



# MINUTES

## For the Ordinary Council Meeting

Held on the 25<sup>th</sup> August 2023



**Ian Holland**

CHIEF EXECUTIVE OFFICER

25<sup>th</sup> August 2023

**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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## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 1 **DECLARATION OF OPENING**

The Shire President welcomed those in attendance and declared the meeting open at 11.01am.

### 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.

<b>President</b>	Cr Gregory Payne
<b>Deputy President</b>	Cr Gail Trenfield
<b>Councillors</b>	Cr Tamisha Hodder
	Cr Gail Simpson
	Cr Raul Valenzuela

<b>Chief Executive Officer</b>	Ian Holland
<b>Executive Assistant</b>	Diane Hodder

<b>OBSERVERS</b>	Paynes Find Community Members
	Gail Pilmoor                  Dave Rocke
	Doug Taylor                  Brian Traeger
	Vassilios Bitjenis          Allan Zadow

<b>APOLOGIES</b>	Cr Stanley Willock
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### **LEAVE OF ABSENCE**

NIL

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### 3 DISCLOSURE OF INTERESTS

Councilors 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.

NIL

### 4 PUBLIC QUESTION TIME

NIL

### REPONSES TO QUESTIONS TAKEN ON NOTICE

NIL

### 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
2 August 2023	Carnamah	Heritage legislation workshop	Cr Raul Valenzuela

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### 9 CONFIRMATION OF MINUTES

#### 9.1 MINUTES OF THE ORDINARY COUNCIL MEETING – 28<sup>th</sup> July 2023

#### RECOMMENDATION

That the minutes of the Council Meeting held on the 28<sup>th</sup> July 2023 as attached be confirmed as a true and correct record.

#### COUNCIL RESOLUTION – C2023-08-01

Moved: Cr Gail Trenfield

Seconded: Cr Tamisha Hodder

That the minutes of the Council Meeting held on the 28<sup>th</sup> July 2023 as attached be confirmed as a true and correct record.

CARRIED: 5/0

### 10 REPORTS OF COMMITTEE MEETINGS

NIL

## 11 TECHNICAL REPORTS

### 11.1 CAPITAL PROGRESS REPORT

Applicant:	Shire of Yalgoo
Date:	19 August 2023
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	NIL

#### SUMMARY

To receive the Progress Report on the 2023/24 Capital Works Program.

#### BACKGROUND

The Shire has yet to adopt the 2023-24 Annual Budget and funds have not been approved for the acquisition of capital assets and the undertaking of infrastructure works.

#### COMMENT

The Capital Projects detailed below are projects incorporated in the 2022-23 Annual Budget and expended in 2023-24.

#### 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 31<sup>st</sup> July 2023.

#### COUNCIL RESOLUTION – C2023-08-02

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council receive the Progress Report on the Capital Works Program as at 31<sup>st</sup> July 2023.

CARRIED: 5/0

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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 \$	
<b><u>By Program</u></b>			The CEO to provide a verbal update on the status of the capital projects as at 31 July 2023
RRG SPECIAL GRANT RD WORKS 000000- Yalgoo/Ningham Road - Seal to width 4m LRCI \$446,000 RRG \$300,000	746,000	342,001	In progress



11.2 TECHNICAL SERVICES REPORT AS OF 16<sup>th</sup> AUGUST 2023

Applicant:	Shire of Yalgoo
Date:	16 August 2023
Reporting Officer:	Craig Holland Works Manager
Disclosure of Interest:	NIL
Attachments:	NIL

**SUMMARY**

That Council receive the Technical Services Report as at the 16<sup>th</sup> August 2023

**COMMENT**

**Road Construction and Capital**

- NIL

**Road Maintenance**

- Maintenance grading carried out on Dalgaranga Road, Dalgaranga Mt magnet Road, Thundelarra Road, Maranalgo Road.

**Plant and other infrastructure maintenance/Capital**

- Depot - New storage shed erected
- Railway Station – ongoing building maintenance
- YA778 – carry DFES “A” service

**Parks, Reserves and Properties**

**4.1 Art & Culture Centre**

- New camera fitted

**4.2 Community Town Hall**

- NIL maintenance carried out.

**4.3 Community Town Oval**

- General gardening maintenance and fertilizing conducted to the oval and core stadium gardens.

**4.4 Community Park, Gibbons Street**

- General gardening maintenance conducted on a weekly basis mowing, pruning and watering.

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### **4.5 Community Park, Shamrock Street**

- General gardening maintenance conducted on a weekly basis mowing, pruning and watering.

### **4.6 Water Park**

- General maintenance carried out.

### **4.7 Yalgoo Caravan Park**

- General gardening maintenance is done every two weeks.
- Gray water drains unblocked.

### **4.8 Paynes Find**

- YA804 ute taken to Paynes Find for Dave Rocke to use.

### **4.9 Railway Station**

- Building maintenance carried out.

### **4.10 Staff Housing**

- 21 Campbell – earthwork started on septic system

### **4.11 Yalgoo Rubbish Tip**

- Pushed over on a weekly basis

### **4.12 Yalgoo & Paynes Find Airstrip**

- Paynes Find Airstrip – checked and all good.
- Yalgoo Airstrip – checked and all good

## **5. Staff**

- Darren staying at Paynes Find to cut down on travel times on grader operations.

## **6. Purchasing**

- New scaffolding ordered for building maintenance.

**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 16<sup>th</sup> August 2023.

**COUNCIL RESOLUTION – C2023-08-03**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

That Council receive the Technical Services Report as of 16<sup>th</sup> August 2023.

CARRIED: 5/0

**12 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH REPORTS**  
NIL

**13 FINANCIAL REPORTS**

**13.1 LIST OF ACCOUNTS**

Applicant:	Shire of Yalgoo
Date:	19 August 2023
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	NIL

**SUMMARY**

Council approval is sought for the payments made in the period 1<sup>st</sup> July 2023 to 31<sup>st</sup> July 2023 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 1<sup>st</sup> July 2023 to 31<sup>st</sup> July 2023 amounting to \$541,831.95 and the list be recorded in the minutes.

**COUNCIL RESOLUTION– C2023-08-04**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council approve the list of accounts paid for the period 1<sup>st</sup> July 2023 to 31<sup>st</sup> July 2023 amounting to \$541,831.95 and the list be recorded in the minutes.

**CARRIED: 5/0**

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### List of Accounts Paid and Payable

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount \$
1 EFT1155	17/07/2023	Integrated ICT	Monthly Wifi Network Maintenance	1	176.00
2 EFT1156	17/07/2023	Wa Caravan & Camping Magazine WA Association Of Caravan Clubs Inc	Advertising - July 2023 - Caravan & Camping Mag Vol 24 #2	1	500.00
3 EFT1157	17/07/2023	Shire Of Leonora	Health & Building Consultancy Services -June 2023	1	205.35
4 EFT1158	17/07/2023	Helen St George Cooper	Reimbursements - Car Detailing (YA800), Clothes Airer, Post Charges (Debt Collecting)	1	502.87
5 EFT1159	17/07/2023	Access Electrical Contracting	Electrical Works - Shire Office	1	6,340.40
6 EFT1160	17/07/2023	BOC Limited	Monthly Container Services - May 2023	1	124.27
7 EFT1161	17/07/2023	Canine Control	Ranger Services 18.06.23	1	2,773.44
8 EFT1162	17/07/2023	Geraldton Parts	Workshop Consumables	1	15.68
9 EFT1163	17/07/2023	Pemco Diesel Pty Ltd	Service - YA809	1	3,398.36
10 EFT1164	17/07/2023	Harvey Norman Furniture & Bedding	Queen Bed, Mattress & Bedside tables	1	2,024.00
11 EFT1165	17/07/2023	IPEC Pty Ltd (Toll Global Express)	Freight Charges - Community Workshop Supplies	1	49.23

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### Shire of Yalgoo

#### List of Accounts Paid and Payable

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount \$
12 EFT1166	17/07/2023	Harvey Norman Electrics Geraldton	Fridge & TV	1	1,674.00
13 EFT1167	17/07/2023	Monsignor Hawes Heritage Inc.	Corporate Membership Renewal Fee - 2023-24	1	100.00
14 EFT1168	17/07/2023	Mcdonalds Wholesalers	Supplies Caravan Park - Re-Sale & Room Coffees	1	269.95
15 EFT1169	17/07/2023	St John Ambulance WA Ltd	Off Road First Aid Kits	1	344.85
16 EFT1170	17/07/2023	Lo-Go Appointments	Contracting Services - Corporate Services Officer - H St George Cooper WE 24.06.23	1	6,639.82
17 EFT1171	17/07/2023	Kick Solutions	Water Park Signage	1	270.00
18 EFT1172	17/07/2023	Jacksons Drawing Supplies Pty Ltd	Art Supplies - Community Workshop	1	3,118.10
19 EFT1173	17/07/2023	Interfire Agencies	ESL - Equipment	1	1,041.16
20 EFT1174	17/07/2023	Complete Office Supplies Pty Ltd	Stationery - Administration	1	150.79
21 EFT1175	17/07/2023	Midwest Safety & Training Pty Ltd	Staff Training -Dogging Course: T Field, B Hawkins & P Hill	1	5,321.00

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### Shire of Yalgoo List of Accounts Paid and Payable

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount \$
22 EFT1176	24/07/2023	Dominic Carbone & Associates	Consultancy Finance and Administration - June 2023	1	5,912.50
23 EFT1177	24/07/2023	Refuel Australia	Fuel - May 2023	1	38,230.98
24 EFT1178	24/07/2023	Darren Long Consulting	Consultancy Bank Reconciliations - June 2023	1	3,190.00
25 EFT1179	24/07/2023	Lo-Go Appointments	Contracting Services - Corporate Services Officer	1	10,048.72
26 EFT1180	24/07/2023	Rowe Contractors	Yalgoo-Ninghan Road Works - Progress Payment	1	343,200.00
27 EFT1181	27/07/2023	Gail Trenfield	Councillor Fees - June 2023	1	541.67
28 EFT1182	27/07/2023	Raul. Valenzuela	Cr Sitting Fees June 23 & Reimbursement LG Rd Safety Meeting	1	1,587.39
29 EFT1183	27/07/2023	Tamisha Hodder	Councillor Fees - June 2023	1	1,010.79
30 EFT1184	27/07/2023	Gregory Arthur Payne	Members Meeting Fees and Allowances - April, May & June	1	4,434.32
31 EFT1185	27/07/2023	Ian Scott	Reimbursement - Lucinda's Everlasting Seeds	1	150.00



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### Shire of Yalgoo

#### List of Accounts Paid and Payable

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount \$
32 EFT1186	27/07/2023	Craig Holland	Reimbursement - Picked up and paid for bases for caravan park from Batavia Furn/Bedding)	1	1,200.00
33 EFT1187	27/07/2023	Lo-Go Appointments	Contract Services - Corporate Services	1	3,339.82
34 EFT1188	27/07/2023	Beachlands Plumbing Pty Ltd	Plumbing - Shire Housing - 18D Shamrock	1	723.25
EFT1189 35	27/07/2023	Core Business Australia Pty Ltd	Project Management Fees - Flood Damage Claim 1 - May 2023	1	6,959.70
36 EFT1190	27/07/2023	Rowe Contractors	Additional Sealing Work - Yalgoo-Ningham Road	1	63,388.78
37 EFT1191	31/07/2023	Kennards Hire Pty Ltd	Plant Hire 28.12.2022	1	60.80
38 EFT1192	31/07/2023	Canine Control	Ranger Services 17.05.23	1	1,320.68
39 EFT1193	31/07/2023	Jason Signmakers	Caravan Park Signage	1	222.13
40 EFT1194	31/07/2023	Veolia Environmental Services	Commercial & Domestic Refuse Collection - June 2023	1	4,399.91
41 EFT1195	31/07/2023	Westrac Equipment Pty Ltd	Repairs - YA860	1	2,052.71

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### Shire of Yalgoo

#### List of Accounts Paid and Payable

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount \$
42 EFT1196	31/07/2023	IPEC Pty Ltd (Toll Global Express)	Freight Charges	1	980.54
43 EFT1197	31/07/2023	Shire of Perenjori	Contribution CESM - Shared Costs	1	3,055.39
44 EFT1198	31/07/2023	Suncity Signs & Graphics	Stationery -Art Centre Receipt Books	1	379.50
45 EFT1199	31/07/2023	Prompt Safety Solutions	Consultancy -Quarterly On Site WHS	1	2,420.00
46 EFT1200	31/07/2023	Mullewa Farm Supplies	Weed Control	1	148.50
47 EFT1201	31/07/2023	Little Hotelier	SoftwareLicence fee - Caravan Park Booking System April Subscription 2023	1	188.02
48 DD810.1	31/07/2023	Pivotel Satellite Pty Limited	CESM Telephony Charges - June 2023	1	151.00
49 DD811.1	31/07/2023	Telstra Corporation Ltd	Telephone Charges - June 2023	1	7,495.58
<b>REPORT TOTALS</b>					
		<b>Bank Name</b>		<b>TOTAL</b>	<b>541,835.95</b>
	1	Municipal Bank		<b>541,831.95</b>	
	<b>TOTAL</b>			<b>541,831.95</b>	

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### 13.2 INVESTMENTS AS AT 31<sup>st</sup> JULY 2023

Applicant:	Shire of Yalgoo
Date:	19 August 2023
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council receive the investments report as at 31<sup>st</sup> July 2023.

#### **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 31<sup>st</sup> July 2023 be received.

COUNCIL RESOLUTION– C2023-08-05

Moved: Cr Gail Simpson

Seconded: Cr Tamisha Hodder

That the Investment Report as at 31<sup>st</sup> July 2023 be received.

CARRIED: 5/0

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This Worksheet details the investments held by the Shire as at 31<sup>st</sup> July 2023.

### SHIRE OF YALGOO CASH HOLDINGS AS AT 31<sup>ST</sup> JULY 2023

INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4540	Ongoing	N/A	N/A	Variable	\$441,620.63
BENDIGO	N/A	Operating a/c	171336274	Ongoing	N/A	N/A	Variable	\$3,408,250.12
BENDIGO	N/A	Saving	171336282	Ongoing	N/A	N/A	Variable	\$25,331.06
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,680.14
<b>TOTAL</b>								<b>\$3,927,881.95</b>

<b>RESERVE FUNDS</b>								
Bendigo	N/A	Term Deposit	4424275	90 days	30.06.2023	29.09.2023	4.90%	\$176,107.48
Bendigo	N/A	Term Deposit	4424276	90 days	30.06.2023	29.09.2023	4.90%	\$490,991.97
Bendigo	N/A	Term Deposit	4424274	90 days	30.06.2023	29.09.2023	4.90%	\$1,180,780.29
Bendigo	N/A	Term Deposit	4424273	90 days	30.06.2023	29.09.2023	4.90%	\$337,537.14
<b>TOTAL</b>								<b>\$2,185,416.88</b>

<b>INVESTMENT REGISTER</b>						
<b>01 JULY 2022 TO 31 JULY 2023</b>						
<b>NATIONAL AUSTRALIA BANK</b>						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.07.2023	INVESTMENT TRANSFERS	CLOSING BALANCE 31.07.2023
171336282	Ongoing	Variable	\$25,301.94	\$29.12	0	\$25,331.06
24-831-4222	Ongoing	Variable	\$52,619.81	\$60.33	0	\$52,680.14
4424276	29.09.2023	4.90%	\$490,991.97	0	0	\$490,991.97
4424274	29.09.2023	4.90%	\$1,180,780.29	0	0	\$1,180,780.29
4424275	29.09.2023	4.90%	\$176,107.48	0	0	\$176,107.48
4424273	29.09.2023	4.90%	\$337,517.14	0	0	\$337,517.14

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### 13.3 MONTHLY FINANCIAL STATEMENTS AS AT 31 JULY 2023

Applicant:	Shire of Yalgoo
Date:	19 August 2023
Reporting Officer:	Dominic Carbone
Disclosure of Interest:	NIL
Attachments:	Statement of Comprehensive Income Statement of Financial Activity Summary of Current Assets and Current Liabilities Statement of Financial Position Detailed Worksheet Supplementary Financial Reports – Reserve & Loan

#### **SUMMARY**

Adoption of the Monthly Financial Statements for the period 1<sup>st</sup> July 2022 to the 31<sup>st</sup> July 2023.

#### **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 31<sup>st</sup> July 2023.

COUNCIL RESOLUTION– C2023-08-06

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

That Council adopts the Financial Activity Statement for the period ended 31<sup>st</sup> July 2023.

CARRIED: 5/0

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### 13.4 Differential Rating and Minimums application to the Minister 2022-23

Applicant:	Shire of Yalgoo
Author:	Ian Holland
Interest Declared:	No interest to disclose
Date:	21 August 2022
Attachments:	Nil

#### **Matter for Consideration**

That Council give consideration to applying to the Minister for Local Government to impose the previously proposed differential rates and minimums.

#### **Background**

Council is in the process of preparing the 2023-24 Annual Budget.

#### **Statutory Environment**

##### *Local Government Act 1995*

- s.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.
- s.6.33(1) – Provides that a local government may impose differential general rates according to a number of characteristics.
- s.6.33(3) – States 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.
- s.6.34 – 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.
- s.6.35 – States a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate.
- s.6.36 – Requires that a local government before imposing any differential general rates provides at least 21 days local public notice of its intention to do so.

#### **Strategic Implications**

The Local Government is to ensure that it raises enough rates to generate the revenue required to fund its operating and capital expenditure commitments.

After a 7% natural increase from mining revaluations this puts the Shire on par with the estimate established in the Long Term Financial Plan and results in an approximately 7% increase from last years revenue.

#### **Comment**

If a Local Government has a differential rate that is more than twice the lowest differential rate imposed, approval from the Minister for Local Government must be obtained before the rates are formally adopted by Council.

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

At the Ordinary Meeting held on the 28th July 2023 Council considered the Draft Budget and the necessity to again request the Minister for Local Government's approval to impose differential rates.

As per the resolutions of that meeting the proposed differential rates were advertised as below and ratepayers in respective categories were directly provided with departmental paperwork along with a copy of the rating methodology.

### COUNCIL RESOLUTION – C2023-07-08

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council:

1. Advertise the intention to impose the following differential general rates and minimum payments applying to each of the differential rate categories in accordance with Section 6.36 of the Local Government Act 1995 be placed in the West Australian newspaper and the Bulldust.

Differential General Rate	Rate in the \$
GRV – Townsite Improved	0.07831840
GRV – Townsite Vacant	0.07831840
GRV – Mining Infrastructure	0.29750000
UV – Pastoral / Rural	0.06907870
UV – Mining / Mining Tenement	0.32000000
UV – Exploration /	0.19882530

Minimum Payment	Minimum \$
GRV – Townsite Improved	290
GRV – Townsite Vacant	290
UV – Pastoral / Rural	290
UV – Mining / Mining Tenement	290
UV – Exploration / Prospecting	290

2. That the advertisement in (1) above also provide for an invitation for submissions to be made by an elector or a ratepayer for a period of 21 days closing at 4:00 pm on Monday 21<sup>st</sup> August 2023 and detail the time and place where the Shire of Yalgoo Rating Methodology and it's Differential Rating Model may be inspected and a copy be placed on the Shire's website.

3. That all rural/pastoral ratepayers, Mining GRV ratepayers and Townsite Vacant ratepayers (categories with fewer than 30 ratepayers) be provided with a copy of the Shire of Yalgoo Rating Methodology – Objects and Reasons, the Department of Local Government Rating Policy: Differential General Rates, the different general rate that will apply with a comparison to the previous year and an invitation to make submissions by the due date in (2).

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

4. That Council adopts the attached Objects and Reasons for the following differential rating categories;

Town Improved – consists of properties located within the townsite boundaries with a predominate residential, commercial and industrial use, This category is considered by council to be the base rate by which all other GRV properties are assessed and have a different demand and requirement on shire services and infrastructure.

- Townsite Vacant – Consists of vacant properties located within the townsite boundaries that are vacant (no residential commercial or industrial structures built on the land) The rate in the dollar and minimum is the same as the Town Improved category.

- Mining Infrastructure – Consists of particular improvements such as accommodation, recreation and administrative facilities, associated buildings and maintenance workshops that are erected permanently. The object of the GRV associated with the mining is to ensure that mining operators contribute to the maintenance of the Shire's assets and services to the extent that they use them and form a sector of ratepayers that essentially are transitory.

- Pastoral/Rural – this rating applies to all pastoral leases and land with predominate rural land use. The proposed rate is comparatively lower when compared to the mining/mining tenement and exploration / prospecting categories on the basis that the pastoral industry has minimum impact or requirement on the shire services and infrastructure.

- Mining/ Mining Tenement – this category applies to all mining leases located within the shire. The proposed rate is comparatively higher when compares to the pastoral/rural category on the basis that mining operations require additional ongoing maintenance of the roads network that services this land use along with additional costs associated with the administration of mining tenements.

- Exploration / Prospecting – this rating category applies to exploration, prospecting and other general purpose leases located within the shire. The proposed rate is comparatively higher when compares to the pastoral/rural category and lower that the mining tenement category on the basis that the mining operations require additional and ongoing maintenance of the road network that services the land use, the additional cost associated with the administration of exploration and prospecting leases and the shire wishes to encourage exploration.

CARRIED: 5/0



Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

SHIRE OF YALGOO RATES MODELLING FOR 2023-24

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2022-23 Actuals Total Revenue \$
<b>Differential General Rate</b>				
GRV Town sites Improved	0.07831840	36	368,361	28,849
GRV Town sites Improved Vacant	0.07831840	0	0	0
GRV Mining Infrastructure	0.29750000	9	1,343,770	399,772
UV Pastoral / Rural	0.06907870	25	974,583	67,323
UV Mining / Mining Tenements	0.32000000	130	4,747,142	1,519,085
UV Exploration and Prospecting	0.19882530	225	1,024,860	203,768
<b>Sub-Totals</b>		425	8,458,716	2,218,797
<b>Minimum Payment</b>				
GRV Town sites Improved	290	5	6,462	1,450
GRV Town sites Improved Vacant	290	12	1,570	3,480
UV Pastoral / Rural	290	8	10,008	2,320
UV Mining / Mining Tenements	290	21	14,826	6,090
UV Exploration and Prospecting	290	79	59,042	22,910
<b>Sub-Totals</b>		125	91,908	36,250
Discounts		550	8,550,624	0
<b>Total Amount Raised from General Rate</b>				2,255,047
Interim Rating Specified Area Rates				398,570
<b>Total Rates</b>				2,653,617

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2023-24 Budgeted Total Revenue \$	2022-23 % TO TOTAL RATES LEVIED	2023-24 % TO TOTAL RATES LEVIED	DECREASE/INCREASE RATES LEVIED	% MOVEMENT	NATURAL IN VALUATIONS
<b>Differential General Rate</b>									
GRV Town sites Improved	0.07831840	36	364,504	30,468	1.1%	1.1%	1,619	5.6%	(3,857)
GRV Town sites Improved Vacant	0.07831840	0	0	0	0.0%	0.0%	0	0.0%	0
GRV Mining Infrastructure	0.29750000	8	1,343,750	399,766	15.1%	14.0%	(6)	0.0%	(20)
UV Pastoral / Rural	0.06907870	24	974,583	67,323	2.5%	2.4%	0	0.0%	0
UV Mining / Mining Tenements	0.32000000	140	6,252,053	2,000,657	57.2%	70.1%	481,572	31.7%	1,504,911
UV Exploration and Prospecting	0.19882530	209	1,563,335	310,831	7.7%	10.9%	107,062	52.5%	538,475
<b>Sub-Totals</b>		417	10,498,225	2,809,044					
<b>Minimum Payment</b>									
GRV Town sites Improved	290	5	6,212	1,450	0.1%	0.1%	0	0.0%	(250)
GRV Town sites Improved Vacant	290	12	1,580	3,480	0.1%	0.1%	0	0.0%	10
UV Pastoral / Rural	290	8	11,402	2,320	0.1%	0.1%	0	0.0%	1,394
UV Mining / Mining Tenements	290	12	16,913	3,480	0.2%	0.1%	(2,610)	-42.9%	2,087
UV Exploration and Prospecting	290	99	81,029	28,710	0.9%	1.0%	5,800	25.3%	21,987
<b>Sub-Totals</b>		136	117,136	39,440					
Discounts		553	10,615,361	0					
<b>Total Amount Raised from General Rate</b>				2,848,484			(393,570)		
Interim Rating Specified Area Rates				5,000					
<b>Total Rates</b>				2,853,484	85.0%	99.8%	199,867	7.5%	2,064,737

## **Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023**

The advertised time has concluded and no public submissions were received. It is therefore recommended that Council impose the proposed rates and minimums without modification.

Administration would like to note that the proposed rates in the dollar are not proposed to change and are the same as the 2020/21, 2021/22 and 2022/23 financial years.

Covid and cost of living pressures on ratepayers have been a major consideration in not increasing the rate in the dollar from the previous year.

### **Previously considered Efficiency Measures**

Continued Review of Remuneration and Vacant Positions

Implementation of solar on Council Facilities – Previously capped by Horizon Network

Disposal of under utilised plant

Invest in properties and Lease to State Government Agencies

Increase monitoring and application to available grants

Economic development initiatives to promote training and investment in diverse businesses

### **Previously considered Service Improvements**

Resourcing is required for Audit Improvements

Renewal of aging Shire/Public Facilities

Sealing and mitigation work for gravel network that is severely impacted by Flood Events

Renewal for Increased Extraordinary use of Shire Roads by commodity and heavy vehicle traffic

Reduced climate impact from operations

### **Voting Requirements**

Simple Majority

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### OFFICERS RECOMMENDATION

That Council:

1. Acknowledge that no public submissions were received for the differential rates and minimums proposed by the Shire of Yalgoo for 2023/24; and
2. Resolve to make an application to the Minister for Local Government for the following differential rates and minimum payments for the 2023/24 financial year.

#### COUNCIL RESOLUTION – C2023-08-07

Moved: Cr Gail Simpson

Seconded: Cr Gail Trenfield

That Council:

1. Acknowledge that no public submissions were received for the differential rates and minimums proposed by the Shire of Yalgoo for 2023/24; and
2. Resolve to make an application to the Minister of Local Government for the following differential rates and minimum payments for the 2023/24 financial year.

CARRIED: 5/0

Differential General Rate	Rate in the \$	Minimum Payment	Minimum \$
GRV – Townsite Improved	0.07831840	GRV – Townsite Improved	290
GRV – Townsite Vacant	0.07831840	GRV – Townsite Vacant	290
GRV – Mining Infrastructure	0.29750000	UV – Pastoral / Rural	290
UV – Pastoral / Rural	0.06907870	UV – Mining / Mining Tenement	290
UV – Mining / Mining Tenement	0.32000000	UV – Exploration / Prospecting	290
UV – Exploration /	0.19882530		

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 14 ADMINISTRATION REPORTS

#### 14.1 Yalgoo Grader YA465

Applicant:	Shire of Yalgoo
Date:	7/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider quotes received for the outright purchase of a Grader.

#### **COMMENT**

Along with a valued employee the Shire of Yalgoo lost Grader YA465 in January of this year during a bushfire in Mt Gibson. The Local Government Insurance Scheme Western Australia (LGIS) are due to provide the sum of \$379,700.00 as the result of a claim for the vehicle.

Consideration is required due to the scale of the purchase as well as draft budget and time constraints.

Tenders would ordinarily have to be invited for contracts expected to be worth more than \$250,000. Under Local Government (Functions and General) Regulations 1996 – Regulation 11 Part 2(a) – Tenders do not have to be publicly invited according to the requirements of this Division if – the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

The Yalgoo Works Manager has sought quotes from three WALGA Preferred Suppliers as per the Shires Purchasing Policy. These quotes are tabled for Councils consideration. It is the recommendation of Administration that the quote presented by AFGRI – John Deere is the best value for money.

Warranty information, reversable fans and supply dates have been discussed with all suppliers and their quotations are available for inspection prior to the Council meeting.

		Price ex GST	Price inc GST
Komatsu	GD655-7	\$485,000.00	\$533,500.00
WesTrac	Caterpillar 140JOY3	\$479,127.58	\$527,040.34
AFGRI	John Deere 620GP	\$475,000.00	\$522,500.00

As a result of the substantial price increase since the purchase in 2020 an additional allocation of \$95,300.00 is required from Councils own resources. It is suggested that this expenditure be authorized in advance by absolute majority to reduce the expenditure on hired machinery and secure machinery that is currently in stock prior to the annual budget being adopted.

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### STATUTORY ENVIRONMENT

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution\*; or

(c) is authorised in advance by the mayor or president in an emergency.

### POLICY/FINANCIAL IMPLCATIONS

Minor adjustment to the plant replacement schedule

### VOTING REQUIREMENT

Absolute Majority

### OFFICERS RECOMMENDATION

That Council:

1. Authorize in advance of the 2023/24 Annual Budget the purchase of a Motor Grader up to \$475,000.00; and
2. Accepts quote 763909 from WALGA Preferred Supplier AFGRI Equipment for the purchase of a John Deere 620GP for \$475,000 ex GST.

### COUNCIL RESOLUTION – C2023-08-08

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council:

1. Authorize in advance of the 2023/24 Annual Budget the purchase of a Motor Grader up to \$475,000.00; and
2. Accepts quote 763909 from WALGA Preferred Supplier AFGRI Equipment for the purchase of a John Deere 620GP for \$475,000 ex GST.

CARRIED: 5/0

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 14.2 CEO Professional Development

Applicant:	Shire of Yalgoo
Date:	7/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider a professional development opportunity for the Chief Executive Officer.

#### **COMMENT**

There have been a number of reform changes in the sector and operational areas with competing resource constraints within the Shire. It is timely that Council consider a request from the Chief Executive Officer to attend an Executive Leadership Program hosted by LG Professionals.

This is a 3 day course with a cost of \$2810 to LG Professional members and takes place at the UWA Watersports Complex. The CEO will seek their own accommodation in Perth if approved but would likely require reimbursement for local travel or parking due to the location.

Participants who undertake this course will benefit from three days of 'face-to-face' sessions, workshops and group activities and will leave with a comprehensive understanding of the roles and responsibilities of Chief Executive Officers in Local Government. It is targeted at both senior or recently appointed executives as well as those seeking a refresher.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council authorize the Chief Executive Officer to attend the September Executive Leadership Program hosted by LG Professionals.

#### **COUNCIL RESOLUTION – C2023-08-09**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

That Council authorize the Chief Executive Officer to attend the September Executive Leadership Program hosted by LG Professionals.

CARRIED: 5/0

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 14.3 Western Australia Local Government Association (WALGA) Convention

Applicant:	Shire of Yalgoo
Date:	7/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider attendance at this years WALGA Convention and AGM.

#### **COMMENT**

With regional representation a key topic at the moment due to State Government and Electoral Commission changes it is important that the Shire of Yalgoo have two delegates available to consider and vote on changes proposed to the association at the Annual General Meeting. A board comprising 3 metro, 3 country and 3 independent is extremely unlikely to accurately reflect its member base being approximately 20% Metro Local Governments and 80% Regional.

*While a more versatile board could be beneficial to the operation of WALGA, now is not the time to be further reducing regional representation in Western Australia.*

*How can we guarantee that the three directors/independent positions wont just vote from their own experience living and working in a metropolitan area.*

*The voice of WALGA should be made up of its members and over 70% of its members are regional local governments.*

Please consider the advertised changes to the WALGA Constitution and Councils response to the best practice review which suggested the change.

Past deliberations that have a direct impact on the attendance of Councillors at this event are as follows:

#### **COUNCIL RESOLUTION – C2023-03-11**

Moved: Cr Gail Simpson Seconded: Cr Tamisha Hodder

That Council:

1. Authorise the Shire President and Chief Executive Officer to attend the June 2023 Australian Local Government Association Annual General Meeting in Canberra.
2. Nominate two councilors to attend the June 2023 Australian Local Government Association Annual General Meeting in Canberra and authorize their conference attendance costs; and (Cr Tamisha Hodder & Cr Gail Simpson)
3. Agrees that the Councilors nominated in part 2 will not be attending the 2023 Western Australian Local Government Association Conference and AGM.

CARRIED: 4/0

#### **COUNCIL RESOLUTION – C2023-05-20**

Moved: Cr Stanley Willock Seconded: Cr Tamisha Hodder

That Council covers costs to allow Cr Valenzuela to attend the Australian Local Government Association Annual General meeting in Canberra in place of Cr Payne.

CARRIED: 3/2

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

Consideration should also be given to the proximity of local government elections and the appropriateness of attendance. As a result of policies previously introduced attendance of 5 elected members in 2022/23 fell within that years budget which is proposed to be replicated in the 2023/24 budget. This item is not proposed to be authorised in advance as the accounts are operational and expenditure will occur as part of the 2023/24 budget once accepted.

The Conference runs from Sunday afternoon 17<sup>th</sup> September through to Tuesday 19<sup>th</sup> of September. A supplier showcase will take place concurrently/after on the Tuesday and Wednesday 20<sup>th</sup> September. Please refer to the available program and WALGA website for more details. <https://walga.asn.au/getmedia/2baa29d9-6067-413f-8bf1-cbd1368e89cb/LGC23-Program-7-7-23.pdf>

### STATUTORY ENVIRONMENT

Local Government Act 1995

10. Revoking or changing decisions (Act s. 5.25(1)(e))

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1 /3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation

(1) is to be signed by members of the council or committee numbering at least 1 /3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision is made at a council or committee meeting, any decision to revoke or change the decision must be made by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

### POLICY/FINANCIAL IMPLCATIONS

NIL

### VOTING REQUIREMENT

Simple Majority



## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### OFFICERS RECOMMENDATION

That Council:

1. nominate the Chief Executive Officer and Cr Willock as voting delegates for the WALGA Annual General Meeting with Cr Raul & Cr Trenfield listed as proxy delegates; and
2. Cover all accommodation, registration and travel for nominated Councillors and the CEO for attendance at the 2023 WALGA Convention and limit \$50 for meals not provided as part of the conference and accommodation from Sunday night to Tuesday night.

### COUNCIL RESOLUTION – C2023-08-10

Moved: Cr Gail Simpson

Seconded: Cr Gail Trenfield

That Council:

1. nominate the Chief Executive Officer and Cr Stanley Willock voting delegates for the WALGA Annual General Meeting with Cr Raul Valenzuela & Cr Gail Trenfield listed as proxy delegates; and
2. Cover all accommodation, registration and travel for nominated Councillors and the CEO for attendance at the WALGA Convention and limit \$50 for meals not provided as part of the conference and accommodation from Sunday to Tuesday night.

CARRIED: 5/0

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 14.4 Midwest Caravan Club

Applicant:	Shire of Yalgoo
Date:	7/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider a request from the Midwest Caravan Club Geraldton (the club).

#### **COMMENT**

The Shire has received a request to host 25 to 30 Caravans at Core Stadium from approximately the 7<sup>th</sup> to the 9<sup>th</sup> of June 2024.

The club is an incorporated not for profit comprising 50 vans/members. This number of caravans would exclude the usage of the Yalgoo Caravan Park during the tourist season for any other guests, so overflow provisions require consideration.

Administration proposes that upon the hire of Core Stadium and mapping of the ovals reticulation this club be given permission to utilize the oval, carpark and surrounds at Core Stadium. The stadium ablution facilities will be available and self-contained set ups can make use of the dump point at the Caravan Park. Parking would predominately be around the perimeter of the oval.

If approved this could provide an opportunity for an event night in town with higher than normal patronage.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Absolute Majority

#### **OFFICERS RECOMMENDATION**

That Council authorize the use of the Yalgoo Oval and Sport Stadium for overflow camping and allow its use by the Midwest Caravan Club Geraldton for a limited number of nights (5) in June 2024.

#### **COUNCIL RESOLUTION – C2023-08-11**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

That Council authorize the use of the Yalgoo Oval and Sport Stadium for overflow camping and allow its use by the Midwest Caravan Club Geraldton for a limited numbers of nights (5) in June 2024.

CARRIED: 5/0

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 14.5 September 2023 Ordinary Council Meeting

Applicant:	Shire of Yalgoo
Date:	9/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider the cancellation of the September 2023 Ordinary Council Meeting.

#### **COMMENT**

For the last few years we have had trouble maintaining a quorum in late September due the Local Government Convention, School Holidays and regional events such as the Landor Races. Proposed reforms to the Local Government Act 1995 also suggest that a caretaker period will become mandatory for certain motions and a set time period prior to ordinary elections. As a test case for these changes and the difficulties described, it is proposed that the September 2023 Ordinary Meeting be cancelled by consensus.

It is extremely unlikely we will receive differential approval prior to the end of August, as such we will be required to hold a special meeting in early September to pass the budget once Ministerial approval has been received for differential rating. Please refer to the extension request and differential rating items.

If accepted the next Ordinary Meeting of Council would be Friday the 27<sup>th</sup> October 2023 at which point a swearing in and officer bearer election will be held after the October 21<sup>st</sup> Ordinary Elections.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Administration Regulation 12(3) requires that any change to a scheduled Ordinary Meeting of Council must be published on the Local Government's website.

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council cancel the 29<sup>th</sup> September 2023 Ordinary Council Meeting and confirm the next Ordinary Meeting of Council will be held on Friday the 27<sup>th</sup> October 2023.

#### **COUNCIL RESOLUTION – C2023-08-12**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Simpson

That Council cancel the 29<sup>th</sup> September 2023 Ordinary Council Meeting and confirm the next Ordinary Meeting of Council will be held on Friday 27<sup>th</sup> October 2023.

CARRIED: 5/0

## Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023

### 14.6 Gunduwa Regional Conservation Association

Applicant:	Shire of Yalgoo
Date:	9/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

Consider nomination of a Council representative for the Gunduwa Regional Conservation Association.

#### **COMMENT**

Gunduwa Regional Conservation Association (Gunduwa) is an external association that was founded to facilitate projects that offset the environmental impact of Mount Gibson and Extension Hill mining operations.

Council has supported representation on the Management Committee in the past and travel to committee meetings is covered by the Shire for nominated delegates.

A Gunduwa AGM is set for the 4<sup>th</sup> of September to consider their management committee nominations and the election of office bearers. Unfortunately this does not coincide with Local Government Elections which will not take place until late October. After nomination information was circulated to current Councillors in early August a response was received from Cr Willock indicating he would like to nominate for the committee.

Nominations and membership are required before the September 4<sup>th</sup> Meeting.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council support Cr Willocks nomination to become a committee member of the Gunduwa Regional Conservation Association.

#### **COUNCIL RESOLUTION – C2023-08-13**

Moved: Cr Raul Valenzuela                      Seconded: Cr Gail Simpson

That Council support Cr Willocks nomination to become a committee member of the Gunduwa Regional Conservation Association.

CARRIED: 5/0

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### 14.7 Budget Extension Application

Applicant:	Shire of Yalgoo
Date:	9/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider applying for an extension of time for the adoption of the 2023/24 Annual Budget.

#### **COMMENT**

All local governments are required to adopt an annual budget in accordance with Part 6, Division 2 of the Local Government Act 1995, Part 3 of the Local Government (Financial Management) Regulations 1996, Australian Accounting Standards (AASB) and the Australian Accounting Standards Board Interpretations (AASBI).

Section 6.2(1) of the Local Government Act 1995 requires local government to prepare and adopt a budget for its municipal fund between 1 June in a financial year and 31 August in the next financial year, or such extended time as the Minister allows.

Unlike residential or other UV rolls which are now provided by Landgate in excel format, Mining UV is still provided in a difficult to import pdf format that results in numerous errors which must be manually corrected. While local governments with a substantial administrative team may have tens of thousands of properties, those properties can be electronically imported and are only revalued every 5 years. Mining UV however is adjusted yearly based on state government licensing changes and ownership of mining tenements is often very volatile. 2% of the Shires rates income can disappear overnight as the result of a mining company forfeiting their tenement.

This is some of the reason the Shire of Yalgoo waits to use actual figures for rate setting rather than a forecast. This can only occur after the 30<sup>th</sup> June once all year revaluations are known.

It was determined this year that changes to valuations at the same rate in the dollar as last year will result in a 7% increase in rate income. This is extremely close to both the CPI for the December Quarter and the Shires Long Term Financial Plan (LTFFP). Had the Shire carried out modelling in a more timely manner prior to these actuals a rate increase would have been proposed by Administration in line with the LTFFP. Revision would have been necessary prior to the adoption of the budget otherwise ratepayers would have received a higher than required rate increase.

This report demonstrates that the Shires Differential Rating process while not timely by the guidelines of the Department of Local Government (DLGSC) is an efficient way of carrying out this process especially given workforce shortages. The DLGSC indicates that the assessment of differential rating applications will take three weeks

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and any applications sent after July should consider a request to the Minister for Local Government for an extension of time.

Council endorsement is sought for an extension of time to adopt the 2023/24 budget pending the outcome of Ministerial approval for differential rates that have not been altered or increased in 4 years where the implementation of Mining GRV has allowed the Shire to meet its LTFP projections. The CEO will submit this application prior to the Council meeting citing that consideration of Council will be given on the 25<sup>th</sup> August 2023.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

### **POLICY/FINANCIAL IMPLCATIONS**

NIL

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICERS RECOMMENDATION**

That Council apply for an extension of time for the adoption of the 2023/24 Annual Budget from the Minister in accordance with section 6.2(1) of the Local Government Act 1995 to the 15<sup>th</sup> September 2023.

### **COUNCIL RESOLUTION – C2023-08-14**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

That Council apply for an extension of time for the adaption of the 2023/24 Annual Budget from the Minister in accordance with section 6.2(1) of the Local Government Act 1995 to the 15<sup>th</sup> September 2023.

CARRIED: 5/0

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### 14.8 Shire of Yalgoo – Key Advocacy Priorities

Applicant:	Shire of Yalgoo
Date:	15/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Draft Advocacy Priorities Statement

#### **SUMMARY**

That Council endorse an advocacy page developed by Administration to be presented to visiting politicians and agencies with lobbying potential such as the West Australian Local Government Association (WALGA) and the Mid West Development Commission (MWDC).

#### **COMMENT**

It was suggested to Elected Members at a recent meeting with the MWDC that the Shire of Yalgoo develop a concise document that outlines areas where the community requires support that cannot be immediately facilitated by the local government.

A draft Advocacy Priorities Statement is provided for Councils consideration. Focus areas have been included from the Shires Strategic Community Plan 2021 – 2031. Three key priorities have been identified by administration that also require Councils support or the workshopping of different key priorities.

These priorities have been sourced from past Council items and discussions and relate to areas that the Shire has limited capacity to effect change in our own right. They are spread across and overlap areas of focus. Leverage is required primarily from State Agencies to create the required change.

Council will be invited to provide feedback on this document prior to it returning to Council for endorsement after the October 2023 Elections.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

Administration will develop a policy that requires review of this document yearly alongside the Strategic Community or Future Plan, as well as a workshop or survey which allows Councillors to have greater input on the topics chosen.

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council endorse the key priorities in the draft Advocacy Priorities Statement.

#### **COUNCIL RESOLUTION – C2023-08-15**

Moved: Cr Raul Valenzuela

Seconded: Cr Tamisha Hodder

That Council endorse the key priorities in the draft Advocacy Priorities Statement.

CARRIED 5/0

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### 14.9 Astrotourism Dark Sky Action Plan

Applicant:	Shire of Yalgoo
Date:	17/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Dark Sky Tourism Action Plan

#### **SUMMARY**

That Council consider the Dark Sky Tourism Action Plan.

#### **COMMENT**

The Mid West Development Commission funded a Tourism Planning Report for Shires within the Mid West Region on the back of the Exmouth total solar eclipse. The Shire of Yalgoo will have an excellent opportunity along the Geraldton-Mt Magnet Highway to draw spectators for a similar event in a decades time. This should be kept in mind for small progressive tourism improvements over time.

Other aspects of this report can be incorporated into our existing tourism plan at limited cost, such as the colour of uplighting on buildings and entry statements. Further discussions can also be held with Horizon to increase security lighting while decreasing light pollution.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council supports the Dark Sky Tourism Action Plan and rather than adopt it as a separate plan request that the Chief Executive Officer incorporate the elements of this plan into the Shires Tourism Plan for Review.

#### **COUNCIL RESOLUTION – C2023-08-16**

Moved: Cr Gail Trenfield                      Seconded: Cr Gail Simpson

That Council supports Dark Sky Tourism Action Plan and rather than adopt it as a separate request that the Chief Executive Office incorporate the elements of this plan into the Shires Tourism Plan for Review.

CARRIED: 5/0



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### 14.10 Football Donation

Applicant:	Shire of Yalgoo
Date:	17/08/2023
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

### **SUMMARY**

That Council consider a request for sponsorship.

### **COMMENT**

A request has been received from Mr Roly Simpson to provide sponsorship for attendance at the Percy George Memorial Football Carnival 2023 in Mt Magnet.

This event is held from the 15<sup>th</sup> to the 17<sup>th</sup> of September and Mr Simpson intends to have a number of players from Yalgoo participating. Mr Simpson intends to spend approximately \$800 of his own money on football jerseys for a number of players. This is the second year a team of Yalgoo players is competing.

Donations are at the discretion of Council. An adequate amount is set aside in yearly budgets for Members Donations. A condition of funding could be photography of the team competing.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

### **POLICY/FINANCIAL IMPLCATIONS**

NIL

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICERS RECOMMENDATION**

That Council consider provide a \$600 sponsorship towards jerseys, water bottles and trophies to a Yalgoo team competing at the Percy George Memorial Football Carnival 2023 upon receipt of money spent and team photo.

### **COUNCIL RESOLUTION – C2023-08-17**

Moved: Cr Raul Valenzuela

Seconded: Cr Gail Trenfield

That Council consider provide a \$600 sponsorship towards jerseys, water bottles and trophies to a Yalgoo team competing at the Percy George Memorial Football Carnival 2023 upon receipt of money spent and team photo.

CARRIED: 5/0

## **Minutes – Ordinary Council Meeting – Friday 25<sup>th</sup> August 2023**

### **15 NOTICE OF MOTIONS**

NIL

### **16 URGENT BUSINESS**

### **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 in the Council Chambers, Gibbons Street Yalgoo on Friday 27<sup>th</sup> October 2023 commencing at 10.00am (pending a resolution).

### **19 MEETING CLOSURE**

There being no further business the Shire President declared the Ordinary Council Meeting closed at 12.00pm

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### **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.

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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 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).

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### **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](http://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;

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**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.



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### 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 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