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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,  
held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on Thursday 23 July 2009, commencing at 11.01 am.

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

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The President declared the Ordinary Meeting of Council open at 11.01am.

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

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MEMBERS	Cr DE Anderson, Shire President Cr EC Rowe, Deputy President Cr TK Iturbide Cr DP Morrissey Cr L Hodder
STAFF	Mr N Mitchell, Chief Executive Officer Ms VJ Rowe, Deputy CEO Mr CF Hodder; Works Foreman
OBSERVERS	None
LEAVE OF ABSENCE	None
APOLOGIES	None

**3. DISCLOSURE OF INTERESTS**

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Cr EC Rowe	Item 11.2.1 Item 11.3.3	Healthy Community Project – Centacare Interest affecting Impartiality Adoption of Annual Budget Interest affecting Impartiality
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**4. PUBLIC QUESTION TIME**

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**4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

None

**4.2 QUESTIONS WITHOUT NOTICE**

None

## **5. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

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None

## **6. APPLICATIONS FOR LEAVE OF ABSENCE**

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None

## **7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

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### **7.1 PRESIDENT**

The President noted having attended the 2 day meeting of Injury Council of WA in Geraldton.

### **7.2 COUNCILLORS**

Cr EC Rowe

Attended a breakfast in Perth hosted by Planning Commission, at which the Minister for Local Government was to speak regarding implications of structural reform on planning and land use matters. The Minister was understood to be quite open that there is a set agenda for local government structural reform

## **8. CONFIRMATION OF MINUTES**

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### **8.1 ORDINARY COUNCIL MEETING – 18 June 2009**

#### BACKGROUND

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

#### VOTING REQUIREMENTS

Simple majority

#### OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0701 Confirmation of Minutes**

**Moved Cr TK Iturbide, Seconded Cr DP Morrissey**

**That the Minutes of the Ordinary Council Meeting of 18 June 2009 be confirmed.**

**Motion put and carried 5/0**

## **8.2 SPECIAL COUNCIL MEETING – 15 July 2009**

### BACKGROUND

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

### VOTING REQUIREMENTS

Simple majority

### OFFICER RECOMMENDATION/ COUNCIL DECISION

#### **C2009-0702 Confirmation of Minutes for Special Meeting**

**Moved Cr EC Rowe, Seconded Cr L Hodder**

**That the Minutes of the Special Council Meeting of 15 July 2009 be confirmed.**

**Motion put and carried 5/0**

## **9. MINUTES OF COMMITTEE MEETINGS**

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None

## **10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

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### **10.1 WA Police Service**

Superintendent Ross Tomasini joined the meeting at 11.15am and advised –

- he had been in the region for 7 months approx.
- there had not been many significant changes made, but some adjustments to tweak things at the edges
- statistics show an improvement across the board for the region

There ensued general discussion of policing in Yalgoo and the Murchison region as a whole.

### **10.2 MMG Golden Grove**

Mr Craig Turley, Community Liaison Officer for MMG Golden Grove at 11.40 and advised –

- OZ Minerals is now officially MMG Golden Grove
- there has been a number of senior staff changes –
  - o Javier Brodalka has left, and his replacement from BHP should be arriving shortly
  - o Bruce Anderson has also left, with Nick Mosenthal promoted internally
- The mine is currently operating at about 3/8ths capacity
- Memorandum of Understanding –
  - o there remains a real commitment to it
  - o it is intended that it be for life of mine and multifaceted
  - o feedback shortly from their legal and community liaison people
- new Yalgoo Health Centre – some on-going support may be possible
- MMG will be looking at re-framing their community input, as the last work on this was done about 5 years ago
- Yalhoo Yalgoo – the fundraising walk from mine to town will be on again on 23 August 2009
  - o looking at placing some of the funds raised to within the community
  - o would like to see more community involvement

### **10.3 Social Systems and Evaluation**

The CEO advised that arrangements had been made for the consultants for –

- Healthy Community Project – Into the Future, and
- Implications of Amalgamation on Yalgoo Communities

to meet with Council at 3.30pm to discuss the two projects.

## **ADJOURNMENT**

*The meeting adjourned for lunch break at 12.00pm and resumed at 1.03pm with all who were in attendance before the adjournment being present at the resumption except Cr TK Iturbide.*

## **11. REPORTS OF OFFICERS**

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### **11.0 MATTERS BROUGHT FORWARD**

None

*Cr TK Iturbide entered the meeting at 1.06pm.*

### **11.1 WORKS**

#### **11.1.1 WORKS ACTIVITY REPORT**

File: N/A  
Author: Cliff Hodder, Works Foreman  
Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.1 emails to/from WALGA – Graders towing trailers  
( yellow)

#### MATTER FOR CONSIDERATION

Works Report for the past month

#### BACKGROUND

Overview of works for the past months

#### STATUTORY ENVIRONMENT

None

#### STRATEGIC IMPLICATIONS

None

#### POLICY IMPLICATIONS

None

#### FINANCIAL IMPLICATIONS

None

#### CONSULTATION

None

#### COMMENT

- a) Construction –
  - As authorised by Council, work has commenced on the Yalgoo-Ningham Rd form and gravel. It is planned to do the full 5.5 km from the end of the bitumen to the next passing opportunity, using the RRG grant funds, CLGF grant funds and Council own resources.
  
- b) Maintenance – some work delayed by rain –
  - two graders in the far south east
  - the third grader to remaining in the south east of the Shire for the time being for construction
  - maintenance grading done or underway –
    - o Yalgoo-Ningham Rd
    - o Maranalgo Rd
    - o Badja Homestead Rd
    - o top Mellenbye Homestead Rd
    - o Badja Woolshed Rd
  - maintenance work due –

- o Yalgoo Ninghan Rd – shoulders
  - o Thundelarra-Paynes Find Rd – including cement stabilisation of lakes crossing near Fields Find (delayed due to rain and wet conditions)
  - o Yalgoo-Ninghan Road – edges and shoulders finished, for the full length of the bitumen
  - o Yalgoo-Morawa Rd
  - o general maintenance throughout the Shire
  - pipes needed in Maranalgo Rd (near homestead) and some distance south of homestead
- c) Plant
- Volvo – alterations to hydraulic oil tank and lines for float clearance
  - float – pin and plate alterations required for legal distance to be regained. Initially changed for clearance from tank on the Volvo, after ripping the hydraulic lines, not realising that this put it out of spec. Not able to be used until inspection passed.
  - water tanker – axles changed as bearing work out, brake drums needed complete replacement, and axles themselves showing signs of wear, and likely to need to be replaced in near future
- d) Other
- 2 new houses –
    - o decks not yet complete. Not yet paid either.
  - Gullewa cemetery and Wuraga gravesites also need attention
  - Depot – new office lunchroom due by mid-August.
  - Yalgoo Community Park –
    - o barbecues on hand, gazebos should be delivered before Council meeting, and installation of both due in the next few weeks
    - o electrical and plumbing work arranged, just waiting on gazebo construction to finalise
    - o once this and the final landscaping done, the Park will be complete, having done all planned stages in one year, due to the additional grant funding.
- e) Yalgoo Town footpaths
- cost of the project is approx. \$83,000, being \$38,000 DPI grant and \$45,000 Council funds. Budget was \$80,000, and initial cheapest quote was about \$98,000
  - back fill and some stencilling needed to complete prior to inspection and transfer of the grant funds from Trust

#### VOTING REQUIREMENTS

Simple majority

#### OFFICER RECOMMENDATION/ COUNCIL DECISION

#### **C2009-0703    Works Activity Report**

**Moved Cr EC Rowe, Seconded Cr L Hodder**

**That the Works Report to 16 July 2009 be received.**

**Motion put and carried 5/0**



## **11.0 MATTERS BROUGHT FORWARD**

### **C2009-0704 Item brought forward**

**Moved Cr DP Morrissey, seconded Cr DE Anderson**

**That Item 11.3.3 Adoption of the Annual Budget, be dealt with at this time.**

**Motion put and carried 5/0**

NOTE Cr Rowe declared an interest affecting impartiality in relation to the following matter being involved with a local contract business.

### **11.3.3 ADOPTION OF ANNUAL BUDGET 2009-10**

File:

Author: Violet Rowe, Deputy Chief Executive Officer

Interest Declared: No Interest to declare

Date: 16 July 2009

Separate: Budget Program 2009-10  
Schedule Fees & Charges

#### **MATTER FOR CONSIDERATION**

Council to consider adopting the 2009-10 Budget and also approve

- Differential and minimum rates
- Instalment interest rate and fee, penalty interest rate and early payment incentive prize.
- Cemetery Fees and Charges
- Schedule of Fees and Charges

#### **BACKGROUND**

Council at discussion held 15 July 2009 considered the draft Budget for 2009-10 and approved the advertising of differential rates for 2009-10 at Ordinary Meeting on 18 June 2009.

At ordinary council meeting on the 23<sup>rd</sup> April 2009, Council approved for the draft budget –

- Schedule of Fees & Charges
- Member Fees and Allowances

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

- Section 6.2–Requires a local government to prepare an annual budget by 31 August
- Section 6.32–States that a local government in order to make up the budget deficiency is to impose a general rate on rateable land that may be imposed uniformly or differentially
- Section 6.33(1)–Provides that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.
- Section 6.33(3)–States that a local government cannot without the approval of the Minister raise an amount of general rates that exceeds 110% of the budget deficiency or is less than 90% of the budget deficiency
- Section 6.35–States a local government before imposing any differential general rate provide at least 21 days public notice of its intention to do so.
- Section 6.45 to 6.47–Allows a local government to levy fees and interest, grant a discount for early payment and to waive or grant concessions in relation to a rate or service charge.
- Section 6.51–Allows a local government to charge interest on a rate or service charge that remains unpaid after it is due and payable.
- Section 6.16–Allows a local government to impose and recover a fee or charge for any goods or services it provides or proposes to provide.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Policy 7.6 – Budget Timetable, outlines the steps and timetable leading to the adoption of the Budget.

**FINANCIAL IMPLICATIONS**

The budget outlines planned expenditure and revenue and determines the financial parameters for the Shire to operate within for the 2009-10 financial year. The proposed budget for the year demonstrates a surplus of \$12,166.

**CONSULTATION**

Councillors  
CEO  
Foreman

The proposed differential rates were advertised for public comment in advertisements placed in The West Australian on 20 June 2009. Ratepayers and electors were invited to provide submissions, to be received by 4.00pm Monday 13 July 2009.

**COMMENT**

Following changes processed to the draft budget provided to Council discussion held on the 15<sup>th</sup> July 2009, the Rate Setting Statement now shows surplus of \$12,166. This compares to the deficit of \$8515 presented to Council edition 2 of the detailed budget.

As the annual financial statements have not been completed the 2008-09 forecasted actuals are subject to change.

**Changes to the Draft Budget made at the discussion held on the 15<sup>th</sup> July 2009.**

Action	Details	Page	Type	Income +(-)	Expend +(-)
Insert	Variations to insurances from initial quotes	various throughout			10,281
Insert	Councillors notebook computers (2)	8	CE		3,500
Insert	FESA grant - Shed for Payne's Find Light Tanker	10	CI	45,000	
Insert	Shed for Payne's Find Light Tanker	10	CE		45,000
Amend	New Health Centre - reduce 09/10 grant amount to \$376,125	18	CI	(60,875)	
Amend	New Health Centre - reduce capital expenditure	18	CE		(60,875)
Amend	Units ATU relocation	20	OE		(20,000)
Insert	Veranda 6 Henty St	20	CE		25,000
Insert	Niche Wall	25	CE		8,000
Insert	Old Anglican Church - safety fencing, maintenance etc	32	OE		10,000
Insert	Heritage Grant - Anglican Church Conserve. Plan	32	OI	15,000	
Insert	Anglican Church Conserve Plan - Consultant	32	OE		15,000
Insert	Minor Equipment - side tip cement mixer,	40	CE		5,000
Amend	Service truck - reduction for 2WD from 4WD	40	CE		(25,000)
Insert	2 way radios & fitting - CEO, service truck, 2 utes	40	CE		5,000

Remove	HCP Wages	44	OE		(60,000)
Remove	HCP Super	44	OE		(11,200)
Remove	HCP Insurance expenses	44	OE		(5,000)
Remove	HCP Staff Training	44	OE		(5,000)
Amend	HCP Project Activity Expenses	44	OE		(27,600)
Insert	Centacare - OZ Minerals Contribution (60%)	44	OE		30,000
Insert	Centacare - Shire Contribution (balance of \$20,000)	44	OE		12,500
Insert	HCP- Into the Future consultancy	44	OE		10,000
Amend	FaHCSIA grant	45	OI	(82,000)	
Insert	HCP Activity grants - various	45	OI	15,000	
Insert	Consultant - valuation for insurances (AVP) (total cost \$10k but \$1505 absorbed by plant insurance and admin building)	various throughout	OE		7,895
Insert	LGIS rebate on valuations for insurances	55	OI	4,000	
Remove	Footpath construction (but would need to do in 2010-2011)	36	CE		(50,000)

The above changes resulted in the change from deficit of \$8,515 to a surplus of \$5,109.

#### Changes to the Draft Budget made following the discussion held on the 15<sup>th</sup> July 2009

Action	Details	Page	Type	Income +(-)	Expend +(-)
Remove	incorrect formula used				(45,000)
Insert	Lease payment for the Geraldton Fuel Station	7	OI	7,100	
Insert	HCP program income from Geraldton fuel	5	OI	5,000	
Amend	Reduce transfer from reserve	8	CI	(50,000)	
Insert	Asset Management plans	various throughout	OE		8,395
Amend	Depreciation for E111298 and E117298 modified	2 and 7	OE	8,352	

The above changes performed following the 15<sup>th</sup> July discussion resulted in a change from a surplus of \$5,109 to a surplus of \$12,166.

#### Rates, Penalties and Instalments

A letter was sent on 14 July 2009, to the Minister for Local Government and Regional Development requesting approval to implement a differential rate that is more than twice the lowest differential rate. This approval is required in accordance with Section 6.33(3) of the Local Government Act 1995 and is hoped to be tabled as a late item at the July 2009 Ordinary meeting.

Penalty interest rate for rates not paid by due date and rate payment instalment options are the same as last year.

These details are:

- 11% penalty interest to be charged on rates outstanding after the due date and for which the instalment option has not been taken up.
- Rates can be paid in four instalments, provided there are no outstanding rates from the previous year. An instalment charge of \$ 5 plus daily interest of 5.5% will be charged on the balance outstanding after the instalment dates, this is applicable on the second, third and fourth instalments.
- Rates incentive prize for rates paid in full and received by council by 4.00pm on the due date is offered to ratepayers. This is in the form of a lucky draw, the prize to the value of \$1000 is to be determined by Council.

**Fees and Charges**

Schedule of Fees and Charges that was presented to Council at its meeting on 17 April 2008 have since been modified. These changes were discussed with council on the 15 July discussion held in Chambers.

To complete the budget process for 2009-10 there are a number of formal decisions required and these are outlined in the following officer recommendations.

*NOTE The Deputy CEO advised that no submissions concerning differential rates had been received during the stipulated period, and that the Minister (under delegated authority) had approved the imposition of differential rates.*

VOTING REQUIREMENT  
 Absolute Majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

**C2009-0705 Adoption of Rates for 2009/10**

**Moved Cr TK Iturbide, Seconded Cr DP Morrissey**

**That Council adopt the following differential and minimum rates for the year ending 30 June 2010.**

<b>Rate Category</b>	<b>Basis</b>	<b>2009/10 Rate in \$</b>	<b>2009/10 Minimum</b>
<b>Town Improved</b>	<b>GRV</b>	<b>7.59</b>	<b>225</b>
<b>Town Vacant</b>	<b>GRV</b>	<b>7.59</b>	<b>521</b>
<b>Pastoral/Rural</b>	<b>UV</b>	<b>7.83</b>	<b>225</b>
<b>Mining</b>	<b>UV</b>	<b>24.46</b>	<b>225</b>
<b>Exploration/ Prospecting</b>	<b>UV</b>	<b>13.08</b>	<b>225</b>

**Motion put and carried by Absolute Majority 5/0**

VOTING REQUIREMENT  
Absolute Majority

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

**C2009-0706    Options for Payment of Rates**

**Moved Cr EC Rowe, Seconded Cr DP Morrissey**

**That Council**

1. In accordance with Section 6.45 (1)(b) of the Local Government Act 1995, offer the following options for the payment of rates:
  - Option 1: Payment in full by a single instalment
  - Option 2: Payment in four equal instalments
2. In accordance with Section 6.45 (3) of the Local Government Act 1995, impose an administration fee of \$5 to the second, third and fourth instalments.
3. In accordance with Section 6.51 of the Local Government Act 1995, impose a late payment penalty interest rate of 11% on the rates that have not been paid by the due date and where instalment option 2 has not been taken up.
4. Early rate payer prize to the value of \$1000 be offered by lucky draw to those ratepayers who have paid their rates in full by 4.00pm on the due date shown on the rates notice.

Motion put and carried by Absolute Majority 5/0

VOTING REQUIREMENT  
Absolute Majority

OFFICER RECOMMENDATION 3 / COUNCIL DECISION

**C2009-0707    Fees and Charges adopted**

**Moved Cr EC Rowe, Seconded Cr L Hodder**

**That Council, in accordance with Section 6.16 of the Local Government Act 1995, adopt the Schedule of Fees and Charges as presented in the Budget for the year ended 30 June 2010**

Motion put and carried by Absolute Majority 5/0

*Mr N Mitchell left the meeting at 1.19pm and returned at 1.20pm.*

VOTING REQUIREMENT  
Absolute Majority

OFFICER RECOMMENDATION 4 / COUNCIL DECISION

**C2009-0708    Rubbish Removal Charges**

**Moved Cr EC Rowe, Seconded Cr L Hodder**

**That Council, in accordance with the Health Act 1911, impose a flat charge per bin of \$180 excluding GST, regardless of number of times picked up each week for 2009-2010,**

Motion put and carried by Absolute Majority 5/0

VOTING REQUIREMENT  
Absolute Majority

OFFICER RECOMMENDATION 5

That Council, in accordance with Section 6.2 of the Local Government Act 1995, adopt the Annual Budget for the year ending 30 June 2010.

COUNCIL DECISION

**Adoption of the Annual Budget 2009/10**

**Moved Cr EC Rowe, Seconded Cr DP Morrissey**

**That Council, in accordance with Section 6.2 of the Local Government Act 1995, adopt the Annual Budget for the year ending 30 June 2010 with the following amendments agreed after discussion –**

NOTE No decision nor direction had been made in relation to the Motion above at this time

*Ms VJ Rowe left the meeting at 2.10pm.*

*Cr TK Iturbide left the meeting at 2.21pm and returned at 2.27pm.*

**ADJOURNMENT**

*The meeting adjourned at 3.18pm and resumed at 3.37pm with all who were in attendance before the adjournment being present at the resumption together with Ms Rosemary Cant & Mr Colin Penter of Social Systems and Evaluation.*

**10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

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**10.3 Social Systems and Evaluation**

Ms Rosemary Cant & Mr Colin Penter of Social Systems and Evaluation were introduced.

There was general discussion regarding the consultations for –

- Healthy Community Project – Into the Future, and
- Implications of Amalgamation on Yalgoo Communities

In relation to the HCP, Ms Cant and Mr Penter particularly noted from their preliminary discussions that the HCP –

- has been very important to the community,
- the community and the School have strongly emphasised the value of the lunch program
- the community has also valued activities such as Playgroup, holiday programs etc

They will be continuing with discussions with the community about what they want to see happen.

*Mr Mitchell left the meeting at 3.55pm and returned to the meeting at 3.57pm*

*Cr Hodder left the meeting at 3.58pm and returned to the meeting at 3.59pm*

## **ADJOURNMENT**

*The meeting adjourned at 4.40pm and resumed at 4.47pm with all who were in attendance before the adjournment being present at the resumption except Cr L Hodder, Ms Cant and Mr Penter.*

*Cr L Hodder returned to the meeting at 4.49pm*

## **ADJOURNMENT**

*The meeting adjourned at 4.56pm and resumed at 5.01pm with all who were in attendance before the adjournment being present at the resumption.*

## **11. REPORTS OF OFFICERS**

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### **11.3.3 ADOPTION OF ANNUAL BUDGET 2009-10**

COUNCIL DECISION

**C2009-0709 Procedural Motion to defer consideration of the Matter**

**Moved Cr TK Iturbide, Seconded Cr EC Rowe**

**That consideration of Item 11.3.3 Adoption of the 2009-2010 be deferred to after all other business is concluded.**

**Motion put and carried 5/0**

*Mr C Hodder left the meeting at 5.03pm.*

## 11.2 **DEVELOPMENT**

NOTE Cr Rowe declared an interest affecting impartiality in relation to the following matter due to relationship with the Centacare employee.

### **11.2.1 HEALTHY COMMUNITY PROJECT – Centacare**

File:

Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: none

#### MATTER FOR CONSIDERATION

To consider the transfer of delivery of children's services from the Shire to Centacare Geraldton.

#### BACKGROUND

Council has previously considered the possibility of transfer of children's service from the Shire to an external organisation

#### STATUTORY ENVIRONMENT

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Contractual obligations with the Dept for Families, Children's Services and Indigenous Affairs

#### STRATEGIC IMPLICATIONS

Continuation of HCP

#### POLICY IMPLICATIONS

None

#### FINANCIAL IMPLICATIONS

Transfer of grant funding to Centacare – \$174,720 FaHCSIA funds committed for next 2 years

As provided for in the 2009-2010 Budget –

- Allocation of a portion of OZ Minerals Community Benefit payment as per MOU
- Contribution from Council of cash and in-kind support for office, accommodation, operations

Saving of FBT on the unit, as the resident would not be an employee of the Shire

#### CONSULTATION

Ms Brianna Higgins, FaHCSIA

Sister May Ryan, Centacare Geraldton

#### COMMENT

At the April 2009 meeting of Council the following resolutions were made –

##### C2009-0407 Transfer of Children services/ Family Support to a Suitable Organisation

That Council agrees in principle to the transfer of children's services / family support aspects of the Healthy Community Project to a suitable organisation, subject to the agreement of Dept for FaHCSIA, and final endorsement by Council of an acceptable proposal.

##### C2009-0408 Transfer of HCP Funds to the accepted Proposed Organisation

Should an acceptable proposal be received, the following funding will be transferred to the organisation –

- Dept of FaHCSIA funding, and
- a minimum of 60% of the OZ Minerals Community Benefit community benefit contribution (\$30,000 in 2008-09)

##### C2009-0409 Continuation of Support for Children's Service/ Family Support

That Council continue to support children's service / family support activities undertaken by providing free of charge to the organisation –

- office – space, consumables and utilities at the Hall
- vehicle – maintenance and operation
- accommodation – excluding electricity



C2009-0410 Public consultation prior to transfer to suitable organisation

That if a potential acceptable proposal is received, then in conjunction with the proposer, a public consultation process be designed and carried out prior to sign off of the transfer.

Acceptable organisation and activities

FaHCSIA are very familiar with Centacare, and from discussions, and are very pleased with the prospect of dealing with them. They have confirmed by email that Centacare would be a good fit with their requirements, both under the ICP or FSP.

Funding and support

When all is said and done, the grant funding is not actually the Shire's to control, but FaHCSIA's. FaHCSIA have indicated their willingness to novate (transfer the entitlement to funding) from the Shire to Centacare.

In financial terms, FaHCSIA have now contracted with Centacare for delivery of services to the Yalgoo community in the Family Support Program, rather than under the Indigenous Children Program which the Shire was contracted under.

Public consultation

Social Systems and Evaluation have been contracted to do the review utilising FaHCSIA funding from 2008-2009. Their consultation with the community was to have included the possibility of an alternative agency, as per Council resolution C2009-0410 noted above, however, as FaHCSIA have now contracted with Centacare, it has pre-empted Council's decision.

In recognition of this, it is suggested that the official "handover" be done as soon as possible, so that there is minimum time when both organisations are unsure of what is to be done.

Centacare

Centacare have made an appointment to the position, and I will be meeting with FaHCSIA and Centacare representative on 31 July 2009 in Geraldton.

It needs to be noted that while some direction and recommendations may be given to Centacare, the activities to be delivered will be those that Centacare is obligated to undertake, in accordance with their contract direct with FaHCSIA.

Centacare will not be taking on any of the economic development functions of the Healthy Community Project, and these will remain with the Shire. The Shire is not excluded from involved in community development matters (such as the "Choose Respect" initiative), and can run these alone or in cooperation with Centacare or other organisation.

Arrangements

Most of the rest of the likely arrangement with Centacare have been addressed with the following resolutions being made at the June 2009 meeting –

2009-0633 Shire Support for Centacare – Scope

That Council –

- enter into the appropriate tenancy agreements to provide office space and a 2 bedroom unit, at nil rental to Centacare Geraldton,
- tenancy of the office space and the unit is for the duration of the funding from FaHCSIA to run deliver services under the Indigenous Children's Program or Family Support Program –
  - o initially to 30 June 2011,
  - o renewable by mutual agreement at that time
  - o Council to have regard to the impact on the services and therefore community, of non-renewal of either office space or residential accommodation,
- rental charge on both office and unit to be nil, with all out-goings met by the Shire other than electricity consumption at the unit

2009-0634 HCP Vehicle and Equipment – Use and Ownership

That –

- all equipment, including the vehicle, purchased by grant funding remain in the ownership of the Shire for the specific use by Centacare for delivery of the activities, for the duration of their useful life

- replacement of equipment purchased with grant funding, except the vehicle, to be the responsibility of Centacare at the appropriate time, as Council cannot exercise rights of ownership over these items,
- future replacement of the vehicle is to be negotiated at the appropriate time, in good faith, having regard to the financial contributions made to the vehicle by various funding organisations, and by the Shire,

*Note – Vehicle use should not be unrestricted private use, and some guidelines will need to be negotiated/ agreed. While recognising that some private use may be permitted by Centacare as the responsible organisation, the intent of this is to ensure –*

- *maximum access is maintained for HCP use, staff and volunteers, and*
- *maximum funding for activities is available.*

2009-0635 Shire Support for Centacare – Budget Provision 2009-2010

That Council

- a) make an allocation of \$20,000 in the 2009-2010 budget, indexed each successive year according to the rates increase, for the purpose of funding –
  - office – space, consumables and utilities at the Hall
  - vehicle – maintenance and operation
  - accommodation – excluding electricity
  - various activity expenses – hire of hall facilities, hire of Community Bus etc
  - balance to be available for the general activities of Centacare in Yalgoo, not met by FaHCSIA, OZ Minerals, or other grants or sponsorship,
- b) request Centacare that provision be made for a brief written or in person report be made to Council every two months, so as to be able to remain informed of activities, developments or issues, as they arise.

Future

In many ways, it could be said that the Yalgoo Healthy Community Project is now evolving from a single organisation, to one that has multiple agency participation –

- Centacare – family and children’s support services as contracted to FaHCSIA
- Shire – economic development and some community development through activities not undertaken by Centacare
- School – implementing and main organisation coordinating the Chose Respect program, with assistance from other agencies in the town

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION 1/ COUNCIL DECISION

**C2009-0710 Transfer of Contract to Centacare**

**Moved Cr EC Rowe, Seconded DP Morrissey**

**That Council agrees to the “transfer” of –**

- **the current funding contract with Dept for Families, Housing, Children’s Service and Indigenous Affairs from the Shire of Yalgoo, and**
- **children’s services and family support roles of the Healthy Community Project**

**to Centacare Geraldton, effective 1 August 2009.**

**Motion put and carried 5/0**

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

**C2009-0711 Appreciation of Support**

**Moved Cr TK Iturbide, Seconded Cr EC Rowe**

**That the Dept for Families, Housing, Children’s Service and Indigenous Affairs be thanked for their support and assistance through funding and advice to the Yalgoo Healthy Community Project over the years since inception.**

**Motion put and carried 5/0**

### **11.2.2 Dept OF HEALTH AND AGEING – Funding for new Yalgoo Health Centre**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.11 Funding Agreement with DHA  
(yellow)

#### **MATTER FOR CONSIDERATION**

To consider acceptance of funding under the National Rural and Remote Health Infrastructure Program.

#### **BACKGROUND**

An Application was submitted in December 2008, for funding to construct a new Yalgoo Health Centre to replace the Yalgoo Nursing Post.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Contractual obligations with the Dept for Health and Ageing

#### **STRATEGIC IMPLICATIONS**

Improvement of health services in Yalgoo

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

Grant of \$501,500 plus GST from Dept of Health and Ageing  
Funding of the gap to be from Country Local Government Fund  
Lease of building to WACHS Mid West to be agreed and finalised

#### **CONSULTATION**

Dane Roberts, Dept of Health and Ageing  
Shane Matthews, WACHS Mid West

#### **COMMENT**

The Minister announced the grant of \$501,500 ex GST under the National Rural and Remote Health Infrastructure Program some weeks ago, being –

- \$376,126 ex GST in 2009-2010, and
- \$125,375 ex GST in 2010-2011

The paperwork for acceptance of the grant has now been reviewed and the following points noted –

- 16.4 – if there is early termination of the Agreement, the Commonwealth may be require repayment or sale
- 27.1 (d) – although dealing specifically with winding up of a receiving organisation, there are implications under this clause in the event of amalgamation, however, in the case of local government, there is perpetual succession
- 29.2.2 – certification of completion required at the end of the Project Period
- Schedule N – retention period is 10 years, i.e. Shire of Yalgoo, its heirs and successors must retain ownership for this period

Other sections of the agreement appear to be standard arrangements, and provisions, with some details specific to Commonwealth Agreements (eg FahCSIA, DOTARS etc).

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0712    Authorisation of Funding Agreement**

**Moved Cr L Hodder, Seconded EC Rowe**

**That the President and CEO be authorised to sign the Funding Agreement for \$501,000 ex GST for the construction of a new Yalgoo Health Centre with the Dept of Health and Ageing**

**Motion put and carried 5/0**

### **11.2.3 NEW YALGOO HEALTH CENTRE - Location**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.64 Map of possible sites for the new Health Centre  
(yellow) p.65 WACHS Concept Plan

#### **MATTER FOR CONSIDERATION**

To confirm the location of the proposed Yalgoo Health Centre.

#### **BACKGROUND**

The matter was previously considered in December 2008, and Reserve 3225 on the corner of Gibbons and Weekes Street was resolved as the preferred location.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Land Administration Act

#### **STRATEGIC IMPLICATIONS**

Improvement of health services in Yalgoo

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

None

#### **CONSULTATION**

None

#### **COMMENT**

The preferred location was identified as being Reserve 3225 in December 2008, however, in preparation for accepting the grant, land ownership was checked again, and it was found that this Reserve had incorrectly been advised to Council as being vested in the Shire. A title search has revealed that this Reserve is still under the control of the State (Dept for Planning).

Council therefore has the decision to make as to whether to pursue obtaining a Management Order for the Reserve with a change of purpose from Public Utilities to Public Purposes, if necessary.

A map of the previously identified sites is attached.

It should be noted that Alternate Site 2, while in the Shire's name, is under contract of sale. The intending purchasers may be prepared to relinquish their claim to the lot.

Site 3 is in private ownership. No approach has been made to the owners to ascertain their willingness or otherwise to sell the lot.

Site 4 has previously been identified as the preferred block for relocation for two of the Shamrock Street units

Councillors may be aware of other lots available and suitable, if Reserve 3225 is now considered not suitable, including part of the intended Recreation Reserve that faces Campbell Street. However, it would be preferable from the point of view of town planning that the new Health Centre be located close to the centre of the town or on Gibbons Street with other commercial type premises. One such block could be Lot 124, 12 Gibbons Street, adjacent to the Fire Station and Ambulance Sub-Centre.

The Reserve on the corner of Henty and Shamrock Sts, next to the Shire Hall is no longer considered a viable option, as it is likely to have local heritage interests.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0713    Reserve 3225 – New Yalgoo Health Centre**

**Moved Cr EC Rowe, Seconded Cr DE Anderson**

**That application be made to the Dept for Planning for Reserve 3225 to have a Management Order in favour of the Shire of Yalgoo, for the purposes of the proposed Yalgoo Health Centre.**

**Motion put and carried 4/1**

**11.2.4 HERITAGE COUNCIL – Yalgoo Justice Precinct**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.66 Heritage Council letter and map  
(yellow)

**MATTER FOR CONSIDERATION**

To consider the interim listing of the Yalgoo Heritage Precinct.

**BACKGROUND**

Previously before Council in early 2008, an objection has been lodged to the original intended listing

**STATUTORY ENVIRONMENT**

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Heritage Act

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

None

**CONSULTATION**

None

**COMMENT**

The original listing was for the museum property, and lot 1 which is the property now owned by Gail Trenfield.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**C2009-0714 Heritage Council**

**Moved Cr EC Rowe, Seconded Cr TK Iturbide**

**That the Heritage Council of WA be advised that Council has no objection to –**

- Reserve 32856, lot 183, being the Yalgoo Museum being listed, and
- Lot 1 being listed, subject to consent to the listing being obtained from the owner/s.

**Motion put and carried 5/0**

## **11.3 FINANCE**

### **11.3.1 FINANCIAL ACTIVITY STATEMENTS – JUNE 2009**

File:  
Author: Violet Rowe, Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 17 July 2009  
Finance (green) p.1 Financial Activity Statements for June 2009  
p.20 Balance Sheet  
p.28 Income Statement Detail  
p.38 Income Statement by Nature & Type  
p.39 Income Statement Summary by Program

#### **MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for June 2009.

#### **BACKGROUND**

Amendments to the Local Government (Financial Management) Regulations 1996 that were gazetted on 20 June 2008 and became effective from 1 July 2008 have resulted in regulations 34 and 35 relating to monthly financial reports and quarterly/triennial financial reports being repealed and substituted with a new regulation 34. The new regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported with the intention of establishing a minimum standard across the industry.

#### **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**

None

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue and overall results against budget targets.

#### **CONSULTATION**

None



COMMENT

A copy of the Statement of Financial Performance is attached to this item including additional information that council deemed appropriate to receive.

The area's where material variances have been experienced, i.e. either 10% or \$5000 above or below budget, are commented on in the material variance attachment which will be given to council as a late item.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0715    FINANCIAL ACTIVITY STATEMENTS – JUNE 2009**

**Moved Cr TK Iturbide, Seconded Cr EC Rowe**

**That Council adopt the financial statements and material variances for the period ending 30 June 2009, as attached.**

**Motion put and carried 5/0**

**11.3.2 ACCOUNTS PAID DURING THE MONTH OF JUNE 2009**

To be presented at the meeting as the computer program end of year updates are causing problems.

**11.3.2 ACCOUNTS PAID DURING THE MONTH OF JUNE 2009**

File: N/A  
Author: Violet Rowe, Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 21 July 2009  
Finance: Listing of accounts paid  
(green)

**MATTER FOR CONSIDERATION**

Authorisation of accounts paid during the month of June 2009

**BACKGROUND**

Accounts paid are required to be submitted each month.

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996

Reg 13(1)–Requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

Payment from Council's Municipal Account

**CONSULTATION**

None

**COMMENT**

Payments made during the month of June 2009 as per attached schedule.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2009-0716 Accounts paid during the month of June 2009**

**Moved Cr EC Rowe, Seconded Cr TK Iturbide**

**That:**

- 1. The Cheque Detail of payments covering vouchers EFT 1-49 totalling \$111,134.15 paid during the month of June 2009, be received;**
- 2. Cheque payments covering cheque numbers 11112- 11155 totalling \$131,547.13 paid during the month of June 2009, be received; and**
- 3. Salaries and Wages totalling \$21,568.14 paid during the month of June 2009, be received.**

**Motion put and carried 5/0**

**11.3.3 ADOPTION OF ANNUAL BUDGET 2009-10**

Dealt with earlier in the meeting following Item 11.1.1

**11.3.4 WRITE OFF OF RATES**

File:  
 Author: Niel Mitchell, CEO  
 Interest Declared: No interest to disclose  
 Date: 16 July 2009  
 Attachments: None

**MATTER FOR CONSIDERATION**

To approve the write off of rates, rubbish and interest charges.

**BACKGROUND**

Rates and other charges for three owners are recommended for write off..

**STATUTORY ENVIRONMENT**

Local Government Act 1995 –  
 - s.6.12 (1) – Council may write off monies due.

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

Total value of rates and charges written-off of \$1,596.50 and payment of ESL levy and interest of \$43.06

**CONSULTATION**

None

**COMMENT**

Amounts are outstanding as at 30 June 2009.

(1) Anglican Church

This property has been in the process of transfer to the Shire for over 12 months, and has been delayed (assessment 598). Paperwork required for the transfer is now being completed. Currently outstanding is \$139.48 being –

Rubbish charge (50%)	89.57	
Rubbish charge interest	6.85	96.42
ESL Levy	40.00	
ESL Levy interest	3.06	43.06

(2) Main Roads Depot

MRWA have advised that they are exempt from rates und rubbish charges, although paid in previous years (assessment 1133).

Rubbish charge (50%)	533.87	
Rubbish charge interest	42.35	596.22

(3) Minjar Gold Pty Ltd

Minjar Gold Pty Ltd went into receivership almost 2 years ago, and at that time it was thought that the outstanding rates of \$38,177.72, may not be recovered. These rates have since been paid in full, however, the Administrator has advised that he considers interest should not have been accrued from the date of lodgement of documents for bankruptcy. The tenements have since been sold to Golden Stallion Pty Ltd. Total amount outstanding is \$903.86, on the following assessments –

Assessment	117	8.58
	256	13.18
	270	42.68

1002	0.11
1003	604.12
1004	0.11
1005	0.11
1006	3.01
1184	8.58
1192	87.29
1076	17.57
1087	8.91
1147	7.87
1161	16.56
1162	33.64
1214	7.37
1293	7.32
1320	7.37
1389	7.37
1390	7.37
1391	7.37
1392	7.37

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION

**C2009-0717 Write Off of Rates**

**Moved Cr EC Rowe, Seconded Cr DP Morrissey**

**That the following amounts be written off –**

- a) Anglican Church, Asst 598 – rubbish charge of \$89.57, interest to 30 June 2009 of 6.85, and any interest accrued from that date**
- b) Main Roads WA, Asst 1133 – rubbish charges of \$522.87, interest to 30 June 2009 of 42.35, and any interest accrued from that date**
- c) Minjar Gold Pty – interest of \$903.86 to 30 June 2009, and any interest accrued from that date on Assessments – 117, 256, 270,1002,1003, 1004, 1005, 1006, 1184, 1192, 1076, 1087, 1147, 1161, 1162, 1214, 1293, 1320, 1389, 1390, 1391,& 1392.**

**Motion put and carried by Absolute Majority 5/0**

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION 2 / COUNCIL DECISION

**C2009-0718 Payment of ESL Levy on behalf of Anglican Church**

**Moved Cr EC Rowe, Seconded Cr TK Iturbide**

**That Shire pay the ESL Levy of \$40, and interest accrued of \$3.06 to 30 June 2009 for Assessment 598 on behalf of the Anglican Church.**

**Motion put and carried by Absolute Majority 5/0**

**11.3.5 FRIENDS OF MONSIGNOR HAWES HERITAGE**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.68 Monsignor Hawes Heritage Committee

**MATTER FOR CONSIDERATION**

To consider a request to take membership of the Committee.

**BACKGROUND**

Monsignor Hawes Heritage Trail has been established to commemorate the work throughout the region of Monsignor Hawes.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

Membership of \$2,000

**CONSULTATION**

None

**COMMENT**

The Committee hopes to raise sufficient funds for a variety of activities over the next 12 months, including the employment of a Project Officer, development of the Trail and promotional materials etc, as outlined in their letter.

Sufficient provision in the 2009-2010 Budget has been made in the Tourism and Area Promotion section, for membership to be taken out, however since this is the first request made, no commitment has been given at this time.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2009-0719 Membership with Monsignor Hawes Heritage Incorporated**

**Moved Cr EC Rowe, Seconded Cr TK Iturbide**

**That the Shire of Yalgoo takes up membership of \$2,000 with the *Monsignor Hawes Heritage Incorporated*.**

**Motion put and carried 5/0**

## **11.4 ADMINISTRATION**

### **11.4.1 CEO – ACTIVITY REPORT – June/July 2009**

File: N/A  
 Author: Niel Mitchell, CEO  
 Interest Declared: No interest to disclose  
 Date: 11 June 2009  
 Attachments: None

#### Use of Common Seal

13 July Transfer of land  
 For the acquisition of the Old Anglican Church

#### Use of Delegated Authority not elsewhere reported

None

#### WALGA Annual Convention

The Annual Convention is being held at the Perth Convention and Exhibition Centre on 6 to 8 August. Accommodation is at the Somerset Apartments, 185 St George's Terrace, easy walking distance to PCEC.

#### Horizon Power

Horizon Power have agreed to provide sponsorship of \$5,000 towards the solar lighting of the two entry statements on the Highway, similar to the \$5,000 from Water Corporation for the Community Park, and the \$30,000 from the Mid West Development Commission for the two projects. Acknowledgement is required on a plaque or sign, the same as with Water Corp and MWDC.

#### WACHS Mid West – Community Nurse

Andrew Klein, Murchison Manager, has advised –

- WACHS are still working to recruit a replacement for Victoria Thomas
- they will be advertising for a full time replacement in the near future, and there has been some snippets of interest
  - o the position will change from being primarily acute health care (illness, injury etc) to being one of community health (ie: preventative)
- Mt Magnet nurse is coming across one day a week
- for the short term, aiming to have Community Health nurses attending for two day blocks every fortnight

#### Reduction in number of Elected Members

There has been advice that the proposal to reduce numbers with immediate effect has been approved by the Minister for Local Government and accepted by the Governor in Executive Council, and are just waiting on publication in the Government Gazette for it to come into force.

#### Country Local Government Fund

The CLGF (Royalties for Regions) funding has been confirmed –

- \$487,604 as the Shire's individual component for Year 2
- \$45,000 through the Mid West Regional Grant Scheme as a contribution to match that from the Shire and from Telstra, towards the installation of ADSL in the telephone exchange infrastructure

#### Meetings

24 June Lyndy Richmond, Principal YPS, re Choose Respect program  
 27 June to 7 July Leave  
 29 June BHW Consulting re Regional Airports Development Scheme and Rural Airfields Safety Program grant applications for Yalgoo and Paynes Find

#### Future commitments

20 July Murray Barker, Valuer Generals Office re 3 yearly GRV revaluation  
 21 July DLGRD meeting in Meekatharra re Structural reform  
 22 July Rosemary Cant and Colin Penter, Social Systems and Evaluation re HCP / FaHCSIA consultation for changeover to new requirements  
 27 July Murchison Executive Group in Meekatharra  
 31 July Shane Matthews, Andrew Klein, WACHS-MW re new Yalgoo Health Centre

31 July Brianna Higgins, FaHCSIA, and Sister Mary Ryan, Centacare, re HCP transition/ transfer in Geraldton  
5 August WALGA Roads Forum  
6-8 August WALGA Annual Convention  
17 August Interagency Meeting in Yalgoo (being coordinated by Lyndy Richmond)

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0720 CEO Activity Report**

**Moved Cr EC Rowe, Seconded Cr TK Iturbide**

**That the CEO's Activity Report for the month to 16 July 2009 be received.**

**Motion put and carried 5/0**

COUNCIL DECISION

**C2009-0721 Community Health Project**

**Moved Cr TK Iturbide, Seconded Cr DE Anderson**

**That WACHS–Mid West be advised of concern of Council that position of the Nurse will focus on Community Health, as it is considered that the position needs to remain as an acute nursing focus, given its isolation from other medical services.**

**Motion put and carried 5/0**

**11.4.2 BUDGET – RUBBISH COLLECTION SERVICES**

File:  
 Author: Niel Mitchell, CEO  
 Interest Declared: No interest to disclose  
 Date: 10 July 2009  
 Attachments: None

**MATTER FOR CONSIDERATION**

To consider possibility of a rubbish collection contract and the basis on which rubbish collection services are charges to residents, as these matters will provide guidance to the finalisation of the draft Budget.

**BACKGROUND**

The Health Act permits Council to charge for rubbish collection services, and the Local Government Act permits Council to contract for the provision of those services.

**STATUTORY ENVIRONMENT**

- Local Government Act –  
 - s.6.16 – Fees and charges  
 Financial Management Regulations, 1996 –  
 - r.24, 25 – setting of fees and charges  
 Functions and General Regulations, 1996 –  
 - r.11 – calling of tenders  
 Health Act 1911 –  
 - s.11 – health rates ad charges

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

Rubbish Collection contract – increase in operational costs, but also improving occupational health and safety  
 Rubbish Collection charges – probable increase in income to the Shire, but potentially significant increase in costs to commercial premises.

**CONSULTATION**

Mt Magnet Waste  
 Veolia Pty Ltd

**COMMENT**

**Rubbish Collection Contract – Options**

Council will recall brief discussion on the possibility of contracting out the rubbish collection several months ago, with two companies contacted to ascertain –

1. their interest
2. estimate of costs

For the purposes of 2009-2010 Budget, the costs are estimated at –

- |                    |               |  |
|--------------------|---------------|--|
| 1. Veolia          | \$32,000 est. | approx. \$8.79 per bin per week (70 bins)      |
| 2. Mt Magnet Waste | \$40,500 est. | approx. \$11.13 per bin per week (70)          |
| 3. Shire Yalgoo    | \$30,000 est. | approx. \$10.32 per bin per week (56)          |
|                    |               | approx. \$8.24 per <u>pickup</u> per week (70) |

In 2009-2010, we will also need to spend approx. \$15,000 for a new bin lifter, whether or not the rubbish truck is changed over.

Accordingly, cash expenditure of \$45,000 is provided for in the budget, which is in excess of either of the contractors estimates, should the decision be to accept a tender to contract for rubbish collection.



Shire of Mt Magnet are in the process of preparing a joint tender on behalf of Shire of Mt Magnet, Cue and Yalgoo, should Council indicate an interest in participating. Even if Yalgoo participates, there is no obligation to accept a tender under the Regulations. The documentation makes it clear that while it is a joint call for tender submissions, each Shire will be making their own decision and would contract individually.

Rubbish Collection – Charges

Charges for rubbish collection have been using the same principles for quite some time, and inequities have developed.

In 2008-09, the effective charges were –

- “Domestic” service of one bin once a week 179.13 per bin/pickup
- “Domestic” service of two bins once a week 179.13 or 89.57 per bin/pick up
- “Commercial” service of two bins twice a week 533.87 or 133.47 per bin/pick up
- “Commercial” service of four bins three times a week 533.87 or 44.49 per bin/pick up

In effect some householders are substantially subsidising some “commercial” services.

A number of options are available –

- i) no change to process
- ii) standard charge for every pickup (ie: 2 bins picked up twice a week = 4 pickups)
- iii) standard charge for each bin, regardless of number of times picked up each week
- iv) standard initial charge for each bin for one pickup each week, with an additional lesser charge for each subsequent pick up

If a rubbish collection contract is entered into, there will only be one pickup each week, as the current lifter will be disposed of, and not retained. Accordingly, some provision will need to be made for those premises having multiple pickups by providing them with additional bins, and it is strongly recommended that they also be provided with bin liners for putrescibles (wet) matter such as food.

The contractor would therefore be picking up about 100 bins per week, increasing the estimated costs above.

Options (i) and (ii) suit a rubbish contract, with options (iii) and (iv) not being applicable. Any of the four options remains viable if the current arrangements continue.

Either of Options (ii) or (iii) will mean a substantial increase for the commercial premises. For example Yalgoo School –

- 2008-2009 charge 533.87
- 2009-2010 recommended “Commercial” charge 550.00
- If standard charge per bin of \$180, ignoring multiple pickups 720.00
- If standard charge of \$140 per bin per times picked up 1,680.00
- If initial charge of \$140 per bin for initial pick up and \$90 per bin for the additional two pickups each week 1,120.00

Increases would also apply to the Nursing Post, the Hotel and the Store.

In order to get the rubbish charges programmed for the rates notices, Council's direction is requested.

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION 1/ COUNCIL DECISION

**C2009-0722    Tender – Rubbish Collection Services**

**Moved Cr EC Rowe, Seconded Cr DP Morrissey**

**That Council participate in the calling of a joint tender by the Shire of Mt Magnet for the provision of rubbish collection services to Cue, Mt Magnet and Yalgoo, with the clear statement that Council reserves the right to decline any tender for Yalgoo and that an individual contract is to be entered into.**

**Motion put and carried by Absolute Majority 5/0**

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION 2/ COUNCIL DECISION

**C2009-0723    Adoption of Flat Charge per Bin**

**Moved Cr DE Anderson, Seconded Cr DP Morrissey**

**That –**

- **Council adopt a flat charge per bin of \$180 excluding GST, regardless of number of times picked up each week for 2009-2010,**
- **advise users of multiple bins or services, that the 2009-2010 charges are to phase in charging of additional weekly services at a reduced rate in 2010-2011.**

**Motion put and carried 5/0**

**11.4.3 YALGOO TOWN BUSH FIRE BRIGADE – AGM Minutes**

File:  
Author: Violet Rowe, Deputy Chief Bushfire Control Officer  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.72 Unconfirmed minutes of the AGM  
(yellow)

**MATTER FOR CONSIDERATION**

Council to receive the minutes of the AGM of Yalgoo Town Bushfire Brigade held on 2 July 2009.

**BACKGROUND**

**STATUTORY ENVIRONMENT**

Bushfires ACT 1954

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

None

**CONSULTATION**

None

**COMMENT**

The minutes of the meeting are reasonably self explanatory. The Brigade has elected all positions as required by the Act and several recommendations to Council.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2009-0724 Yalgoo Bush Fire Town Brigade**

**Moved Cr L Hodder, Seconded Cr DP Morrissey**

**That the minutes of the Yalgoo Town Bushfire Brigade Annual General Meeting held on 2 July 2009 be received.**

**Motion put and carried 5/0**

#### **11.4.4 COUNTRY LOCAL GOVERNMENT FUND – Shire Allocation**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 16 July 2009  
Attachments: p.75 Draft Projects Listing  
(yellow)

#### **MATTER FOR CONSIDERATION**

To consider the projects to be prioritised for work under the Country Local Government Fund – Shire allocation.

#### **BACKGROUND**

Years 1 grant funds (2008-2009) have to be spent prior to Year 2 (2009-2010) becoming available.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

CLGF grants of approx. \$1.3 million in 2008-2009 and 2009-2010

#### **CONSULTATION**

Council – June 2009 meeting

#### **COMMENT**

Some possibilities for projects were listed in the June 2009 meeting (Item 11.4.4) but no resolution was made as to projects for Year 2.

Council needs to give some direction as to the future projects to be undertaken. .

Even with starting immediately, due to the size of the initial projects and the inherent time factors that simply cannot be shortened, it is suggested that Years 1 and 2 effectively be treated as a single pool of funds from the Shire's perspective. However, there will have be identifiable stages submitted to the Department for Regional Development for approval.

A draft listing of projects and possible timeframes for expenditure is attached.

While work could commence immediately on the water park and the covered courts, and therefore be complete by 30 June 2010, this would exclude us from any consideration for grants under the Community Sporting and Recreation Facilities Fund. CSRFF applications have now opened, close in October 2009, with announcement in February 2010. They have advised that commencement on the project would make us ineligible for the grants.

We are potentially eligible for 50% funding under CSRFF or \$350,000 over the combined \$700,000 water park and covered courts project.

It is suggested that we make application for these funds, even though it delays commencement of the project until early 2010, resulting in the projects probably not commencing until May or June 2010, and perhaps being completed in about November 2010.

Some of the proposed projects have not been included in the 2009-2010 Budget. Accordingly, for the project to commence, will require the Absolute Majority of Council.

Submission of the draft listing, program and timeframes to DRD requires only a simple majority.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION**

That the projects and timeframes as listed in the attached Country Local Government Fund – Shire program be adopted, and submitted to the Department of Regional Development for approval,

**COUNCIL DECISION**

**C2009-0725 Country Local Government Fund– Shire Allocation**

**Moved Cr EC Rowe, Seconded Cr L Hodder**

**That the projects and timeframes as listed in the attached Country Local Government Fund – Shire program be adopted, and submitted to the Department of Regional Development for approval, subject to –**

- **defer construction of the Covered Courts one year**
- **bring forward Hall Upgrade works to this financial year**
- **Caravan Park works to be amended from units to development to enable consideration of alternative options by Council.**

**Motion put and carried 5/0**

**REASON FOR VARIATION**

*To enable upgrade of the Shire Hall to be commenced as soon as possible, and to examine implications of caravan park development on businesses.*

## **12. NOTICE OF MOTIONS**

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### **12.1 PREVIOUS NOTICE RECEIVED**

None

### **12.2 FOR CONSIDERATION AT THE FOLOWING MEETING**

None

## **13. URGENT BUSINESS**

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### **C2009-0726 Admission of Urgent Business**

**Moved Cr TK Iturbide, Seconded Cr DP Morrissey**

**That Council admits the following additional matters for discussion and decision –**

**13.1 – Lot 217 – Finalisation of Purchase**

**Motion put and carried 5/0**

### **13.1 LOT 217 – Finalisation of Purchase**

File:

Author: Niel Mitchell, CEO

Interest Declared: No interest to disclose

Date: 23 July 2009

Attachments: None

#### **MATTER FOR CONSIDERATION**

To consider the finalising of purchase of Lott 217

#### **BACKGROUND**

The purchase of this lot was agreed to almost 12 months ago, but due to title restrictions, was unable to be completed

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

Balance of purchase price of \$16,200 ex GST

#### **CONSULTATION**

None

#### **COMMENT**

The purchase of this lot was originally agreed in April 2008, on the basis that it would be available to Council to use for mining accommodation village. Advice of State Land Services of the Dept for Planning at the time indication that there was no restriction on this, other than that Council would need to make the necessary planning scheme amendments etc.

The purchase of the land proceeded to the point of Council paying a deposit on the land of 10% of the purchase price of \$18,000 ext GST.

In the process of signing and sealing the document, advice was then received that there was a restriction on the land for light industrial development, and that this could only be removed with Ministerial approval – it was not an administrative matter.

After referral to Council in November 2008, DPI were advised that Council was still interested in the land, but that the restriction needed to be lifted or amended to an appropriate designation.

The Dept of Regional Development and Lands (change of department) advised on 22 July 2009 that the designation has been amended to a “Designation now sale for residential lots”. While still not a designation that would permit sale as a single lot for mining village accommodation, it is much closer to the intended purpose. Given the amount of vacant land in already subdivided lots that are serviced, it would likely be many years indeed before it would be required for residential land.

Council may still pursue change to a designation for a purpose that would support mining village accommodation, or complete the purchase of the land with the current designation, and defer the issue of appropriate designation at some future date if necessary.

The current designation is also consistent with the Shire of Yalgoo Planning Strategy No.2 currently being finalised with the Dept of Planning by Mr Bill Atyeo, EHO.

Acquisition of the land does give Council the control of a large area adjacent to Lot 185 currently under agreement for sale to Ferrowest, and would ensure that no industrial development occurs on the lot.

Provision in the draft Budget of \$15,000 was made for purchase of vacant land, so finalisation of this purchase would result in an over-expenditure of that allocation.

#### VOTING REQUIREMENTS

Simple majority

#### OFFICER RECOMMENDATION/ COUNCIL DECISION

#### **C2009-0727    Lot 217– Finalisation of Purchase**

**Moved Cr EC Rowe, Seconded Cr L Hodder**

**That the CEO be authorised to complete the purchase of Lot 217 with the amended designation of “Sale for residential lots” with the Dept of Regional Development and Lands.**

**Motion put and carried 5/0**

## **14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

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None

## **15. NEXT MEETING**

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The next Ordinary Meeting of Council is due to be held on Thursday, 20 August 2009, commencing at 11.00 am.

### **C2009-0728 Defer August Meeting date**

Moved Cr TK Iturbide, Seconded Cr DE Anderson

That the next Ordinary Meeting of Council be held on Thursday 27 August 2009 commencing at 11.00am.

Motion put and carried 5/0

NOTE The change of date is to enable the report of Social Systems and Evaluation concerning the Implication of Amalgamation on Yalgoo communities to be completed and circulated to Council prior to the meeting.

## **11. REPORTS OF OFFICERS**

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### **11.3.3 ADOPTION OF ANNUAL BUDGET 2009-10**

#### **C2009-0729 Resumption of Deferred Business**

Moved Cr TK Iturbide, Seconded Cr EC Rowe

That consideration of Item 11.3.3 Adoption of the 2009-2010 be resumed.

Motion put and carried 5/0

#### **C2009-0730 Adoption of the Annual Budget 2009/10 (resumed)**

Moved Cr EC Rowe, Seconded Cr DP Morrissey

That Council, in accordance with Section 6.2 of the Local Government Act 1995, adopt the Annual Budget for the year ending 30 June 2010 with the following amendments agreed during discussion –

- a) amendments and alterations made to Draft Budget –
  - i) from the discussions held on 15 July 2009,
  - ii) changes resulting from those discussions,
  - iii) further changes following review by the Shire’s accountantas circulated to Council, and having a cumulative net effect of reduction in deficit of \$26,350 for a preliminary surplus of \$17,835
- b) additional amendments being –
  - i) Caravan Park – allocation amount unchanged but works amended from replacement of the accommodation units (“dongas”) to “Development”, to be further considered and agreed by Council,
  - ii) defer construction of covered court facility (\$200,000 in 2009-2010), and
  - iii) bring the hall upgrade works to the current year to commence as soon as possible

Motion put and carried by Absolute Majority – 5/0



## 16. MEETING CLOSURE

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There being no further business, the President declared the meeting closed at 5.59pm.

### DECLARATION

These minutes were confirmed by Council at the Ordinary Meeting held on \_\_\_\_\_.

Signed: \_\_\_\_\_  
Person presiding at the meeting at which these minutes were confirmed