



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON FRIDAY, 28 MAY 2021
COMMENCING 10.00 AM



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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, Yalgoo
On Friday, 28 May 2021 commencing at 10.00 am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President Cr Gregory Payne declared the meeting open at 10.05 am and welcomed guests and presenters.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Greg Payne, Shire President Cr Gail Trenfield, Deputy President Cr Raul Valenzuela Cr Tamisha Hodder
STAFF	Ian Holland, CEO Diane Hodder, ESO
GUESTS	Sergeant Michael Gill, Yalgoo Police Station Reece Olney, Mt Gibson Iron Lisa Dumbrell, APA Group Derek Prentice, APA Group
OBSERVERS	NIL
LEAVE OF ABSENCE	NIL
APOLOGIES	Cr Percy Lawson Cr Gail Simpson

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Cr Gail Trenfield declared an interest on item 11.4.6 Emu Festival Artwork

4. PUBLIC QUESTION TIME

4.0 QUESTIONS TAKEN ON NOTICE

NIL

4.1 QUESTIONS TAKEN WITHOUT NOTICE

Michael Gill Sergeant Yalgoo Police Station asked what could be done about dogs that approach people in public and cause a nuisance to residents.

The CEO requested that every time someone experienced an issue with a dog, that they provide a written complaint that can be followed up by the Shire Ranger.

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.4.9 Request for Road Use Agreement between the Shire of Yalgoo and Mount Gibson Mining Limited

6. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.0 MEETINGS ATTENDED BY ELECTED MEMBERS

Date	Details	Attended with whom
20/05/2021	LEMC Meeting	Cr Greg Payne, Shire President 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 DECISION

C2021-0501 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 30 APRIL 2021

That the Minutes of the Ordinary Council Meeting held on 30 April 2021 be confirmed as a true and correct record of proceedings.

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 4/0

9. REPORTS OF COMMITTEE MEETINGS

NIL

Attendance: Cr T Hodder joined the meeting at 10.33 am.

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).

Council received a presentation from APA Group on their expected timeline and job opportunities relating to a new gas pipeline that will be constructed from Geraldton to Leinster.

A second presentation was received from Mt Gibson Iron who intend to use Shire Roads to transport Iron Ore after a rail opportunity did not eventuate. This included the scope and opportunities of their new Shine Project.

Attendance: Cr G Payne left the meeting at 10.45

Attendance: Cr G Payne re-joined the meeting at 10.47 am.

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

NIL

Attendance: *Cr G Trenfield left the meeting at 11.44am*
Cr R Valenzuela left the meeting at 11.46am
Cr R Valenzuela re-joined the meeting at 11.47am
Cr G Trenfield re-joined the meeting at 11.47am

ADJOURNMENT

President Cr Gregory Payne requested a motion be moved to adjourn the meeting for a 15 minute break.

The motion was moved by Cr Raul Valenzuela and second by Cr Tamisha Hodder

There being no debate on the matter the motion was put and carried 4/0

Meeting adjourned at 11.47am

Meeting resumed at 12.00pm with all Councillors and Officers

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 May 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 APRIL ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 30 April 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 savings
000000-External Monitor Display	F & E	40,000	766	39,234	Project commenced
000000-Admin Fire Proof Safe	F & E	11,000	813	10,187	Project commenced
000000-Financial Software	F & E	100,000	80,000	20,000	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	111,727	18,273	Project completed with savings
000000- Yalgoo Rubbish Tip	Other	0	18,062	(18,062)	Expenditure not budgeted
Recreation and Culture					
000000 - Community Hall Renovations	L & B	600,000	2,000	598,000	
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	18,182	11,074	Project commenced

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

		2020-21 ANNUAL BUDGET	2020-21 APRIL ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 30 April 2021
Transport					
000000- Machinery Shed Depot Concrete Floor 2 Bays	L & B	20,000	23,368	(3,368)	Project completed with over expenditure
000000- Street Lighting	Other	50,000	4,759	45,241	Project commenced
000000-Works Foreman Ute	P & E	75,000	69,913	5,087	Project completed with savings
000000- Grader	P & E	380,000	379,130	870	Project completed with minor savings
000000- Trailer Side Tipper	P & E	180,000	192,270	(12,270)	Project completed with over expenditure
000000- Truck Tipper	P & E	80,000	69,170	10,830	Project completed with savings
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	239,119	140,881	Project commenced
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ninghan Road - Seal to width 4m	Roads	514,110	49,813	464,298	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 APRIL ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
	\$	YTD \$	\$	
By Program				The CEO to provide a verbal update on the status of the capital projects as at 30 April 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	169,009	170,991	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	
	3,732,078	1,445,334	2,286,744	

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0502 PROGRESS REPORT ON THE CAPITAL WORKS PROGRAM 2020 - 2021

That Council receive the Progress Report on the Capital Works Program 2020 – 2021 as at 30 April 2021.

Moved: Cr Gail Trenfield

Second: Cr Tamisha Hodder

Motion put and Carried: 4/0

ADJOURNMENT

President Cr Gregory Payne requested a motion be moved to adjourn the meeting for a break.

The motion was moved by Cr Raul Valenzuela and second by Cr Gail Trenfield

There being no debate on the matter the motion was put and carried 4/0

Meeting adjourned at 12:32am

Meeting resumed at 1:24pm with all Councillors and Officers

11.1.2 Technical Services Monthly Report as of the 25 May 2021

Author:	Craig Holland, Works Foreman
Interest Declared:	No interest to disclose
Date:	25 May 2021
Attachments	Nil

Matter for Consideration

That Council receives the Technical Services Monthly Report as of 25 May 2021.

Background

Nil

Statutory Environment

Nil

Statutory Implications

Nil

Consultation

Nil

Comment

1 ROAD CONSTRUCTION – CAPITAL

Yalgoo/Ningham Road – RRG Road Works.

Yalgoo/Morawa Road - Rowe Contractors working on Yalgoo/Morawa Road widening shoulders ready for sealing.

2 ROAD MAINTENANCE - OPERATIONS

Yalgoo/Ningham Road – South End graded.

Maintenance grading done on Yalgoo North Road, Pindathuna Road, Ningham Road & Maranalgo Road.

3 OTHER INFRASTRUCTURE MAINTENANCE

YA 465 – 500 hour service maintenance

YA 860 – 500 hour service maintenance

4 PARKS, RESERVES AND PROPERTIES

4.1 Art & Culture Centre

General gardening maintenance carried out.

Mural in Perth being framed.

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 gardening maintenance conducted on water park.

Shade sails completed.

4.6 Yalgoo Caravan Park

General gardening maintenance is done every two weeks.

Water leaks repaired

4.7 Paynes Find.

Air Strip inspected all ok.

4.8 Railway Station

General gardening maintenance conducted on a weekly bases Mowing, pruning and watering.

Parts ordered to repair oven.

Septic tanks pumped out.

Showers & Toilets repaired in Jockey Club Room.

Race track graded & watered.

4.9 Yalgoo Nursing Post

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

4.10 Staff Housing

Nil

4.11 Yalgoo Rubbish Tip

Nil

4.12 Yalgoo & Paynes Find Airstrip

Inspected lights and are all working

5 INFRASTRUCTURE - CAPITAL

Nil

6 PRIVATE WORKS

Nil

7 PURCHASING

Nil

8 STAFF

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0503 Technical Services Monthly Report as of 25 May 2021

That Council:

Receive the Technical Services report as of 25 May 2021.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

NIL

11.3 FINANCE

11.3.1 ACCOUNTS FOR PAYMENT APRIL 2021

AUTHOR:	Dominic Carbone
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	19 May 2021
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

Council approve the Accounts for Payment list for the period 1 April 2021 to 30 April 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 April 2021 to 30 April 2021 are as follows:

SHIRE OF YALGOO
LIST OF ACCOUNTS PAID AND PAYABLE
FOR THE PERIOD 1 APRIL 2021 TO 30 APRIL 2021

DATE	PAYEE	PARTICULARS	AMOUNT
PAID			\$
1/04/2021	ATOM SUPPLY	TOOLS	252.03
1/04/2021	ATYEO'S ENVIRONMENTAL HEALTH SERVICES	CONSULTANCY - EHO	7,556.22
1/04/2021	AUSSIE TREE SERVICES	TREE PRUNING	5,021.39
1/04/2021	AUSTRALIAN TAXATION OFFICE	BAS FEBRUARY 2021	18,690.00
1/04/2021	BATAVIA COAST	SUPPLY AND INSTALL SHADE SAILS AND POSTS	39,271.50
1/04/2021	BOC LIMITED	CONTAINER SERVICE DEPOT	236.79
1/04/2021	BOQ ASSET FINANCE & LEASING PTY LTD	RENTAL PHOTOCOPIER	329.50
1/04/2021	BUNNINGS	ICEBOXS AND CONSUMABLES	925.06
1/04/2021	CANINE CONTROL	CONTRACT RANGER MARCH 2021	2,286.90
1/04/2021	CLEANPAK SOLUTIONS	CHEMICALS	367.60
1/04/2021	CLEVERPATCH	ART SUPPLIES	500.99
1/04/2021	COURIER AUSTRALIA	FREIGHT	978.94
1/04/2021	DANTHONIA DESIGNS	CONSULTANCY - PAYNES FIND ENTRY STATEMENT AND DISPLAY BOARD	843.32
1/04/2021	DENNISON GAYE	REIMBURSEMENT- WORKSHIRT,SHOWER ARM,TRAIN FARE AND MEAL ALLOWANCE STAFF TRAINING	152.24
1/04/2021	FIVE STAR BUSINESS EQUIPMENT & COMMS	SERVICE PHOTOCOPIER	409.90
1/04/2021	GERALDTON TOYOTA	SERVICE YA840,YA1000 AND YA800	1,330.20
1/04/2021	GREAT NORTHERN RURAL SERVICES	CHE - LIQUID MOSQUITO FILM	185.90
1/04/2021	HODDER TAMISHA	COUNCIL MEETING FEES AND ALLOWANCES MARCH 2021	1,229.01
1/04/2021	HOLLAND CRAIG	REIMBURSEMENT CARAVAN PARK CORDLESS VACUUM CLEANER	284.05
1/04/2021	J R & A HERSEY	WORKSHOP SUPPLIES	1,335.95
1/04/2021	LANDGATE	VALUATIONS MINIG TENEMENTS	40.60
1/04/2021	LO - GO APPOINTMENTS	CONSULTANY - CEO PERFORMANCE REVIEW	3,448.50
1/04/2021	LUSCOMBE SYNDICATE	CARAVAN PARK SUPPLIES	141.29
1/04/2021	MCSPORRAN JESSEE	WILD DOG BOUNTY	220.00
1/04/2021	MDF SERVICES PTY LTD	PARTS FOR YA809	237.04
1/04/2021	MIDWEST CHEMICAL & PAPER	CARAVAN PARK CONSUMABLES	99.58
1/04/2021	MISWEST TURF SUPPLIES	FERTILIZER CORE STADIUM OVAL	2,607.50
1/04/2021	MURCHISON CLUB HOTEL	ACCOMMODATION AND MEALS CEO	143.00
1/04/2021	MURCHISON RAMMED EARTH PTY LTD	PROGRESS PAYMENT - CARAVAN PARK NEW CHALETs	68,200.00
1/04/2021	PAYNE GREGORY ARTHUR	COUNCIL MEETING FEES AND ALLOWANCES MARCH 2021	1,969.98
1/04/2021	PLANWEST	CONSULTANCY - PLANNING SERVICES PAYNES FIND ROADHOUSE	1,633.50
1/04/2021	QUICK CORPORATE AUSTRALIA	OFFICE STATIONERY SUPPLIES	811.95
1/04/2021	RAUL VALENZUELA	COUNCIL MEETING FEES AND ALLOWANCES MERCH 2021	645.67
1/04/2021	REECE AUSTRALIA	CARAVAN PARK REPAIRS - PARTSFOR CISTERNS	120.54
1/04/2021	REFUEL AUSTRALIA	FUEL SUPPLIES FEBRUARY 2021	14,088.32
1/04/2021	SHIRE OF MOUNT MAGNET	CONTRIBUTION MURCHISON GEO TOURISM PROJECT	7,602.00
1/04/2021	SIMPSON GAIL	COUNCIL MEETING FEES AND ALLOWANCES MARCH 2021,BUS HIRE BOND REUND	745.67
1/04/2021	SUN CITY PRINT	HERITAGE BROCHURES	650.00

SHIRE OF YALGOO
LIST OF ACCOUNTS PAID AND PAYABLE
FOR THE PERIOD 1 APRIL 2021 TO 30 APRIL 2021

DATE	PAYEE	PARTICULARS	AMOUNT
PAID			\$
1/04/2021	TOLL TRANSPORT PTY LTD	FREIGHT	1,300.77
1/04/2021	TRENFIELD GAIL	COUNCIL MEETING FEES AND ALLOWANCES MARCH 2021	895.67
1/04/2021	TRUCK CENTRE WA PTY LTD	PARTS FOR YA809 AIRBAGS	528.95
1/04/2021	VEOLIA ENVIRONMENTAL SERVICES	RUBBISH COLLECTION SERVICE	5,111.43
1/04/2021	WESTCOAST SEAFOOD	REFRESHMENTS COUNCIL MEETINGS	64.00
1/04/2021	WESTERN INDEPENDENT FOODS	CARAVAN PARK CLEANING SUPPLIES AND FOOD FOR RESALE	326.27
1/04/2021	WESTRAC EQUIPMENT PTY LTD	PARTS FOR YA853	949.66
1/04/2021	WURTH	DEPOT SUPPLIES	97.35
		TOTAL	194,866.73

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0504 ACCOUNTS FOR PAYMENT APRIL 2021

That Council approve the list of accounts paid for the period 1 April 2021 to 30 April 2021 amounting to \$194,866.73 and the list be recorded in the Minutes.

Moved: Cr Raul Valenzuela

Seconded: Gail Trenfield

Motion put carried: 4/0

11.3.2 INVESTMENTS AS AT 30 APRIL 2021

AUTHOR:	Dominic Carbone
INTEREST DECLARED:	NO INTEREST TO DISCLOSE
DATE:	19 MAY 2021
ATTACHMENTS	NIL

MATTER FOR CONSIDERATION

That Council receive the Investment Report as at 30 April 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 30 April 2021.

SHIRE OF YALGOO CASH HOLDINGS AS AT 30 APRIL 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	\$1,671,662.09
BENDIGO	N/A	Operating a/c	171336274	Ongoing	N/A	N/A	Variable	\$992,980.17
BENDIGO	N/A	Saving	171336282	Ongoing	N/A	N/A	Variable	\$25,070.87
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,130.71
TOTAL								\$2,741,843.84

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 APRIL 2021 TO 30 APRIL 2021						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 30.04.2021	INVESTMENT TRANSFERS	CLOSING BALANCE 30.04.2021
171336282	Ongoing	Variable	\$25,051.07	\$19.80		\$25,070.87
24-831-4222	Ongoing	Variable	\$52,118.23	\$12.48	0	\$52,130.71
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**C2021-0505** INVESTMENTS AS AT 30 APRIL 2021

That the Investment Report as at 30 April 2021 be received.

Moved: Cr Gail Trenfield

Seconded: Cr Tamisha Hodder

Motion put and carried: 4/0

11.3.3 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 30 APRIL 2021

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 MAY 2021
Attachments	<ul style="list-style-type: none">• Statement of Comprehensive Income ending the 30 April 2021;• Financial Activity Statement; ending 30 April 2021;• Summary of Current Assets and Current Liabilities as of 30 April 2021;• Statement of Current Financial Position as at 30 April 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

C2021-0506 R34 (1) FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED THE 30 APRIL 2021.

That Council adopts the Financial Activity Statement for the period ended 30 April 2021.

Moved: Cr Gail Trenfield

Seconded: Cr Raul Valenzuela

Motion put and carried: 4/0

11.4 ADMINISTRATION

11.4.1 Exploration Licence over Noongal Townsite

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	18 May 2021
Attachments	Referral to Shire of Yalgoo

MATTER FOR CONSIDERATION

That Council provide comment on an exploration licence 59/2077 over the Gazetted/Historical Noongal Townsite applied for by Firefly Resources.

BACKGROUND

In September 2020 the Shire was requested to provide endorsement for mining exploration activity over the Noongal Townsite. The Acting CEO at the time provided an unfavourable response until clarification could be sought in relation to the current Yamatji Nation Claim. Administration is also still unable to verify existence of a cemetery within the town. The Department of Mines, Industry Regulation and Safety have requested that the Shire of Yalgoo reconsider this matter.

The Yamatji Nation Indigenous Land Use Agreement (YNILUA) was conclusively registered effective 26 October 2020. The YNILUA allows for land to be allocated to the Yamatji Nation. File Notation Area (FNA) 15090 notifies those lots within the Noongal Townsite that have been allocated to a proposed Part IV Reserve under the Land Administration Act 1997 with the power to lease for Social, Cultural and/or Economic Benefit under the YNILUA. The creation of the Reserve is expected to take some time. On creation of the Part IV Reserve under the YNILUA, Yamatji Nation will become the vesting authority with approval for access.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

As the Shire will likely not be the vesting authority in the future a request for comment was sent through to the Department of Premier and Cabinet group working on the Yamatji Nation Agreement. A response was received from the Department of Planning, Lands and Heritage.

The DPLH has established a land working group with the Bundi Yamatji Aboriginal Corporation, and will advise BYAC of any mining applications submitted over land committed under the YNA. DMIRS sought consent from the Department of Planning, Lands and Heritage. A response was received on 11 January 2021 in which DPLH and the Minister for Lands approves/raises no objections to the licence over Noongal Townsite subject to the consent of the Shire of Yalgoo.

COMMENT

Under the Native Title Act, exploration or mining activity invokes the 'right to negotiate,' which provides an opportunity for native title parties to negotiate agreements with proponents. These agreements detail the conditions for undertaking the particular future act, including in some cases provision for employment and training, environmental or cultural heritage protection or compensation and payments. If the parties are unable to reach an agreement, a party may apply to the Native Title Tribunal for a determination.

It would appear from the mapping provided that the current program is located to the South East of the townsite. It is likely that this program will impact a 23.79ha section of Unallocated Crown Land that is proposed to be a reserve with the power to lease.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0507 Exploration Licence 59/2077

That Council agree to the endorsement and condition provided in the referral from the Department of Mines, Industry Regulation and Safety for Exploration License 59/2077 while noting that surface disturbance should be kept to a minimum on land currently identified for the Yamatji Nation Indigenous Land Use Agreement.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

11.4.2 APA Northern Goldfields Interconnect Gas Pipeline

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	21 May 2021
Attachments	Referral to Shire of Yalgoo

MATTER FOR CONSIDERATION

That Council approve the undertaking of works within Shire Road Reserves.

BACKGROUND

APA Group are currently in the final stages of approvals and tenders for a Gas Pipeline that will extend from Geraldton to Leinster and connect the Goldfields Gas Pipeline to the Dampier Bunbury Natural Gas Pipeline corridor. The proposed location of this pipeline mainly within the State Infrastructure Corridor has been previously provided to Council.

STATUTORY ENVIRONMENT - Local Government Act 1995 & Local Government (Uniform Local Provisions) Regulations 1996

17. Private works on, over, or under public places — Sch. 9.1 cl. 8

(1) A person must not, without lawful authority, construct anything on, over, or under a public thoroughfare or other public place that is local government property.

Penalty: a fine of \$5 000.

(2) Subregulation (1) does not apply to the construction of things by or on behalf of the Crown.

(3) A person may apply to the local government for permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property.

(4) Permission granted by the local government under this regulation —

(a) must be in writing; and

(b) must specify the period for which it is granted; and

(c) must specify each condition imposed under subregulation (5); and

(d) may be renewed from time to time; and

(e) may be cancelled by giving written notice to the person to whom the permission was granted.

(5) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —

(a) a condition imposing a charge for any damage to the public thoroughfare or public place resulting from the construction;

(b) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the construction, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.

(6) It is a condition of the permission granted under this regulation that —

(a) the ordinary and reasonable use of the public thoroughfare or public place for the purpose to which it is dedicated is not to be permanently or unreasonably obstructed; and

(b) the person carrying out the construction work ensures that a footpath of a public thoroughfare or other public place that is local government property is covered during the period specified in writing by the local government so as to —

(i) prevent damage to the footpath; or

(ii) prevent inconvenience to the public or danger from falling materials;

and

(c) damage to the public thoroughfare or public place resulting from the construction is repaired to the satisfaction of the CEO of the local government.

(7) A person granted permission under this regulation must comply with each condition of the permission.

Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.

(8) A person who constructs anything in accordance with permission granted under this regulation must —

- (a) maintain it; and
- (b) obtain from an insurance company approved by the local government an insurance policy, in the joint names of the local government and the person, indemnifying the local government against any claim for damages which may arise in, or out of, its construction, maintenance or use.

Penalty: a fine of \$5 000.

(9) For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a thing constructed on, over, or under a public thoroughfare or other public place that is local government property.

STRATEGIC IMPLICATIONS

CONSULTATION

Nil

COMMENT

It is the responsibility of the local government to:

1. Authorise all works within the road reserve,
2. Stop any works that are deemed unsafe, do not have proper authorisation, or are causing a nuisance; and
3. Recover the costs for repairing damage to the road reserve from the person responsible for the damage.

Due to the limited occurrence of this type of work it is currently impractical to develop a Permit Application and associated Policy. It is suggested that should Council view the proposal as favourable the requirements of Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996 on this occasion be delegated to the Chief Executive Officer.

This is suggested as a timeline is not yet known for work in the local area. Conditions will be proposed inline with the expectations of other local governments and will likely incorporate but not be limited to the following:

1. Adequate Evidence of Public Liability Insurance
2. Indemnity of the Shire against any claim or action arising from proposed works
3. Traffic Management Plans to the satisfaction of the Shire
4. Job Specific Safe Working Method Statements and JSEA
5. Infrastructure receives no damage or is reinstated to the satisfaction of the local government

In consultation a deposit/bond may be requested in accordance with part 5 (b).

VOTING REQUIREMENTS - Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0508 APA Northern Goldfields Interconnect Gas Pipeline

That Council supports the work proposed by APA Group within Shire Road Reserves and delegates to the CEO the granting of Permission and Determination of Conditions as outlined in Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996 Parts 4 and 5, inclusive of contractors or third parties working on the same project.

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 4/0

11.4.3 Local Government Elections

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	19 May 2021
Attachments	LG Election Timetable

MATTER FOR CONSIDERATION

That Council determine the manner in which the October 2021 Ordinary Local Government Election will occur.

BACKGROUND

Ordinary Council Elections are set to be held in October 2021. Councillors Tamisha Hodder, Percy Lawson and Gail Trenfield will finish their current terms at this time. The 28th July is the last day the Local Government can declare to have the Electoral Commissioner conduct a postal election.

STATUTORY ENVIRONMENT - Local Government Act 1995

4.20. CEO to be returning officer unless other arrangements made

(1) Subject to this section the CEO is the returning officer of a local government for each election.

(2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —

(a) an election; or

(b) all elections held while the appointment of the person subsists.

** Absolute majority required.*

(3) An appointment under subsection (2) —

(a) is to specify the term of the person's appointment; and

(b) has no effect if it is made after the 80th day before an election day.

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

** Absolute majority required.*

(5) A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(6) A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.

4.61. Choice of methods of conducting election

(1) The election can be conducted as a —
postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide* to conduct the election as a postal election.

** Absolute majority required.*

(3) A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.

(5) A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.

(6) For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.

(7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.

STRATEGIC IMPLICATIONS

CONSULTATION

Nil

COMMENT

Administration is of the belief that an in house election would be the most cost effective format with early voting, election day voting and applications for postal votes all being available voting methods.

There is the possibility that Covid-19 related lockdowns could impact individuals who are looking to vote in person particularly for a single election day. Council can attempt to address this concern by actively promoting early voting and early post vote applications. Another option could be to engage the Western Australian Electoral Commission to carry out the October 2021 as a postal election.

If Council wished to consider a WAEC postal election a cost estimate would have to be requested and allocated for in the 2021/22 Annual Budget. An indicative cost of \$10,000 has been approximated. While an in house election could definitely be conducted for less the WAEC alternative means that limited staff time would be lost in preparation.

VOTING REQUIREMENTS – Simple Majority

OFFICER RECOMMENDATION

Local Government Elections

That Council confirm their intention to conduct an in person election where the CEO is the returning officer for the district.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 0/4

Council have considered the officers report and wish to receive a cost estimate for the WAEC to conduct a postal vote due to Covid concerns and staffing.

11.4.4 Hire of Yalgoo Men's Shed

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	17 May 2021
Attachments	Yalgoo Hall and Sports Pavilion Fees and Charges

MATTER FOR CONSIDERATION

That Council consider the inclusion of Hiring the Yalgoo Men's Shed Facility in the fees and charges.

BACKGROUND

The Shire has recently received a number of requests for the Hire and use of the Yalgoo Men's Shed for functions. The location is somewhat removed from town and provides a safe area for gatherings. Along with the shed and limited amenities there is a large contained firepit that provides a fitting atmosphere for a rural shindig.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

Nil

COMMENT

It is suggested that the facility be included on existing booking forms for the hall, railway and core function areas and that its hire be included in the fees and charges alongside the Yalgoo Hall.

While it is intended that anyone can hire this venue, it is practical that the primary use of the space be as a rifle range. This would be no different to hiring a sporting club out for a corporate function. Where at least 2 weeks notice is given by a club or association for a shooting related activity they will be given preferred use of the site over another applicant. It is also proposed that the site cannot be used for the 2 days prior (where scheduled) and 5 days after an event that involves the firing of live ammunition.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0509 Hire of Yalgoo Men's Shed

That Council include the Yalgoo Men's Shed as a hireable function area in the 2020/21 fees and charges as part of the Yalgoo Hall and Sports Pavilion and that its hire follow the same system as the Shires other function centres.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

11.4.5 Local Roads and Community Infrastructure Grants Phase 1 and Phase 3

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

MATTER FOR CONSIDERATION

That Council accept the capital projects and breakdowns determined as a result of reallocating funding in the current phase 1 grant round from the Yalgoo Hall.

BACKGROUND

At a workshop with Councillors held in early May a number of projects were discussed for the reallocation of LRCI Phase 1 funding. These projects have been discussed with DBCA and initial costings have been sought by administration. Funding to be reallocated this financial year is \$200,000.

The Shire has also recently been informed that it is eligible for a further \$828,220 under a 3rd phase of this stimulus that will be available from January 2022 until June 2023.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

COMMENT

Phase 1

Capital Projects discussed included ablutions along Yalgoo-Ningham Road and the Yalgoo Cemetery, Park and Garden Furniture, Vehicle Toilet Trailers, Road Work and Road Hazard Signage, Traffic Control Light Trailers, Fixed Road Signage and Parks and Garden Plant.

The following projects and amounts are proposed:

\$67,000 – Traffic Management Improvements for Staff and Road User Safety consisting of street signage, roadwork signage and portable traffic light trailers

\$6100 – Leaf and Litter Vacuum

\$8100 – Portable Trailer Mounted Toilet

\$22,000 – Dual accessible electric BBQs for Shamrock Park and Yalgoo Caravan Park

\$102,000 – Supply and install of accessible prefabricated public toilet with water tank and waste treatment adjacent to the Yalgoo Cemetery or appropriate information bay

Some slight savings may be achievable across these projects otherwise the minimal \$5200 amount will be reallocated from road maintenance.

Feedback received from DBCA regarding ablutions within the Karara Rangelands Park on Yalgoo Ningham Road was unfavourable to the extent that they have similar plans as part of upcoming works in the area. For the timeframe they did not believe it was possible to match a prefabricated unit to what they have planned for the park. They would like all facilities that exist within the park to match a particular design and fit with landscaping and marketing.

Phase 3

With Phase 2 directed towards the Yalgoo Hall in line with a current Lotterywest application, administration would like to propose that funds currently allocated to the Yalgoo Museum be used to explore a wider Tourism and Heritage Project that could be partially funded by the Phase 3 stimulus.

Costings and heritage maintenance plans for the Railway Building, Museum and Jail, Railway Water Tank, Anglican Church, Original Bunnawarra Homestead and Hyacinth Chapel could be developed and any upkeep could be leveraged against future grant opportunities.

Voting Requirements – Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0510 LRCI Phase 1

That Council reallocate \$200,000 from the Yalgoo Hall Renovations being LRCI Phase 1 grant funding to the following new capital items with the remaining \$5200 being moved from Road Maintenance:

\$67,000 – Traffic Management Improvements for Staff and Road User Safety consisting of street signage, roadwork signage and portable traffic light trailers

\$6100 – Leaf and Litter Vacuum

\$8100 – Portable Trailer Mounted Toilet

\$22,000 – Dual accessible electric BBQs for Shamrock Park and Yalgoo Caravan Park

\$102,000 – Supply and install of accessible prefabricated public toilet with water tank and waste treatment adjacent to the Yalgoo Cemetery or appropriate information bay

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 4/0

Attendance: *Cr R Valenzuela left the meeting at 2.18*

Cr R Valenzuela re-joined the meeting at 2.20

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0511 Museum Improvement

That Council utilise the existing Museum Improvement Capital Item funding allocation to develop a Tourism and Heritage Master Plan that can better inform future spending and the allocation of LRCI Phase 3 grant funding.

Moved: Cr Tamisha Hodder

Seconded: Cr Raul Valenzuela

Motion put and carried: 4/0

Attendance: Cr G Trenfield left the meeting at 2.30

11.4.6 Emu Festival Artwork

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	CEO – Matter involving a Councillor and Staff Member
Date:	24 May 2021
Attachments	Artwork Sample

MATTER FOR CONSIDERATION

That Council accept a quote from Cr Gail Trenfield and Elisha Hodder for the use of their respective artwork on 2021 Emu Festival Merchandise and Apparel or other mediums if appropriate.

BACKGROUND

An idea has been put forward for the use of local art on Shire promotional material for the 2021 Emu Festival. The Shire has already secured a large art grant for this event so it is likely to have a significant focus on this aspect of our community and surrounds.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

Nil

COMMENT

It is proposed that in future years a local competition or selection process is formulated in the lead up to the Emu Festival. This year instead of paying an artist from outside the district to design posters or a theme, it is proposed that artwork from our talented locals be supported and encouraged.

In an effort to develop this idea employee Elisha Hodder with the permission of a second artist Cr Trenfield has looked to combine a few designs and styles onto products or prizes such as shirts.

It should be noted that an initial shirt design was put together by Elisha using artwork that herself and Cr Trenfield created in their own time and not in the course of any employment.

A quote has been received for the usage of the artwork in any reasonable form for the period of one year. The price put forward was \$1500 for Elisha Hodder and \$1500 for Cr Gail Trenfield. An example of the combined works will be provided for Council.

VOTING REQUIREMENTS – Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0512 **Emu Festival Artwork**

That Council accepts the quote received from Elisha Hodder and Gail Trenfield for \$1500 each for the use of their artwork on Emu Festival related shirts, banners, advertising for the period of one year, to be paid from the Emu Festival account.

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 3/0

Attendance: Cr G Trenfield re-joined the meeting at 2:34 pm.

11.4.7 Debt Collection and Rate Interest

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	20 May 2021
Attachments	Tabled - AMPAC Prospectus and Cloud Prospectus

MATTER FOR CONSIDERATION

That Council consider the appointment of a debt collection agent and the extension of Covid-19 related 0% penalty interest rates.

BACKGROUND

The Shire has not had a formal arrangement with a company specialising in debt collection since Austral Mercantile Collections was closed down by QBE in January 2019. It is important that the Shire look to recover outstanding rates.

It is also suggested for operational reasons that the 0% rate of penalty interest adopted in the 2020-21 budget remain in effect until the Shire has moved its rating system across to new software which is scheduled to be September 2021 prior to the release of that financial years rates notices. This will be confirmed as part of the 2021-22 Annual Budget.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

COMMENT

The prospectus for two debt collection agents is provided for Council consideration. Both are WALGA Preferred suppliers and support numerous local government operations. Feedback has been sought from surrounding Shires and other rates officers.

VOTING REQUIREMENTS – Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0513 Penalty Rate Interest

That Council agree to continue the current Covid-19 related 0% rate of penalty interest until the issue date of 2021/22 Rate Notices being no later than October 2021.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

VOTING REQUIREMENTS – Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0514 Debt Collection

That Council engage Cloud Payment Group for the term of one year to pursue current rate related overdue debts.

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 4/0

11.4.8 Process for Considering Applications for a Permanent Road Reserve Closure

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	24 May 2021
Attachments	Tabled Mapping

MATTER FOR CONSIDERATION

That Council consider a request and proposed process for the closure of Narloo-Yuin Road and Narloo-Tardie Road.

BACKGROUND

A request has been received from Emma and Roscco Foulkes-Taylor of Yuin Station for the closure of two roads being Narloo-Yuin Road and Narloo-Tardie Road.

Parks and Wildlife are waiting for the former parts of Yuin pastoral lease be converted to reservation after native title negotiations and the Department of Mines, Industry Regulation and Safety provide their support. This will likely result in a similar request from (the Department of Biodiversity, Conservation and Attractions) DBCA to what has recently occurred within Burnabinmah, however Narloo-Tardie while being Gazetted in 1924 does not have a surveyed road reserve.

STATUTORY ENVIRONMENT - Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

Landgate
Parks and Wildlife – Land Services Unit

COMMENT

The closure of roads in the district will over time reduce funding received from the grants commission who provide funding based on the length of sealed, unsealed and formed roads but funding will also no longer be required for that section of road.

It should be noted that the condition of Narloo-Tardie Road is poor and difficult to maintain as a prolonged section of the road sees water from the extremities of the Greenough River flow along the road.

Tourists currently and into the future are likely to visit the site of the Narloo Homestead and access may be required by DBCA to what was Narloo and part Twin Peaks if the area is included in the States Plan for Our Parks initiative in the future.

While discussions have been held with DBCA and the owners of Yuin Station further information is required from the Department of Planning, Lands and Heritage and the owners of any other land effected as well as a formal response for the closure of both roads from DBCA. The following policy is proposed before Council consider relinquishing these roads.

Permanent Closure of a Road (or Road Reserve) Policy

1. Advertisement in a newspaper circulating in the district calling for submissions within 35 days of the date of advertisement.
2. Notices on the Shires Website and Notice Board
3. Letters advising of the proposal and seeking comments within 35 days sent to:
 - a) Department of Planning, Lands and Heritage (Planning Division);
 - b) All service authorities, ie Water Corporation, Western Power etc;
 - c) All adjoining owners;
 - d) Any other relevant government department or agency.

4. At the close of the advertising period, the proposal (including submissions) is presented to Council for their consideration.
5. If Council resolves to refuse the application, the road reserve cannot be closed.
6. If Council supports the closure, it forwards its recommendation to DPLH.
7. If the Minister for Lands agrees to closure, the land from the closed road reserve becomes unallocated Crown land before being on-sold by the DPLH to adjoining owner(s).

VOTING REQUIREMENTS – Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0515 Process for Considering Applications for a Permanent Road Reserve Closure.

That Council adopts the policy above for the Permanent Closure of a Road (or Road Reserve) and carries out the objectives listed prior to considering the closure of any road.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

11.4.10 Quotes to Seal the Yalgoo – Ninghan Road

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	23 May 2021
Attachments	Bitutek Quote and Colas Quote

MATTER FOR CONSIDERATION

That Council consider quotes received for the sealing of Council constructed roadworks on Yalgoo-Ninghan Road.

BACKGROUND

The Shire of Yalgoo sought quotes from reputable WALGA preferred suppliers for the sealing of Yalgoo-Ninghan Road. Multiple quotes were sought and are now being provided to Council as the indicative amount was likely to be at or above the Tender threshold.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

CONSULTATION

A request for quote was sent through to Bitutek, Boral and Colas. Quotes were received from Bitutek and Colas.

COMMENT

It is likely Colas will be working in the area on Morawa-Yalgoo Road. Both Quotes are considered acceptable and within budget. Emulsion has been utilised by the Shire in the past and is more suitable than hot bitumen for the ambient temperatures experienced in the mornings.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0516 Quotes to Seal the Yalgoo-Ninghan Road

That Council considers both Emulsion quotes acceptable and the successful party will be determined based on availability.

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

Motion put and carried: 4/0

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

NIL

13. URGENT BUSINESS

NIL

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

President Cr Gregory Payne requested a motion be moved to go behind closed doors to discuss a late confidential item 11.4.9 Request for Road Use Agreement Between the Shire of Yalgoo and Mt Gibson Mining.

The motion was moved by Cr Raul Valenzuela and second by Cr Gail Trenfield
There being no debate on the matter the motion was put and carried 4/0
Meeting closed to the public at 2.55pm

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.

14.1 Request for Road Use Agreement between the Shire of Yalgoo and Mount Gibson Mining Limited

Author:	Ian Holland, Chief Executive Officer
Interest Declared:	No interest to disclose
Date:	26 May 2021
Attachments	CA07 Application and Proposal Document Road Use Agreement Template

OFFICER RECOMMENDATION/COUNCIL DECISION

C2021-0517 Request for Road Use Agreement between the Shire of Yalgoo and Mount Gibson Mining Limited

That Council:

- 1. Accept in principle the Shine Iron Ore Project - Proposal for Road Access put forward by Mount Gibson Mining and will provide comment on any sections discussed or where a differing view is held by Council;**
- 2. Approve Mount Gibson Mining Limited’s CA07 application for a 3 month term in line with the payment arrangements in the proposal until a Road Use Agreement can be returned to Council for consideration (the Shires template Road Use Agreement as attached will be provided as a starting point);**
- 3. The 3 month term of road owners permission (CA07 Letter) will start upon completion of Mount Gibson Mining Limited’s road widening work on Yalgoo-Ninghan Road to the satisfaction of the Shire.**
- 4. Delegate to the CEO the negotiation and acceptance of a Pre-Work Agreement between Mount Gibson Mining Limited and the Shire of Yalgoo inclusive of Insurance, Bank Guarantee, Traffic Management and Pre-Work on Yalgoo-Ninghan Road;**
- 5. Authorise the signing and sealing of the Agreement described in point (3) by the Shire President and Chief Executive Officer.**

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

Motion put and carried: 4/0

Meeting reopened to the public at 3.05pm

15. NEXT MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chambers on Friday 25 June 2021 commencing at 10.00 am.

16. MEETING CLOSURE

There being no further business, the President declared the Ordinary meeting closed at 3.09pm

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.