from the Jockey Club for a Donation of \$10,000 or the consideration of more due to price increases. On top of this, in kind support has been requested in the form of:

- Extra Rubbish Bins
- Lawns and Railway Building Maintenance (Construction of a partition wall in front of the toilet block doors
- Water Cart and Grader for the morning of the race and grading prior to race day
- Temporary Fencing

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION		
<u>YALGOO RACES DONATION</u>		
That Council agrees to donate the budgeted \$10,000 to the Yalgoo Jockey Club and assist with in kind support at the facility out of Old Railway Grounds and Building accounts		
Moved: Cr Gail Trenfield	Seconded: Cr Gail Simpson	Motion put and carried:

Discussion was raised that in previous years the money should be returned if the races do not go ahead.

An amendment to that affect was moved by Cr Raul Valenzuela and second by Cr Gail Simpson

” but in the event of the Yalgoo Race Meeting not going ahead the \$10,000 donation must be returned to the Shire of Yalgoo”.

There being no debate the motion was moved and carried 5/0

AMENDED /COUNCIL DECISION

C2021-0312 YALGOO RACES DONATION

That Council agrees to donate the budgeted \$10,000 to the Yalgoo Jockey Club and assist with in kind support at the facility out of Old Railway Grounds and Building accounts. but in the event of the Yalgoo Race Meeting not going ahead the \$10,000 donation must be returned to the Shire of Yalgoo.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.4.5 ROAD USE AGREEMENT POLICY

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	15 March 2021
Attachments	Proposed Policies 13.4 & 13.5 New CA07 Application Form WALGA User Guide Wear on Sealed Roads

MATTER FOR CONSIDERATION

That Council review its road use agreement and CA07 policies and consider changes that will bring the policies inline with WALGA research and advice from the State Solicitors Office.

BACKGROUND

It was proposed in January that a review of the Shires current CA07 and road use agreement policies be conducted.

Council adopted its 13.4 Assessment of CA07 Applications and 13.5 Road Use (RAV Haulage) Agreements Policies back in 2013. Since then new advice has been issued by WALGA and Main Roads WA proposed the removal of the CA07 Condition.

The CA07 Condition is still in place and no more information has been received since MRWA proposed a new notification process CA88 which received very little stakeholder support.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 5.56

STRATEGIC IMPLICATIONS

These policies provide for the sustainable repair of Shire Roads.

CONSULTATION

COMMENT

Costs or use of a CA07 letter have not been resolved with MRWA after its proposed removal in 2019, however it is the belief of WALGA that the State Solicitor has ruled that local governments cannot charge for “access to the network”. It is proposed that the application charges for a CA07 letter be removed for applications. This will promote haulage companies providing vehicle and contact details to the Shire which assists during emergencies and road closures. It is however proposed that the costs to enter into a road agreement are charged to an applicant and accurately reflect the cost to the local government of entering into the agreement.

These changes will not be retrospective and will apply to new applications received after the policy is adopted by Council.

All applicants will be required to provide details so that administration can determine if a freight activity is considered an extraordinary load as per the provided policy. Where the freight activity is considered to be extraordinary the application, report and proposed agreement will be presented to Council with in principal support in the first instance.

It may be the case that the operations of one entity is generating excessive freight but the product/s is split between multiple haulage operators. If the Shire of Yalgoo becomes aware of extraordinary freight tasks relating to an entity it will request the company to enter into a voluntary road use agreement based on its applicable policies. Where this has not occurred a Road Authority may recover expenses of damage caused by heavy traffic under the Statutory Powers outlined in the proposed Heavy Vehicle Cost Recovery Policy for Sealed Roads namely the Road Traffic (Administration) Act 2008.

Due to the uncertainty and potential unlawfulness of the CA07 condition the following policies are proposed for adoption noting that only conditions applied by Main Roads are enforceable and any conditions would have to be considered and sent through to Main Roads when adding or amending a road on the RAV network.

As it is time consuming to maintain heavily trafficked unsealed roads it is proposed that Council consider proposals for sealing or self-management of unsealed roads.

It is considered fair under road use agreements that freight task generators pay a financial “social contribution”. This is guided by many factors such as the use of Shire facilities and infrastructure by workers brought into the area, affects on amenity by truck operation and contributing to the community where an entity is making a commercial gain.

This policy change will necessitate the removal of CA07 permit applications fees and the fixed charging rate from the Shires Fees and Charges. The new marginal rate under the proposed policy will be different to the existing cents/tonne/kilometre and takes into account concessional loading and vehicle class. Different vehicle configurations produce less wear or damage to roads. The policy also differentiates between different road types.

VOTING REQUIREMENTS - Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION		
C2021-0313	<u>ROAD USE AGREEMENT POLICY</u>	
That Council:		
1. remove from the fees and charges the CA07 application fees;		
2. remove from the fees and charges the road use agreement rate of 1.62c/T/km		
3. Adopt new policies 13.4 and 13.5 to replace those existing policies.		
Moved: Cr Raul Valenzuela	Seconded: Cr Gail Trenfield	Motion put and carried: 5/0

Cr Gail Trenfield and Cr Tanisha Hodder disclosed a Financial interest in 11.4.6 Yalgoo Primary School Community Bus Use and left the meeting at 2.15pm.

11.4.6 YALGOO PRIMARY SCHOOL COMMUNITY BUS USE

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 March 2021
Attachments	Letter from Yalgoo Primary School

MATTER FOR CONSIDERATION

That Council give consideration to the Yalgoo Primary Schools request to not charge day hire rates for the schools use of the community bus.

BACKGROUND

It is not reflected in Council Policy but it is anecdotally supported that the Shire has provided use of the Community Bus to the Yalgoo Primary School free of charge.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 5.56

STRATEGIC IMPLICATIONS

CONSULTATION – Yalgoo Primary School

COMMENT

For the above request to be considered this would result in the debt write off of a trip to Shark Bay totalling \$375 in 2019. The school has also made a booking of the bus for swimming lessons.

Whether or not the Yalgoo Primary School has been charged for use of the community bus in the past appears to have been ad hoc.

Excursions or programs run by the school are of benefit to the youth in the community. The Shire already subsidises this by providing a community bus, noting that great expense would be incurred if a company was hired out of Geraldton.

Council may consider this per excursion, as a general position or provide for example \$1500 of use in kind being approximately 2 weeks. This would not include fuel or the responsibilities of keeping the vehicle in good condition.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0314 YALGOO PRIMARY SCHOOL COMMUNITY BUS USE

That Council:

- 1. accepts that Invoice 314 for \$375.00 being a Yalgoo Primary School Trip to Shark Bay be written off; and**
- 2. provides a maximum of 21 days use of the community bus per year, to the Yalgoo Primary School at no charge.**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

Motion put and carried: 3/0

Cr Raul Valenzuela left the meeting at 2.23pm

Cr Gail Trenfield and Cr Tamisha Hodder returned to the meeting at 2.25pm

Cr Raul Valenzuela returned to the meeting at 2.25pm

11.4.7 Application for STAND Telecommunications Project

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 March 2021
Attachments	Nil

MATTER FOR CONSIDERATION

That Council consider applying for two NBN fixed satellite services under the Commonwealth STAND (Strengthening Telecommunications Against Natural Disasters) Project.

BACKGROUND

In response to the Black Summer fires of 2019/20, the Commonwealth provided \$37.1m to be administered by the STAND (Strengthening Telecommunications Against Natural Disasters) Project, to enhance telecommunications resilience in the face of bushfire emergencies. This was subsequently enhanced to include communities affected by severe weather events such as cyclones and flooding. STAND funding will provide fixed and portable satellite communications services, and extend battery life to some of the State’s mobile phone towers.

Local Governments have been invited to determine their towns/communities best location for a service.

STATUTORY ENVIRONMENT - Local Government Act 1995, Section 5.56

STRATEGIC IMPLICATIONS

CONSULTATION

COMMENT

Local Governments can apply for the provision of NBN fixed satellite services to facilities such as community evacuation centres, community halls or Local Government offices. WA has been allocated 370 of these devices with the expectation that approved applications will see services installed before the coming fire season. A trial is currently being conducted in 19 Local Government locations. This capability is designed to provide internet access and the ability to make phone calls for a minimum of 40 community members concurrently using the service during emergency events. The service operates all the time in “standby” mode giving basic throttled access, and when an emergency event occurs, the service is expanded to “fully activated” for the duration of the telecommunications outage/emergency.

The service is installed free of charge and recurrent costs will be met by the Commonwealth for the first three years. Details of likely costs post three years have yet to be provided – NBN has indicated that \$150/month is to be used as a guide for now noting this will likely change when the pricing models are finalised in 2023.

It is proposed that the Shire submit an application for the Shire of Yalgoo Administration Office and the Paynes Find Community Centre noting that there is no mains power at the Paynes Find location.

VOTING REQUIREMENTS - Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2021-0315 Application for STAND Telecommunications Project

That Council supports an application for a Commonwealth funded NBN fixed satellite emergency service at the Yalgoo Administration Office and Paynes Find Community Hall noting that that operating costs will be incurred from 2023 if successful.

Moved: Cr Gail Trenfield

Seconded: Cr Gail Simpson

Motion put and carried: 5/0

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

Nil

13. URGENT BUSINESS

A discussion took place in relation to The Yalgoo Jokey Club and Damages done to Roof tops of properties after the last big rain.

No Council decisions were made.

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, Payne Find on Friday 30 April 2021 commencing at 10.00 am.

16. MEETING CLOSURE

There being no further business, the President declared the Ordinary meeting closed at 2.49pm

DECLARATION

These minutes were confirmed at the Ordinary Council Meeting held on the 30 April 2021.

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