



Minutes

For the Ordinary Council Meeting

Held on the 26th August 2022



A handwritten signature in blue ink, appearing to read "Ian Holland".

Ian Holland

CHIEF EXECUTIVE OFFICER

22nd August 2022

Disclaimer:

The Shire of Yalgoo gives notice to members of the public that any decisions made at the meeting, can be revoked, pursuant to the Local Government Act 1995. Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

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1 **DECLARATION OF OPENING**

The Shire President welcomed those in attendance and declared the meeting open at 11.06 am.

2 **ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

In accordance with section 14 of the Local Government (Administration) Regulations 1996 “Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))”, the President to declare that this Meeting may take place via instantaneous communication. All Councillors and staff are to be available either via telephone (teleconference) or in person.

President Cr Gregory Payne

Councillors Cr Gail Simpson
Cr Tamisha Hodder
Cr Raul Valenzuela

Chief Executive Officer Ian Holland

Deputy CEO Thomas Gorman

APOLOGIES

Deputy President Cr Gail Trenfield
Cr Stanley Willock

LEAVE OF ABSENCE

. NIL

3 **DISCLOSURE OF INTERESTS**

Councillors and Officers are reminded of the requirements of s5.65 of the Local Government Act 1995, to verbally disclose any interest during the meeting before the matter is discussed or to provide in writing the nature of the interest to the CEO before the meeting.

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4 PUBLIC QUESTION TIME REPONSES TO QUESTIONS TAKEN ON NOTICE

Proposed Truck Bay Great Northern Highway – Doug Taylor

Discussion was allowed during item 14.1.

QUESTIONS TAKEN WITHOUT NOTICE

NIL

5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS NIL

6 NOTICE OF MATTERS TO BE DISCUSSED BEHIND CLOSED DOORS NIL

7 APPLICATIONS FOR LEAVE OF ABSENCE NIL

8 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

Date	Location	Meeting	Attendance
17/08/2022	Yalgoo	Melissa Price MP	Cr G Trenfield and CEO
25/07/2022	Yalgoo	Hon. Peter Foster MLC	Cr Valenzuela and Cr Payne
17/08/2022	Mt Magnet	MRVC	Cr Willock

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9 CONFIRMATION OF MINUTES

9.1 Minutes of the Ordinary Council Meeting – 29th July 2022

RECOMMENDATION

That the minutes of the Council Meeting held on the 29th July 2022 as attached be confirmed as a true and correct record.

COUNCIL RESOLUTION

Moved: Cr Raul Valenzuela Seconded: Cr Gail Simpson

That the minutes of the Council Meeting held on the 29th July 2022 as attached be confirmed as a true and correct record.

CARRIED: 4/0

9.2 Minutes of the Special Council Meeting – 10th August 2022

RECOMMENDATION

That the minutes of the Special Council Meeting held on the 10th August 2022 as attached be confirmed as a true and correct record.

COUNCIL RESOLUTION

Moved: Cr Raul Valenzuela Seconded: Cr Tamisha Hodder

That the minutes of the Special Council Meeting held on the 10th August 2022 as attached be confirmed as a true and correct record.

CARRIED: 4/0

10 MINUTES OF COMMITTEE MEETINGS

NIL

10.1 REPORTS OF COMMITTEE MEETINGS

NIL

11 TECHNICAL REPORTS

11.1 CAPITAL PROGRESS REPORT

Applicant:	Shire of Yalgoo
Date:	22 August 2022
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	NIL

SUMMARY

To receive the Progress Report on the 2022/23 Capital Works Program.

BACKGROUND

The Shire has not yet adopted the 2022-23 Annual Budget and therefore cannot yet state the funds allocated for the acquisition of capital assets and the undertaking of infrastructure works.

COMMENT

The Capital Projects detailed below are projects carried forward from the 2021-22 financial year. Solar pump is required for the installation of the Bushfire water tank.

STATUTORY ENVIRONMENT

NIL

POLICY/FINANCIAL IMPLCATIONS

To deliver the Capital Works Program within budgeted allocations.

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council receive the Progress Report on the Capital Works Program as at 31st July 2022.

COUNCIL RESOLUTION

Moved: Cr Gail Simpson Seconded: Cr Raul Valenzuela

That Council receive the Progress Report on the Capital Works Program as at 31st July 2022.

CARRIED: 4/0

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CAPITAL WORKS PROGRAMME

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

	2022-23 ANNUAL BUDGET	2022-23 JULY ACTUAL	COMMENTS
	\$	YTD \$	
<u>By Program</u>	Not yet adopted		The CEO to provide a verbal update on the status of the capital projects as at 31 July 2022
Recreation and Culture 000000- Solar Pumps - Paynes Find Community Centre L & B		7,800	
Transport 000000- Trailer P & E		9,510	
Economic Services 000000-Caravan Park - 2 Self Contained Accommodation Units L & B		4,345	Install 2 satellite systems and cordless vacuum cleaner
	0	21,655	

11.2 TECHNICAL SERVICES REPORT AS OF 22nd August 2022

Applicant:	Shire of Yalgoo
Date:	22 August 2022
Reporting Officer:	Craig Holland Works Manager
Disclosure of Interest:	NIL
Attachments:	NIL

SUMMARY

That Council receive the Technical Services Report as at the 22nd August 2022

COMMENT

Road Construction and Capital

NIL – RRG application 2023/24 submitted, Claims for RRG and direct grant to follow.

Road Maintenance

- Maintenance grading, Paynes Find-Thundelarra Road, Yalgoo North Road, Paynes Find-Sandstone Road and Maranalgo Road.

Plant and other infrastructure maintenance - Service

YA1000 – 90,000km

YA809 – 70,000km

YA465 – 2000 hr

YA807 – Diverter valve replaced

YA805 – Insurance claim for incorrect fuel

Parks, Reserves and Properties

4.1 Art & Culture Centre

General gardening maintenance carried out.

Mural fitted to Arts Centre.

4.2 Community Town Oval

General gardening maintenance conducted at the oval and core stadium gardens.

4.3 Community Park, Gibbons Street

Weekly mowing, pruning and watering.

4.4 Community Park, Shamrock Street

Weekly mowing, pruning and watering.

4.5 Water Park

General gardening maintenance conducted on water park.

4.6 Yalgoo Caravan Park

General gardening maintenance is done every two weeks.

4.7 Paynes Find

New fire water tanks installed at the community centre (MRWA and DPLH approval not forthcoming for installation at the Highway Well).

Bore pump replaced running of solar panels.

4.8 Railway Station

Septic Tanks cleaned out and new leach drains fitted. Termite Inspection.

4.9 Yalgoo Nursing Post

NIL

4.10 Staff Housing

Pest Control carried out at all staff housing.

4.11 Yalgoo Rubbish Tip

Tip head pushed over on a weekly basis and loose rubbish collection carried out.

4.12 Yalgoo & Paynes Find Airstrip

Carting gravel onto Paynes Find Airstrip to resheet washed out sections.

Purchasing

- Forklift

STATUTORY ENVIRONMENT

NIL

POLICY/FINANCIAL IMPLCATIONS

To deliver the Capital Works Program within budgeted allocations.

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council receive the Technical Services Report as of 22nd August 2022.

COUNCIL RESOLUTION

Moved: Cr Tamisha Hodder

Seconded: Cr Raul Valenzuela

That Council receive the Technical Services Report as of 22nd August 2022.

CARRIED: 4/0

12 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH REPORTS
NIL

13 FINANCIAL REPORTS

13.1 LIST OF ACCOUNTS

Applicant:	Shire of Yalgoo
Date:	22 August 2022
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	NIL

SUMMARY

Council approval is sought for the payments made in the period 1st July 2022 to 31st July 2022 as detailed in the List of Accounts below.

COMMENT

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 to record those accounts 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

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- 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.

POLICY/FINANCIAL IMPLCATIONS

NIL

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council approve the list of accounts paid for the period 1st July to 31st July 2022 amounting to \$1,027,299.04 and the list be recorded in the minutes.

COUNCIL RESOLUTION

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council approve the list of accounts paid for the period 1st July to 31st July 2022 amounting to \$1,027,299.04 and the list be recorded in the minutes.

CARRIED: 4/0

Agenda – Ordinary Council Meeting – Friday 26th August 2022

SHIRE OF YALGOO LIST OF ACCOUNTS PAID AND PAYABLE FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022

Chq/EFT	Date	Name	Description	Amount
1 9	04/07/2022	Water Corporation	Water use/service charge	673.84
2 12	04/07/2022	Water Corporation	Water use/service charge	697.77
3 22	27/07/2022	Horizon Power	Street Lighting	706.54
4 27	04/07/2022	Water Corporation	Water use/service charge	74.36
5 28	29/07/2022	Pivotel Satellite Pty Limited	Satelite fees and charges	302.00
6 50	25/07/2022	City of Greater Geraldton	Paynes Find Airstrip - Knowledge sharing and inspection	1,528.80
7 EFT99	05/07/2022	Right 4 The Road	Bus inspection fee	233.40
8 EFT100	06/07/2022	Battery Mart	AC delco battery S42B19R	138.60
9 EFT101	06/07/2022	Bridged Group Pty Ltd	Computer support fees	346.50
10 EFT102	06/07/2022	Canine Control	Ranger services 18 June 2022	1,320.68
11 EFT103	06/07/2022	Core Business Australia Pty Ltd	Consultancy fees-DRFAWA Supervision April 2022	131,676.78
12 EFT104	06/07/2022	Geraldton Toyota	6 months/ 10000km service	355.03
13 EFT105	06/07/2022	Mt Magnet Waste Disposal	Pump secondary septic tank & back wash from leach / relieve system	1,075.00
14 EFT106	06/07/2022	Yalgoo Hotel Motel	Council Meeting lunch 25 March 2022	912.00
15 EFT107	06/07/2022	Datacom Solutions (Au) Pty Ltd	Payroll processing -Ozone -Fortnightly PE 01/05/2022	172.21
16 EFT108	06/07/2022	WURTH	2 x Pump 2 x Hand Cleaner	134.02
17 EFT109	06/07/2022	Rowe Contractors	RRG - Yalgoo/Ningham Road Works	258,898.40
18 EFT110	06/07/2022	Craig Holland	2022 - 2023 Diary	35.95
19 EFT111	06/07/2022	Terry Cowley	Dog shots & traps	330.00
20 EFT112	06/07/2022	Thomas Gorman	Reimbursement- Unleaded petrol for new admin car - Ampol Card didn't work. 18/6/2022	175.44
21 EFT113	06/07/2022	DTM Tourism	Consultancy fees- Payment of 25% for completion of tourism study	4,056.25
22 EFT114	20/07/2022	Red Dot Store Geraldton	Materials for School Holiday Program	125.00
23 EFT115	20/07/2022	Eftsure	12 month subscription fee for computer maintenance	5,016.00
24 EFT116	20/07/2022	Bcitf Levy	LGA collection fees	540.00

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SHIRE OF YALGOO LIST OF ACCOUNTS PAID AND PAYABLE FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022

Chq/EFT	Date	Name	Description	Amount
25 EFT117	20/07/2022	Core Business Australia Pty Ltd	Consultant fees-Flood damage	60,202.08
26 EFT118	20/07/2022	David Roche	Clean community centre for RFDS clinic 6th April & 5th May 2022	873.35
27 EFT119	20/07/2022	Five Star Business Equipment & Comms	Photocopier maintenance -Konica	1,779.83
28 EFT120	20/07/2022	Gail Trenfield	Council Meeting fees and allowances	777.67
29 EFT157	29/07/2022	Refuel Australia	Fuel	684.54
30 EFT121	20/07/2022	Geraldton Toyota	Service for 1HOT935	1,282.75
31 EFT122	20/07/2022	GG Pumps & Electrical Pty Ltd	Depot parts and repairs	2,040.67
32 EFT123	20/07/2022	Jason Signmakers	Guide post - Flexible	14,377.00
33 EFT124	20/07/2022	Landgate	Gross Rental Revaluation 2021/2022	6,706.77
34 EFT125	20/07/2022	Market Creations Pty Ltd	Upgrading website registers- \$1650 less unused support hours for 2021/2022 = net of \$418 plus gst	460.00
35 EFT126	20/07/2022	Mt Magnet Waste Disposal	Pump Septic tanks	1,875.00
36 EFT127	20/07/2022	Pemco Diesel Pty Ltd	Service & repairs to cement agitator	6,935.99
37 EFT128	20/07/2022	Truckline Geraldton	Hand Ratchets for Depot	95.54
38 EFT129	20/07/2022	WestCoast SeaFood	Council Refreshments	131.00
39 EFT130	20/07/2022	Westrac Equipment Pty Ltd	Injector fault repair	6,112.39
40 EFT131	20/07/2022	Datacom Solutions (Au) Pty Ltd	Software access fee per employee - monthly base	95.17
41 EFT132	20/07/2022	IPEC Pty Ltd (Toll Global Express)	Depot equipment	2,354.89
42 EFT133	20/07/2022	MDF Services Pty Ltd	Supply Fittings as requested BSPT X UN ORING M/M NIPPLE	60.28
43 EFT134	20/07/2022	OCLC (UK) LTD	Software Licence support fee -Amlib (library)	1,651.44
44 EFT135	20/07/2022	Rowe Contractors	Pines Find - Wagga Wagga Road maintenance	112,959.00
45 EFT136	20/07/2022	Norris & Hyde It	Labour - workshop	110.00
46 EFT137	20/07/2022	St John Ambulance WA Ltd	First Aid kits	330.00
47 EFT138	20/07/2022	Lenane Holdings Pty Ltd	Bitumen road seal	8,085.00
48 EFT139	20/07/2022	Willoughby Constructions	Connect power to Chalets from sub board	2,888.16
49 EFT140	20/07/2022	Beachlands Plumbing	Replaced pump and adjoining pipework on septic system	18,597.03

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SHIRE OF YALGOO LIST OF ACCOUNTS PAID AND PAYABLE FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022

Chq/EFT	Date	Name	Description	Amount
50 EFT141	20/07/2022	Cloud Payment Group	Debt collection fees	1,024.07
51 EFT142	20/07/2022	Thomas Gorman	Refreshments football festival	256.33
52 EFT143	20/07/2022	Complete Office Supplies Pty Ltd (COS)	Office Supplies	418.01
53 EFT144	20/07/2022	Professional PC Support	Managed phone system service and support	93.50
54 EFT145	20/07/2022	Safe Roads WA	Fix pot holes on road	170,223.35
55 EFT146	20/07/2022	D Tilbrook	Consultancy fees - stonework at Yalgoo Railway building	1,531.00
56 EFT147	20/07/2022	Nick Stevenson	Consultancy fees - advise on status of stonework	1,645.50
57 EFT148	29/07/2022	Colas	Road widening	149,951.89
58 EFT149	29/07/2022	One Music Australia	Radio licence fees	350.00
59 EFT150	29/07/2022	Wa Caravan & Camping Magazine WA Association Of Caravan Clubs Inc	Tourism Advertising in Caravan & Camping Magazine V23 No 2	500.00
60 EFT151	29/07/2022	ATOM Supply	Depot equipment	446.03
61 EFT152	29/07/2022	Battery Mart	Battery for depot	574.20
62 EFT153	29/07/2022	Canine Control	Ranger services - Friday 1st July 2022	1,386.72
63 EFT154	29/07/2022	Dominic Carbone & Associates	Consultancy fees- finance and administration	8,486.50
64 EFT155	29/07/2022	Five Star Business Equipment & Comms	Rental fee - photocopier -Konica	304.92
65 EFT156	29/07/2022	Gail Trenfield	Reimbursement -art sale proceeds	90.00
66 EFT158	29/07/2022	Mt Magnet Waste Disposal	Pump Septic tanks	2,250.00
67 EFT159	29/07/2022	State Library of Western Australia	Better Beginning Invoicing 2022-23	16.50
68 EFT160	29/07/2022	Veolia Environmental Services	Rubbish collection charges	9,200.57
69 EFT162	29/07/2022	Local Government Professionals Australia Wa	Membership fees- 2022 - 2023 Bronze Local Government	1,652.00
70 EFT163	29/07/2022	IPEC Pty Ltd (Toll Global Express)	Transport charges	161.25
71 EFT164	29/07/2022	MDF Services Pty Ltd	Hose fittings and depot equitment for gardener	1,115.73
72 EFT165	29/07/2022	Carol Dodd	Reimbursement -art sale proceeds	11.25
73 EFT166	29/07/2022	Charmaine Simpson	Reimbursement -art sale proceeds	343.50
74 EFT167	29/07/2022	Helen Pratt	Reimbursement -art sale proceeds	3.75

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SHIRE OF YALGOO LIST OF ACCOUNTS PAID AND PAYABLE FOR THE PERIOD 1 JULY 2022 TO 31 JULY 2022

Chq/EFT	Date	Name	Description	Amount
75 EFT168	29/07/2022	Batavia Furnitue & Bedding	Furniture for new Chalets	3,668.00
76 EFT169	29/07/2022	Margaret Simpson	Reimbursement -art sale proceeds	79.50
77 EFT170	29/07/2022	Phyllis Simpson	Reimbursement -art sale proceeds	136.50
78 EFT171	29/07/2022	Maureen Page	Reimbursement -art sale proceeds	45.00
79 EFT172	29/07/2022	Karen Gilbert	Reimbursement -art sale proceeds	187.50
80 EFT173	29/07/2022	Rhiannon Hodder	Reimbursement -art sale proceeds	105.00
81 EFT174	29/07/2022	Gladys Hodder	Reimbursement -art sale proceeds	75.00
82 EFT175	29/07/2022	Gail Simpson	Reimbursement -art sale proceeds	262.50
83 EFT176	29/07/2022	North Regional Tafe	Rhiannon Hodder Studies (5 x Tafe Units)	145.05
84 EFT177	29/07/2022	Bai Communications Pty Ltd	Radio Broadcasting	1,267.35
85 EFT178	29/07/2022	Itvision	Travel Expenses April 2022 (Payroll & Finance modules onsite training- Synergysoft & Altus Payroll)	2,115.42
86 EFT179	29/07/2022	It Vision User Group Inc	2022/2023 Membership	770.00
87 EFT180	29/07/2022	Nickeisha Hodder	School holiday activities - 4th July to 8th July 2022	1,000.00
88 EFT181	29/07/2022	Noeletta Bell	reimbursement -art sale proceeds	30.00
89 EFT182	29/07/2022	Tyreright Geraldton	Wheel Alignment	75.00
90 EFT183	29/07/2022	Tim Davies Landscaping (TDL)	Consultancy Fees -Concept Design Shire Offices	924.00
91 EFT184	29/07/2022	Professional PC Support	Managed phone system service and support	187.00
92 EFT185	29/07/2022	Services Australia - Child Support (Darren Hawkins)	Darren Hawkins Child Support- deduction via payroll	836.76
93 EFT186	29/07/2022	Rosemary Adams	Reimbursement -art sale proceeds	81.00
94 EFT187	29/07/2022	Gregory Arthur Payne	Council meeting fee and allowances	2,281.77
TOTAL MUNICIPAL FUND BANK				1,027,299.04

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Additional Information breakdown Yalgoo Hotel Motel (Compaction of line item due to new system)

EFT 106 - \$912.00 Yalgoo Hotel:

- Art Centre Lunch \$223.00
- Meals IT Vision Staff Training \$40.00
- Meals Financial Consultant \$117.50
- Meals Art Consultant \$170.00
- Council Meeting March \$228.00
- Meals Financial Consultant \$133.50

Credit Card Payments July for Information

2/7/2022	Adobe	Acrobat Software Subscription	\$68.97
8/7/2022	Crudelis Mullewa	Petrol purchase during local Telstra and Bowser outage	\$455.26
9/7/2022	Booking.com	DPIRD Traineeship Course Accomodation	\$756.00
9/7/2022	JB HiFi	Ipad	\$733.99
21/7/2022	Landgate	Record Search	\$28.20
21/7/2022	Landgate	Record Search	\$28.20
24/7/2022	Zoom	Electronic Conference Subscription	\$20.99
27/7/2022	Paynes Find Roadhouse	Accommodation Booking OH&S Visit	\$120.00
30/7/2022	Edith Cowan University	Graduate Certificate of Executive Leadership Semester 2 - Training	\$4460.00
30/7/2022	Bendigo	Card Fees	\$4.00

13.2 INVESTMENTS AS AT 31ST July 2022

Applicant:	Shire of Yalgoo
Date:	22 August 2022
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	NIL

SUMMARY

That Council receive the investments report as at 31st July 2022.

COMMENT

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

Local Government (Financial Management) Regulations 1996

19 Investments, control procedures for

19C Investment of money, restrictions on (Act s6.14(2)(a))

Shire Delegated Authority

POLICY/FINANCIAL IMPLCATIONS

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That the Investment Report as at 31st July 2022 be received.

COUNCIL RESOLUTION

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That the Investment Report as at 31st July 2022 be received.

CARRIED: 4/0

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This Worksheet details the investments held by the Shire as at 31st July 2022.

SHIRE OF YALGOO CASH HOLDINGS AS AT 31 JULY 2022

INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	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	\$661,886.93
BENDIGO	N/A	Operating a/c	171336274	Ongoing	N/A	N/A	Variable	\$2,804,836.49
BENDIGO	N/A	Saving	171336282	Ongoing	N/A	N/A	Variable	\$25,090.83
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,142.14
TOTAL								\$3,543,956.39

RESERVE FUNDS								
Bendigo	N/A	Term Deposit	4058197	175 days	30.06.2022	22.12.2022	3.20%	\$170,077.45
Bendigo	N/A	Term Deposit	4058198	175 days	30.06.2022	22.12.2022	3.20%	\$474,180.09
Bendigo	N/A	Term Deposit	4058196	175 days	30.06.2022	22.12.2022	3.20%	\$1,140,349.62
Bendigo	N/A	Term Deposit	5058195	175 days	30.06.2022	22.12.2022	3.20%	\$325,979.65
TOTAL								\$2,110,586.81

INVESTMENT REGISTER						
01 JULY 2022 TO 31 JULY 2022						
NATIONAL AUSTRALIA BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.07.2022	INVESTMENT TRANSFERS	CLOSING BALANCE 31.07.2022
171336282	Ongoing	Variable	\$52,142.14	\$0	0	\$52,142.14
24-831-4222	Ongoing	Variable	\$25,086.22	\$4.61	0	\$29,090.83
4058198	22.12.2022	3.20%	\$474,180.09	\$0	0	\$474,180.09
4058196	22.12.2022	3.20%	\$1,140,349.62	\$0	0	\$1,140,349.62
4058197	22.12.2022	3.20%	\$170,077.95	\$0	0	\$170,077.45
4058195	22.12.2022	3.20%	\$325,979.65	\$0	0	\$325,979.65

13.3 FINANCIAL ACTIVITY STATEMENT AS AT 30th JUNE 2022

Applicant:	Shire of Yalgoo
Date:	22 August 2022
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	Statement of Comprehensive Income Financial Activity Statement Summary of Current Assets and Current Liabilities Statement of Current Financial Position Detailed Worksheet Supplementary Financial Reports – Reserve & Loan

Note: Financial Statements for the period entered 30 June 2022 to be circulated prior to the meeting

SUMMARY

Adoption of the Monthly Financial Statements for the period 1st June 2022 to the 30th July 2022.

COMMENT

Local Governments are required to prepare monthly reports.

The Shire of Yalgoo is in the process of transitioning to ITVision Synergy Soft and Altus Payroll. The financial statements for June were delayed because the payroll system was not able to export information to the general ledger. This was a rollout issue and has been recently rectified.

STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 6.4

Local Government (Financial Management) Regulations 1996 - Regulation 34 Part 4

A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

POLICY/FINANCIAL IMPLCATIONS

2.4 Material Variance

Provision of timely accounting information informs Council of the financial status and affairs of the local government

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council adopts the Financial Activity Statement for the period ended 30th June 2022.

Minutes – Ordinary Council Meeting – Friday 26th August 2022

Amendment to Officers Recommendation:

Moved: Cr Gail Simpson

Seconded: Cr Tamisha Hodder

That Council defer to the next Meeting the Adoption of the Financial Activity Statement for the period ended 30th June 2022.

CARRIED: 4/0

COUNCIL RESOLUTION

Moved: Cr Gail Simpson

Seconded: Cr Tamisha Hodder

That Council defer to the next Meeting the Adoption, as the Financial Activity Statement for the period ended 30th June 2022.

CARRIED: 4/0

The report was unavailable due to processing issues of the new financial system.

Minutes – Ordinary Council Meeting – Friday 26th August 2022

13.4 FINANCIAL ACTIVITY STATEMENT AS AT 31st JULY 2022

Applicant:	Shire of Yalgoo
Date:	22 August 2022
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	Statement of Comprehensive Income Financial Activity Statement Summary of Current Assets and Current Liabilities Statement of Current Financial Position Detailed Worksheet Supplementary Financial Reports – Reserve & Loan

Note: Financial Statements for the period entered 31 July 2022 will be circulated prior to the meeting.

SUMMARY

Adoption of the Monthly Financial Statements for the period 1st July 2022 to the 31st July 2022.

COMMENT

Local Governments are required to prepare monthly reports.

STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 6.4

Local Government (Financial Management) Regulations 1996 - Regulation 34

POLICY/FINANCIAL IMPLCATIONS

2.4 Material Variance

Provision of timely accounting information informs Council of the financial status and affairs of the local government.

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council adopts the Financial Activity Statement for the period ended 31st July 2022.

Minutes – Ordinary Council Meeting – Friday 26th August 2022

Amendment to Officers Recommendation:

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council defer to the next Meeting the Adoption of the Financial Activity Statement for the period ended 31st July 2022.

CARRIED: 4/0

COUNCIL RESOLUTION

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council defer to the next Meeting the Adoption of the Financial Activity Statement for the period ended 31st July 2022.

CARRIED: 4/0

The report was unavailable due to processing issues of the new financial system.

14 ADMINISTRATION REPORTS

14.1 Proposed Truck Bay Great Northern Highway

Applicant:	Shire of Yalgoo
Date:	18 August 2022
Reporting Officer:	Chief Executive Officer Ian Holland
Disclosure of Interest:	NIL
Attachments:	Concept Plans – PL001, PL003 & PL005

SUMMARY

That Council provide feedback to Main Roads Western Australia (MRWA) on a parking bay adjacent to the Paynes Find Roadhouse.

COMMENT

MRWA is exploring options for the placement of a Heavy Vehicle Rest Area in Paynes Find based on consultation with the heavy vehicle industry.

Only one of the presented options will be progressed. This proposal appears to be independent of the truck pull in bay that was put forward for Geraldton-Mt Magnet Hwy (Piesse St). All three options exist primarily within the MRWA Great Northern Highway road reserve.

If MRWA progresses with sealing the area adjacent to the Paynes Find Road House they are also considering the option of requesting additional funding to improve the Paynes Find Town Road, as feedback from the heavy vehicle industry notes that it is not in good condition. It is unclear if this would be grant based or if MRWA would be approaching the Shire.

Administration notes that the Paynes Find Town Road and Maranalgo Road are not on the Restricted Access Vehicle (RAV) Network and historically should not have accommodated any vehicles longer than 19m. Policing of the RAV Network is the responsibility of MRWA and it is likely that vehicles have been acting contrary to heavy vehicle permit conditions to access fuel at the Paynes Find Roadhouse. Due to the proximity of the existing fuel bowsers the carriage width may not be suitable for some classes of vehicle. Through MRWA heavy vehicle industry representatives will be requested to submit a request to add the Paynes Find Town Road to the RAV Network as anticipated usage classes are not know.

It is suggested that the Shire of Yalgoo support the option that is inclusive of the Town Road (PL001), however it is not suggested that Council agree to commit any expenditure to its construction. As the town road was not constructed for modern heavy vehicles, Council will have to provide for future increased renewal as well as upkeep from vehicles accessing fuel and the unsealed areas that would have been previously accessed directly from the Highway.

Proposals PL003 & PL005 are similar in that they remove the ability for vehicles to access fuel from the bunded above ground bowser operated by the Roadhouse without travelling on the town road. The overflow area of the road reserve is also beneficial during highway closures and allows for parking of oversize and overmass.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY/FINANCIAL IMPLCATIONS

NIL

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council support the truck bay proposed in Main Roads WA PL001 noting the feedback in this report.

That Council unanimously agree to suspend Standing Orders for community feedback for the duration of the item.

COUNCIL RESOLUTION

Moved Cr Raul Valenzuela Seconded Cr Gail Simpson

That Council unanimously agree to suspend Standing Orders for community feedback for the duration of the item.

CARRIED: 4/0

14.2 Tourism Action Plan

Applicant:	Shire of Yalgoo
Date:	19 August 2022
Reporting Officer:	Chief Executive Officer Ian Holland
Disclosure of Interest:	NIL
Attachments:	Tourism Action Plan

SUMMARY

That Council endorse the presented Shire of Yalgoo Tourism Action Plan.

COMMENT

At the Ordinary July 2022 meeting DTM Tourism presented a tourism report that included stakeholder feedback and regional statistics as well as actions to improve the Shires Place Brand and Community buy in prior to amenity, service and experience improvements.

Once approved by Council the nine components of the Action Plan will be incorporated into the upcoming review of the Long Term Financial Plan and future budgets. The outcomes of this Plan along with the key recommendations in the Shires recently adopted Heritage Plan look to address multiple points in the Shires Strategic Community Plan.

This strategic and long term outlook will provide better grant based outcomes and shows an avenue by which amenity in the region can be improved for residents and travelers.

After some minor variations from the presentation please see the plan attached.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY/FINANCIAL IMPLCATIONS

NIL

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council endorse the Shire of Yalgoo Tourism Action Plan.

COUNCIL RESOLUTION

Moved Cr Gail Simpson

Seconded Cr Tamisha Hodder

That Council endorse the Shire of Yalgoo Tourism Action Plan.

CARRIED: 4/0

Minutes – Ordinary Council Meeting – Friday 26th August 2022

14.3 Ease of Access and Permission to have a Gate Across a Public Thoroughfare

Applicant:	Shire of Yalgoo
Date:	20 August 2022
Reporting Officer:	Chief Executive Officer Ian Holland
Disclosure of Interest:	NIL
Attachments:	NIL

SUMMARY

That Council consider a program for registration of gates across public thoroughfares and the creation of easements for mining infrastructure and other special access.

COMMENT

After recent flood events and the allocation of Federal Grant funds it has been highlighted that the Shire needs to become more proactive in enforcing the Local Government (Uniform Local Provisions) Regulations 1996.

Thoroughfares with locked gates resulting in limited to no public access should not receive the benefits of public funding unless they can be utilized by the public. Due to some locked or impassable features the Shire has been unable to maintain parts of its network or adequately record road condition, this hinders replacement after flood events, as condition before the event cannot be proven.

In the case of unlocked gates across public thoroughfares which are permissible under part 9 of the regulations, Administration proposes to contact all assessments alongside this years rates notice informing them of the procedure required to register gates across a public thoroughfare.

9. Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1)

(1) A person may apply to the local government for permission to have across a public thoroughfare under the control or management of the local government a gate or other device that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying.

Another option that could be considered upon application would be the permanent closure of a thoroughfare.

Where a road reserve exists but is not a through route the Shire will not pursue any gate within 400m of a homestead noting that land information in this region far predates GPS and in many cases there are no recent mapping updates.

For any gates not registered prior to the end of the calendar year it is proposed that the Shire remove any unregistered gates beginning January 2023.

Support is also sought to approach Landgate and the Department of Lands to improve the accuracy of the Shires existing road reserves. A major update of the southern end of Yalgoo-Ninghan Road was completed last year by the State Government to facilitate the creation of a State park over Ex Thundelarra and surrounds. The physical northern end of the road however is still significantly different to historical mapping.

Narloo Tardie and Narloo Yuin Roads were not appropriately gazetted and mapped as an example. When the land tenure was proposed for inclusion in Native Title deliberations the Shire had limited recourse to claim them as roads. These tracks were

then taken out of Shire Policy and did not require a formal road closure. This situation is a timely example of why comparing MRWA databases, physical roads and DPLH Land Mapping is important.

This potential work will allow the Shire to determine what miscellaneous mining licenses effect both actual roads and paper road reserves. It is important to know how other departments and companies infrastructure interacts with Shires roads. As an example future changes may be required to address the State Infrastructure Corridor acting like a creek system in heavy rains due to land clearing around the APA Interconnect Pipe Systems intersection with Shire roads.

A third aspect of this project is the surveying and creation of access easements for key areas of interest. Primarily this is for access to the tourism location of Jokers Tunnel. Road maintenance including grading will only be carried out by the Local Government where it is their responsibility (such as a road reserve under their care and control) or in an area of importance identified by Council in adopted policy. It is also important that the local government in these areas moves towards securing long term access.

A recent verbal maintenance request was received for access to Mt Eden which is a short distance off a Shire Road and has been maintained by the Shire for many years. Future expenditure will only occur where the landholder agrees to public access and their request is considered by Council. Without a case put forward that is in the public interest this type of work will be considered private works.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY/FINANCIAL IMPLCATIONS

NIL

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council:

1. authorise the CEO to write to all ratepayers requesting that any who operate a gate over a public thoroughfare apply to the local government for permission;
2. authorize the removal of any gates across public thoroughfares not registered by the end of January 2023.
3. support the investigation and cost estimation of a Jokers Tunnel access easement and systematic LGA realignment of Shire Road Reserves with as constructed.

COUNCIL RESOLUTION

Moved Cr Raul Valenzuela

Seconded Cr Tamisha Hodder

That Council:

1. authorise the CEO to write to all ratepayers requesting that any who operate a gate over a public thoroughfare apply to the local government for permission;
2. authorize the removal of any gates across public thoroughfares not registered by the end of January 2023.
3. support the investigation and cost estimation of a Jokers Tunnel access easement and systematic LGA realignment of Shire Road Reserves with as constructed.

CARRIED: 4/0

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14.4 Prime Mover Purchase

Applicant:	Shire of Yalgoo
Date:	20 August 2022
Reporting Officer:	Chief Executive Officer Ian Holland
Disclosure of Interest:	NIL
Attachments:	Tabled

SUMMARY

That Council consider quotes received for the purchase of a new Prime Mover.

COMMENT

As previously identified it is still extremely difficult to purchase a number of fleet vehicles. There are significant wait times and this does not allow trades to be considered. Budgeted estimates in 2021/22 were short of the current market values and due to the unknown timing of replacements the replaced vehicle will have to be auctioned after new stock arrives.

Three Quotes have been received from WALGA preferred suppliers. The draft budget currently identifies capacity of \$300,000 ex GST and the selected vehicle will be included in the final budget.

Prime Mover Quotes have been received from the following suppliers:

Supplier	CJD Equipment	Truck Centre	Penske Australia
Vehicle	Kenworth T610SAR	Mack Anthem	Western Star X Series
Inc GST	\$354,527.87	\$346,824.50	\$336,000.00
Ex GST	\$322,298.06	\$315,295.00	\$369,600.00

Delivery dated are approximate and vary greatly.

- Western Star is likely to be available some time early 2023
- Kenworth no later than November 2024
- Mack 12 months approximate

Mack Trucks which the Shire has previously operated have adequately performed their tasks, however the trade value of the Kenworth may hold stronger over its life. According to the Truck Industry Council Kenworth sold the highest number of new trucks purchased in the first quarter of 2022.

Quotes are available for inspection.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY/FINANCIAL IMPLCATIONS

WALGA Panel Tender Exemption
2022/23 Budget

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council accept quote Q65406287 for the purchase of a T610SAR for \$354,527.87 inc GST from the WALGA Preferred Supplier CJD Equipment.

COUNCIL RESOLUTION

Moved Cr Raul Valenzuela

Seconded Cr Gail Simpson

That Council accept quote Q65406287 for the purchase of a T610SAR for \$354,527.87 inc GST from CJD Equipment.

CARRIED: 4/0

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14.5 Side Tipper Trailer Combination Purchase

Applicant:	Shire of Yalgoo
Date:	20 August 2022
Reporting Officer:	Chief Executive Officer Ian Holland
Disclosure of Interest:	NIL
Attachments:	Tabled

SUMMARY

That Council consider quotes received for the purchase of a pair of Side Tipping Trailers.

COMMENT

Three Quotes have been received from suppliers. The draft budget currently identifies capacity of \$250,000 ex GST and the selected purchase will be included in the final budget.

Combination Quotes have been received from the following suppliers:

Supplier	General Transport Equipment	Lombardi	Howard Porter
Vehicle	Tri Axle A Lead & Tri Axle B Tag	Hard Lite Flexible Series x 2	Tri Axle A & B Bullmaster 2023
Inc GST	\$298,760	\$302,500	\$264,000
Ex GST	\$271,600	\$275,000	\$240,000

In previous years the purchase of new side tipper trailers could have been estimated at \$90,000-\$100,000 each making the purchase of two in combination sit well below the tender threshold. Due to the constraints of legislation and the current market administration intends to subscribe to the WALGA Procurement and Equotes service. Subscription amounts will be included in the 2022/23 budget.

While the purchase of a single vehicle in this instance does not approach the Tender threshold of \$250,000 ex GST an anti avoidance principal exists so that a single purchase or project can't be broken up into smaller parts so as to avoid the Tender Threshold.

On a value for money basis it is suggested that the Shire purchase the Tri Axle A and 2023 Bullmaster B from Howard Porter. A smaller A trailer provides flexibility to operate/transport on roads with a lower RAV network and reduces the risk of 100% vehicle downtime when an MC licensed driver is unavailable. The proposed set would match a pair purchased in 2020.

Quotes are available for inspection.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY/FINANCIAL IMPLCATIONS

2022/23 Budget

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council accepts Quote 220234VP for the purchase of a Tri Axle A Bullmaster B Side Tipper Trailer Combination from Howard Porter.

COUNCIL RESOLUTION

Moved Cr Raul Valenzuela

Seconded Cr Gail Simpson

That Council accepts Quote 220234VP for the purchase of a Tri Axle A Bullmaster B Side Tipper Trailer Combination from Howard Porter.

CARRIED: 4/0

14.6 WA Country Health Service Property Lease

Applicant:	Shire of Yalgoo
Date:	20 August 2022
Reporting Officer:	Chief Executive Officer Ian Holland
Disclosure of Interest:	NIL
Attachments:	NIL

Cr Tamisha Hodder declared impartiality.

SUMMARY

That Council give consideration to lease two properties to the WA Country Health Service (WACHS).

COMMENT

WACHS have engaged a consultant to negotiate the possible lease of the two residences to be constructed at 21 Campbell Street, Yalgoo.

Consideration needs to be given to the Shires future housing requirements. Currently the Shires Stanley street property is the only vacant property and requires general repairs. Contracting requirements have the ability to utilise other accommodation options that are better suited to the short term.

Only 1 full time and 1 part time employee are not housed in Shire housing and there will be a requirement to renew housing options in the future.

If the lease of these properties results in the existing WACHS accommodation being held and not written off it does not provide for housing availability in town and would result in another vacant building.

If WACHS can demonstrate that this process will take place it is suggested that a term longer than 3 years be considered to provide some certainty.

Function and General Regulations provide a disposal exemption to State Agencies or the lease of residential property to a person. Clarification will be sought and a lease will be provided for Council consideration.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY/FINANCIAL IMPLCATIONS

NIL

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council provide in principle support for the CEO to negotiate a long term lease of the two units yet to be constructed at 21 Campbell Street, Yalgoo with the WA Country Health Service or their agent.

COUNCIL RESOLUTION

Moved Cr Raul Valenzuela

Seconded Cr Gail Simpson

That Council provide in principle support for the CEO to negotiate a long term lease of the two units yet to be constructed at 21 Campbell Street, Yalgoo with the WA Country Health Service or their agent.

CARRIED: 4/0

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15 NOTICE OF MOTIONS

NIL

16 URGENT BUSINESS

NIL

17 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

NIL

18 NEXT MEETING

The next Ordinary Meeting of Council is due to be held at the Council Chambers, Yalgoo on Friday 30th September 2022 commencing at 10.00 am.

19 MEETING CLOSURE

There being no further business the Shire President declared the Ordinary meeting closed at 12.28 pm.

PUBLIC QUESTION TIME - FOR INFORMATION PURPOSES ONLY

The Shire of Yalgoo welcomes community participation during public question time of Council Meetings. The following is a summary of s5.24 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and Shire Policy, to provide a guide for public question time.

To enable a prompt and detailed response to questions, members of the public are requested to lodge questions in writing to the Chief Executive Officer at least two days prior to a Council meeting. This can be done:

- a. In person at the Shire of Yalgoo Office, 37 Gibbons St, Yalgoo
- b. By emailing the Executive Support Officer pa@yalgoo.wa.gov.au
- c. By phoning the Executive Support Officer (08) 9962 8042

When registering a question members of the public will be required to provide the following for record keeping and response:

- a. Name, Address, Contact Number and Name of Organisation representing (if any)
- b. A written copy of the question to be asked at Public Question Time

It is recommended to arrive at the Council Meeting 15 minutes to commencement if you have not registered a question in advance.

The presiding Member will open Public Question Time where appropriate and, if necessary, provide a brief summary of the rules, regulations and procedures of Public Question Time.

1. The person asking the question is to state their name prior to asking the question.
2. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
3. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
4. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
5. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.
6. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where

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the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.

7. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
8. The priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
9. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
10. There are circumstances where it may be necessary to place limits on the asking of questions to enable all members of the public a fair and equitable opportunity to participate in Public Question Time. In these events the Presiding Member will apply the most appropriate limit for the circumstance. Generally each member of the public shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
11. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask further questions (with necessary limits in place as discussed above if required) until the initial period for Public Question Time has expired.
12. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.
13. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
14. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).

MATTERS FOR WHICH THE MEETING MAY BE CLOSED- FOR INFORMATION PURPOSES ONLY

Councillors are obliged to maintain the confidentiality of matters discussed when the meeting is closed.

The following legislative extracts were downloaded from www.legislation.wa.gov.au on 7 July 2021.

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; and
- (b) the personal affairs of any person; and
- (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; and
- (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; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (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; and

- (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; or
 - (ii) endanger the security of the local government's property; or

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- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
and
 - (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 (Model Code of Conduct) Regulations 2021

s.21 Disclosure of Information

(1) In this clause —

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, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non-confidential document means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent 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.

ATTENDANCE - FOR INFORMATION PURPOSES ONLY

Local Government Act 1995

S2.25 Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or
 - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.

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- (5A) If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.
- (5) The non attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
- (a) if no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) if the non attendance occurs —
 - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iiia) while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
- (6) A member who before the commencement of the Local Government Amendment Act 2009 section 5 was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

Urgent Business

General business will not be admitted to Council. In cases of urgency or other special circumstances, where a matter cannot or should not be deferred until the next meeting, urgent items may, with the consent of a majority of Elected Members present, be heard and dealt with. Any such business shall be in the form of a clear motion, and the President may require such a motion to be written and signed by the Councillor or officer proposing the motion or recommendation.

Deputations

Persons wishing to appear before Council or a Committee as a deputation should apply to the CEO at least one week before the date of the meeting, specifying the purpose of the deputation and the number of persons in the deputation. Deputations may be permitted at the discretion of the Presiding Member or by a resolution of the Council or Committee (as the case may not be). Not more than two members of a

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deputation may address the Council or Committee, except to answer questions from members of the Council or Committee.

A motion was mover by Cr _____ and seconded by Cr _____ to adjourn the meeting for lunch/a break and to reconvene at _____am/pm