

## CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE.....	3
3.	DISCLOSURE OF INTERESTS .....	3
4.	PUBLIC QUESTION TIME.....	3
4.1	RESPONSE TO QUESTIONS TAKEN ON NOTICE .....	3
4.2	QUESTIONS WITHOUT NOTICE.....	3
5.	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS .....	3
6.	APPLICATIONS FOR LEAVE OF ABSENCE .....	4
7.	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED.....	4
7.1	PRESIDENT .....	4
7.2	COUNCILLORS .....	4
8.	CONFIRMATION OF MINUTES.....	4
8.1	ORDINARY COUNCIL MEETING – 19 March 2009.....	4
	<b>C2009-0501 Confirmation of Minutes.....</b>	<b>4</b>
9.	MINUTES OF COMMITTEE MEETINGS .....	4
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	4
11.	REPORTS OF OFFICERS .....	5
11.0	MATTERS BROUGHT FORWARD .....	5
11.1	WORKS.....	5
11.1.1	WORKS REPORT.....	5
	<b>C2009-0502 Works Report.....</b>	<b>6</b>
11.1.2	MAIN ROAD WA – DELEGATION FOR TRAFFIC MANAGEMENT SIGNS.....	7
	<b>C2009-0503 Main Road WA .....</b>	<b>8</b>
11.1.3	REGIONAL ROAD SUB-GROUP .....	9
	<b>C2009-0504 Regional Road Sub-Group .....</b>	<b>9</b>
11.2	DEVELOPMENT .....	10
11.2.1	FORUM ADVOCATING CULTURAL AND ECO TOURISM .....	10
	<b>C2009-0505 Forum Advocating Cultural and Eco Tourism .....</b>	<b>11</b>
11.3	FINANCE.....	12
11.3.1	Deputy CEO – ACTIVITY REPORT – Month of April 2009 .....	12
	<b>C2009-0506 Deputy CEO Activity Report.....</b>	<b>12</b>
11.3.2	FINANCIAL ACTIVITY STATEMENTS –APRIL 2009 .....	13
	<b>C2009-0507 Financial Activity Statements– April 2009.....</b>	<b>14</b>
11.3.3	ACCOUNTS PAID DURING THE MONTH OF APRIL 2009 .....	15
	<b>C2009-0508 Accounts Paid During the Month of April 2009-05-22 .....</b>	<b>15</b>
11.3.4	DRAFT BUDGET 2009/2010 – PLANT REPLACEMENT PROGRAM.....	16
	<b>C2009-0509 Draft Budget 2009/10.....</b>	<b>17</b>
11.3.5	DRAFT BUDGET 2009/2010 – ROAD CONSTRUCTION PROGRAM.....	18
	<b>C2009-0510 Road Construction Program for the Draft Budget for 2009/10.....</b>	<b>19</b>
	<b>C2009-0511 Road Construction Program Funding by Royalties for Regions Funds</b>	<b>19</b>
	ADJOURNMENT .....	19
11.3.6	MINISTER FOR LOCAL GOVERNMENT – SPENDING RESTRAINT .....	20
	<b>C2009-0512 Spending Restraint .....</b>	<b>21</b>
11.4	ADMINISTRATION.....	22
11.4.1	CEO – ACTIVITY REPORT – April/May 2009 .....	22
	<b>C2009-0513 CEO Activity Report.....</b>	<b>23</b>
11.4.2	MURCHISON COUNTRY ZONE – Minutes of 8 May 2009.....	24
	<b>C2009-0514 Minutes of Murchison Country Zone Meeting.....</b>	<b>25</b>
	<b>C2009-0515 Joint Application for Funding .....</b>	<b>25</b>
11.4.3	MURCHISON VERMIN REGIONAL COUNCIL .....	26
	<b>C2009-0516 Nomination of Cr TK Iturbide .....</b>	<b>26</b>
	<b>C2009-0517 Policy 1.7 External Organisation .....</b>	<b>26</b>

12. NOTICE OF MOTIONS..... 27

    12.1 PREVIOUS NOTICE RECEIVED.....27

    12.2 FOR CONSIDERATION AT THE FOLOWING MEETING.....27

13. URGENT BUSINESS..... 27

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED..... 27

**C2009-0518 Motion to Close the Meeting to the Public..... 27**

    14.1 INTERIM AUDIT – Special Reports .....27

**C2009-0519 Motion to Open the Meeting to the Public ..... 28**

15. NEXT MEETING ..... 28

16. MEETING CLOSURE ..... 28



Minutes of the Ordinary Meeting of the Yalgoo Shire Council,  
held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on Thursday 21 May 2009, commencing at 1.04 pm.

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

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The President declared the Ordinary Meeting of Council open at 1.04pm.

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

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

**3. DISCLOSURE OF INTERESTS**

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None

**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**

8 May Attended the Murchison Country Zone meeting in Cue with Cr Iturbide and the CEO. The Minister for Local Government was present, and representatives of the various Shires put their objections to the amalgamations initiative strongly.

The President also advised that he would be attending a meeting of the District Health Advisory Committees in Perth in the near future.

### **7.2 COUNCILLORS**

#### Cr DP Morrissey

Cr Morrissey advised that the Murchison Region Vermin Council meeting due to be held in May was deferred to June 2009.

#### Cr EC Rowe

Attended the Local Government Structural Reform Workshop in Perth on 4 May with the CEO. One of the clear messages that came through during the day, was that the current process is one which the Councils have some control over

## **8. CONFIRMATION OF MINUTES**

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### **8.1 ORDINARY COUNCIL MEETING – 19 March 2009**

#### BACKGROUND

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

#### VOTING REQUIREMENTS

Simple majority

#### OFFICER RECOMMENDATION/ COUNCIL DECISION

#### **C2009-0501 Confirmation of Minutes**

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

**That the Minutes of the Ordinary Council Meeting of 23 April 2009 be confirmed.**

**Motion put and carried 4/0**

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

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None

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

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None

## **11. REPORTS OF OFFICERS**

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### **11.0 MATTERS BROUGHT FORWARD**

None

### **11.1 WORKS**

#### **11.1.1 WORKS REPORT**

File: N/A  
Author: Cliff Hodder, Works Foreman  
Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 15 May 2009  
Attachments: None

#### 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 –  
All works complete for 2009-10 year
- b) Maintenance –
  - two graders in the north west, generally working in an anti-clockwise direction around the Shire
  - the third grader to remain in the south east of the Shire for the time being
  - maintenance grading done or underway –
    - o Paynes Find-Wagga Wagga Road
    - o Casuarina Creek crossing
    - o Pindathuna Rd
    - o Gabyon-Tardie Road
    - o Yalgoo Ninghan Rd
    - o Paynes Find Rd – mainly Thundelarra-Fields Find end, but including cement stabilisation of lakes crossing near Fields Find (delayed due to rain and wet conditions)
  - maintenance work due –
    - o Yalgoo-Ninghan Road – edges and shoulders finished, for the full length of the bitumen
    - o Wuraga Rd
    - o Yalgoo-Morawa Rd

- o top Mellenbye Homestead Rd
  - o general maintenance throughout the Shire
  - signage and guidepost replacement currently on hold
  - one set of pipes/culverts need in each of Maranalgo Rd (near homestead) and Yalgoo-Ninghan Rd
- c) Plant
- Iveco – repairs to broken front end springs (approx \$8,000 if original parts used), and other suspension and repairs urgently needed to be roadworthy, rear differential leaking – final estimate of cost \$15,000. Repairs also to leading edge of side-tipper hinge done as it is stressing the ram.
  - Volvo – 8 new drive tyres, wheel alignment
  - grader 465 – new rim
  - loader, grader 420 and traxcavator – bad oil samples returned, Caterpillar investigating
  - last items sent to TSE for repairs needing to be done in the workshop – water tanker, forklift
- d) Other
- 2 new houses –
    - o decks not yet complete. Not yet paid either.
    - o quotes from contractors for concreting of verandahs sought with the cheapest quote being \$38,000 – all quotes declined
    - o work to be done in-house or sub-contracted
  - Paynes Find –
    - o Community Centre – building repairs complete, pump cage to be built
  - Gullewa cemetery and Wuraga gravesites also need attention
  - Yalgoo Community Park –
    - o seats, barbecues etc ordered
    - o gazebos to be finalised
- e) Yalgoo Town footpaths
- budget for the project is \$80,000, being \$38,000 DPI grant and \$42,000 Council funds
  - due to the split up of DPI into Planning and Transport, agreement was reached for an invoice to be submitted early, on the condition that the funds are held in the Shire's Trust Account until inspected by a Department representative
  - Greenfields Technical Services sought quotes on our behalf, and the cheapest received for the full 445m length of intended works was \$99,900 ex GST
  - in consultation with GTS, a reduction in the scope of works may be able to be reduced slightly, and the Shire undertake cartage of sand, provision of fill and aggregate, and back filling as needed after works are complete, in order to make some savings.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0502    Works Report**

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

**That the Works Report to 15 May 2009 be received.**

**Motion put and carried 4/0**

Mr CF Hodder left the meeting at 1.54pm.

Ms VJ Rowe left the meeting at 1.54pm and returned at 1.57pm.

### **11.1.2 MAIN ROAD WA – DELEGATION FOR TRAFFIC MANAGEMENT SIGNS**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 13 May 2009  
Attachments: p.1 MRWA Instrument of Authorisation

#### **MATTER FOR CONSIDERATION**

To seek delegated approval of the Commissioner for Main Roads for the erection of signs for traffic management for works on roads.

#### **BACKGROUND**

In a recent workshop in Geraldton attended by Greenfields Technical Service, it was noted that several Shires within the Murchison did not have delegated authority of the Commissioner for Main Roads to erect temporary signs advising of road works and controlling traffic etc.

#### **STATUTORY ENVIRONMENT**

Road Traffic Code 2000

- r.3 – **road sign** means a board, plate, screen, road marking, or other device, whether or not illuminated, displaying words, figures, symbols or anything else to direct or warn traffic on, entering or leaving a road
- r.297 (2) – The Commissioner of Main Roads may allow an authorised body to erect, establish, display, alter or take down any particular road sign, road marking or traffic-control signal, or road signs, road markings or traffic-control signals of a class or type of classes or types, and in the circumstances (if any), specified in the instrument of authorisation.

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

None

#### **CONSULTATION**

Nigel Goode, Greenfield Technical Services

#### **COMMENT**

Delegated authority is required from the Commissioner in order to use traffic signs and devices for the purpose and duration of works being undertaken on public roads in Western Australia, in accordance with a duly signed and sealed Instrument of Authorisation. It appears that this may have been done at some past date, however, the original delegation of 1975 relating to non-regulatory signage (eg: curves, advisory speed reductions etc) remains in place.

This delegation relates to mandatory signage – keep left through roadworks, mandatory reduced speed signs, Stop / Go signs etc. It is required in order to validate the control of vehicles through roadworks, etc.

The agreement requires the fixing of the Common Seal.

#### **VOTING REQUIREMENTS**

Absolute majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0503    Main Road WA**

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

**That –**

- **Council seek the approval of the Commissioner for Main Road to erect, alter, take down etc road traffic management signs under the Road Traffic Code 2000 regulation 297 (2)**
- **the fixing of the Common Seal to the Instrument of Authorisation be approved.**

**Motion put and carried by Absolute Majority 4/0**



### **11.1.3 REGIONAL ROAD SUB-GROUP**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 13 May 2009  
Attachments: p.3 Minutes of RRG meeting

#### **MATTER FOR CONSIDERATION**

To receive the minutes of the Regional Road Sub-Group Meeting held 23 April 2009.

#### **BACKGROUND**

The Regional Road Sub-Group advises Main Roads on the distribution of funds within a group of local governments, through the Regional Roads Group.

#### **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**

None

#### **CONSULTATION**

Tom Hartman, CEO, Shire of Mullewa

#### **COMMENT**

Members of the sub-group are the Shires of Mingenew, Morawa, Mullewa and Yalgoo.

The last RRG meeting was held on the same day as the April Council meeting, and consequently Yalgoo representatives were not able to attend.

The minutes of the meeting are attached for noting.

#### **VOTING REQUIREMENTS**

Simple majority

#### **OFFICER RECOMMENDATION/ COUNCIL DECISION**

#### **C2009-0504 Regional Road Sub-Group**

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

**That the Minutes of the Regional Roads Sub-Group meeting of 23 April 2009 be noted.**

**Motion put and carried 4/0**

## **11.2 DEVELOPMENT**

### **11.2.1 FORUM ADVOCATING CULTURAL AND ECO TOURISM**

File:

Author: Niel Mitchell, CEO

Interest Declared: No interest to disclose

Date: 13 May 2009

Attachments: p.6 FACET letter of request and Conference flyer

#### **MATTER FOR CONSIDERATION**

To consider a request for sponsorship.

#### **BACKGROUND**

FACET are intending to hold their annual tourism conference in Mt Magnet on 18-21 October 2009.

#### **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**

Cost of sponsorship and support – estimated at \$2,500

#### **CONSULTATION**

David Burton, CEO, Shire of Mt Magnet

#### **COMMENT**

This matter was previously advised to Council in August 2008 by the Shire of Mt Magnet. The August 2008 meeting resolved (ref C2008-0809) –

That the Shire of Mt Magnet be advised –

- that the Shire of Yalgoo, is supportive of the concept, but does not commit to making a contribution at this time
- further information regarding day trips or tours, or likely benefits for Yalgoo is sought from FACET
- that the preferred period for holding the Conference would be September/October 2009, when wildflowers are more likely, rather than immediately after the hottest period of the year
- that any provision for support by the Shire of Yalgoo would be made in the 2009/10 Budget.

At the August 2008 meeting, it was advised –

With 150-200 likely to attend, if an extra \$5-\$10,000 was raised from surrounding Council, this means that Local Government would be sponsoring each individual attending by between \$100 to \$130 or so.

While the organisation is not well known, it does have some well credentialed people on its Board of Management –

Chairperson: Prof. Ross Dowling, Foundation Professor & Head of Tourism, Edith Cowan University

Vice Chair: Colin Ingram, Manager, Parks Policy & Tourism, Dept of Environment & Conservation

Secretary/Treasurer: Pauline McMullan

Executive Members: Pat Barblett, AM, Founder & Immediate Past Chairperson

Andrew Horan, Bunbury Dolphin Discovery Centre

Karen Jacobs, Kwillana Dreaming, Tourism Australia

Dr Diane Lee, Murdoch University

Danielle Miller, Department of Culture & the Arts

Jeremy Perks, Global Gypsies

Stev Slavin, Department of Environment & Conservation

Dr Amanda Smith, Murdoch University

Aggie Wegner, Murdoch University

No specific provision has been made in the 2008-09 Budget, although there is a \$4,000 allocation for Tourism Promotion.

It is impossible to quantify the indirect and flow on benefits that may arise from hosting the Conference in Mt Magnet, although the direct benefits will be 150-200 people staying in Mt Magnet for several nights. It is assumed that most would spend an extra day or two somewhere around the region. There is no indication of the possibility of charter buses transporting delegates coming through Yalgoo, or of tours of the area.

If the Shires engaged in a co-operative regional promotion, perhaps many more people may be directly influenced.

FACET are now seeking sponsorship of \$2,000 from the Shire, for the following benefits –

- participation in the Showcase breakfast and the opportunity to make a 10 minute presentation
- 2 registrations to the conference and conference dinner
- acknowledgement of the Shire's sponsorship throughout the Conference
- signage display space at the conference
- opportunity to include promotional brochures

The will also be needing transport for groups of people, and the Community Bus from Yalgoo has been offered.

#### VOTING REQUIREMENTS

Simple majority

#### OFFICER RECOMMENDATION/ COUNCIL DECISION

#### **C2009-0505 Forum Advocating Cultural and Eco Tourism**

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

**That Council advise the Forum for Advocating Cultural and Eco Tourism, that provision will be made for sponsorship of \$2,000 for the Conference in the 2009/2010 Budget.**

**Motion put and carried 3/1**

**11.3 FINANCE**

**11.3.1 Deputy CEO – ACTIVITY REPORT – Month of April 2009**

File: N/A  
 Author: Violet Rowel, Deputy CEO  
 Interest Declared: No interest to disclose  
 Date: 14 May 2009  
 Attachments: None

Investments

Fund	Institution	Invested	Due	Interest Rate %	Amount	Govt guarantee
Municipal	NAB	On-going	On-going	3.25	Surplus from Cheque account	Yes
Reserve	Suncorp	29 Apr 2009	28 May 2009	4.3	1,000,000.00	Yes
	Suncorp	29 Apr 2009	28 May 2009	3.6	409,509.67	Yes
Comparative investment rates		National Australia Bank		3.3		
		NAB Cash Maximiser		3.25		
		Bankwest		3.07		
		WA Treasury		2.97		
		Macquarie Bank		3.0		

Yalgoo-Nighan Road intersection

In February 2009, contractors Kruize Asphalt and Contracting carried out work on the Yalgoo-Nighan Road intersection (supply and lay 40mm asphalt). The total cost of this work was \$43,923 (inc.GST). Main Roads Western Australia has since been invoiced and receipted \$19,415 for their contribution towards this project.

Insurance Review

Brian Eckhart from Local Government Insurance Service met with the CEO and myself to conduct a thorough review of insurance policies and schedules for 2009/2010 period. Part of this review was reviewing the current financial year. It was identified that in the last three years there has been an increase in motor vehicle claims. This prominent risk causing claims is kangaroo collision with vehicle.

Through the self insurance scheme managed by LGIS, council can claim up to \$4313 (\$2116 from current financial year and \$2197 from last financial year) for risk management services. Initial risk management services discussed are installation of Shu Roo’s, driver defence training and OHS review.

Ranger duties

- Ranger visited 6<sup>th</sup> April and 18<sup>th</sup> April 2009.
- Patrols conducted and enquires carried out
- 3 feral cats destroyed and 1 unregistered dog destroyed

Meetings

- LGMA Executive Management Program 5/05/09-7/05/09 (scholarship received)
- Brian Eckart, Local Government Insurance Service 14/05/2009
- Jim McNamara, FESA 13/05/2009

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0506 Deputy CEO Activity Report**

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

**That the Deputy CEO’s Activity Report to 14 May 2009 be received.**

**Motion put and carried 4/0**

### **11.3.2 FINANCIAL ACTIVITY STATEMENTS –APRIL 2009**

File:  
Author: Violet Rowe, Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 12 May 2009  
Attachments: p.10 Material variances  
Finance p.1 Financial Activity Statements for April 2009  
(green) p.20 Balance Sheet  
p.26 Income Statement Summary  
p.27 Income Statement Detail  
p.37 Income Statement by Nature & Type

#### **MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for April 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 attachment C4.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0507    Financial Activity Statements– April 2009**

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

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

**Motion put and carried 4/0**

**11.3.3 ACCOUNTS PAID DURING THE MONTH OF APRIL 2009**

File: N/A  
Author: Violet Rowe, Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 12 May 2009  
Finance: p.38 EFT & Cheque Detail for April 2009  
(green)

**MATTER FOR CONSIDERATION**

Authorisation of accounts paid during the month of April 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 April 2009 as per attached schedule.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2009-0508 Accounts Paid During the Month of April 2009**

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

**That:**

- 1. The Cheque Detail of payments covering vouchers EFT 1-47 totalling \$252,795.33 paid during the month of April 2009, be received;**
- 2. Cheque payments covering cheque numbers 11085-11106 totalling \$33,213.33 paid during the month of April 2009, be received; and**
- 3. Salaries and Wages totalling \$42,862.38 paid during the month of April 2009 be received.**

**Motion put and carried 4/0**

### **11.3.4 DRAFT BUDGET 2009/2010 – PLANT REPLACEMENT PROGRAM**

File: B3-1  
Author: Violet Rowe, Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 12 May 2009  
Attachments: p.13 Plant Replacement program for 2009-2010

#### **MATTER FOR CONSIDERATION**

In preparing Council's Draft Budget, approval of a plant replacement program prior to the budget meeting is required. Once this program has been approved Council may adopt it, with or without amendment, however this will not occur until the annual budget is adopted.

#### **BACKGROUND**

During 2007 it was resolved by Council to have a budget process in order to adopt timely budgets. Part of this policy was to develop a road preservation program.

#### **STATUTORY ENVIRONMENT**

Local Government ACT 1995

Section 6.2–Requires that each year a local government prepare and adopt an annual budget.

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

Policy 4.9 Preparation of Annual Budget.

#### **FINANCIAL IMPLICATIONS**

If the plant replacement program is approved by Council it will be included in the 2009/10 draft Budget.

#### **CONSULTATION**

Niel Mitchell, Shire of Yalgoo

Cliff Hodder, Shire of Yalgoo

#### **COMMENT**

It was resolved by council at the February 2009 meeting that plant replacement program be reviewed during the budget process.

This review has occurred at an officer level and is now required to be reviewed by council. During the officer review it has been determined that the following listed plant is due for replacement in 2009-2010 and are listed in general priority of importance. Further details on the estimated net cost can be viewed on the plant replacement program attachment.

- Trade in Iveco Tip Truck for Prime Mover
- trade in various light vehicles as per plant replacement program attachment
- Replace Towed Multi-tyred roller with new towed multi-tyred roller
- Replace Kubota ride on mount mower with heavy duty slasher type 1800mm mower
- Purchase additional ride on mower 1200mm
- Replace multi tyred SP roller with new multi tyred SP roller
- Replace Mitsubishi Canter with new small truck suitable for Gardening duties
- Purchase additional side tipper
- Replace Clarke forklift with new forklift



VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0509    Draft Budget 2009/10**

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

**That the general priorities for plant replacement for 2009/2010 draft budget be as follows:**

- **Trade in Iveco Tip Truck for Prime Mover**
- **trade in various light vehicles as per plant replacement program attachment**
- **Replace Towed Multi-tyred roller with new towed multi-tyred roller**
- **Replace Kubota ride on mount mower with heavy duty slasher type 1800mm mower**
- **Purchase additional ride on mower 1200mm**
- **Replace multi tyred SP roller with new multi tyred SP roller**
- **Replace Mitsubishi Canter with new small truck suitable for Gardening duties**
- **Purchase additional side tipper**
- **Replace Clarke forklift with new forklift**

**Motion put and carried 4/0**

### **11.3.5 DRAFT BUDGET 2009/2010 – ROAD CONSTRUCTION PROGRAM**

File: B3-1  
Author: Violet Rowe, Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 12 May 2009  
Attachments: None

#### **MATTER FOR CONSIDERATION**

In preparing Council's Draft Budget, approval of a road construction program prior to the budget meeting is required. Once this program has been approved Council may adopt it, with or without amendment, however this will not occur until the annual budget is adopted.

#### **BACKGROUND**

During 2007 it was resolved by Council to have a budget process in order to adopt timely budgets. Part of this policy was to develop a road construction program.

#### **STATUTORY ENVIRONMENT**

Local Government ACT 1995

Section 6.2–Requires that each year a local government prepare and adopt an annual budget.

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

Policy 4.9 Preparation of Annual Budget.

#### **FINANCIAL IMPLICATIONS**

If the Road Construction Program is approved by Council it will be included in the 2009/10 draft Budget.

#### **CONSULTATION**

Michael Keane, Greenfield Technical Services

Neil Mitchell, Shire of Yalgoo

#### **COMMENT**

It is proposed that in 2009/2010 the Shire of Yalgoo will continue with the same construction work as conducted in the 2008/2009 financial year being:

- Prepare and seal 4km x 4m wide Yalgoo Morawa Road
- Prepare and seal 4km x 4m wide Yalgoo-Ningham Road
- Repairs and re-seal Golden Grove Road SLK 8-23

The expected Roads to Recovery funds of \$262,000 should pay for the sealing part of construction of the Yalgoo-Morawa Road and the Yalgoo-Ningham road and the council will have to contribute funds towards the preparing the base unless funds can be obtained from Royalties for Regions. In 2008/2009 Main Roads Regional Road Groups funds contributed towards the cost of preparing the base for the Yalgoo-Ningham Road. This particular funding has since come to an end.

In discussion with the CEO, the Foreman indicated that if possible, it would be an advantage to form up the Morawa Road particularly, a year or so in advance of the gravelling and sealing works to allow the road to settle and compact. Royalties for Regions monies may be able to be used for this, subject to other commitments for the funds which will not be known until after the Federal Government makes a decision regarding the grant application for \$2 million for pool and court facilities. Refer also to comments in the CEO's Activity Report.

Main Roads Regional Roads Group is expected to contribute \$261,133 towards the repair and reseal of the Golden Grove Road.

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION 1/ COUNCIL DECISION 1

**C2009-0510 Road Construction Program for the Draft Budget for 2009/10**

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

**That the following road construction program be included in the draft budget for 2009/2010 –**

- **Prepare and seal 4km x 4m wide Yalgoo Morawa Road**
- **Prepare and seal 4km x 4m wide Yalgoo-Ninghan Road**
- **Repairs and re-seal Golden Grove Road SLK 8-23**

**Motion put and carried 4/0**

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION 2/ COUNCIL DECISION 2

**C2009-0511 Road Construction Program Funding by Royalties for Regions Funds**

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

**That consideration be given in the 2009/2010 draft budget that the proposed formation and preparation of the Yalgoo-Morawa Road and Yalgoo-Ninghan Road be funded by the Royalties for Regions funds subject to availability.**

**Motion put and carried 4/0**

**ADJOURNMENT**

*The meeting adjourned for a short break at 3.05pm and resumed at 3.14pm with all in attendance before the adjournment, being present at the resumption.*

### **11.3.6 MINISTER FOR LOCAL GOVERNMENT – SPENDING RESTRAINT**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 14 May 2009  
Attachments: p.14 Minister's letter requesting restraint

#### **MATTER FOR CONSIDERATION**

To consider the request of the Minister for Local Government for restraint on discretionary spending.

#### **BACKGROUND**

The Minister's letter is a result of the current world economic climate, and the State Government's instruction to departments to cut expenditure by 3%.

#### **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**

Possible reduction in expenditure

#### **CONSULTATION**

None

#### **COMMENT**

The Minister does not have legislative authority to directly impose restrictions on a local government's expenditure or instruct inclusions or exclusions from the Budget.

However, this noted, financial difficulty is being experienced by a great many companies, large and small, with some situations being quite dire. OZ Minerals financial pressure have been reported in detail in both newspapers and television, and although these appear to be resolved now, it is expected that they will continue to experience financial constraints for quite some time.

Small companies, are also hit hard, with several requests for delay in payment of rates, or payment by instalments being received. One letter gave the opinion that a "major problem being greedy Councils whose rates have more than doubled in just a few years".

After the "must be done" category, then the "needs to be done" and "ought to be done" categories of expenditure, there is actually very little funds left for the "would like to have done" list of works for Yalgoo. Few Councils, in the country area particularly, have spare resources to invest in non-essentials.

While there is no doubt that expenditures can be cut, it is at the expense of deferring needed works. There is also the trap that a reduction of investment in infrastructure especially (roads, buildings, parks, recreation areas etc) inevitably results in a backlog being created, and a future gap in actual versus required spending. On a larger scale, this has been evident in WALGA reports that identified a multi-billion dollar backlog of infrastructure expenditure Statewide, which is one of the drivers of the Royalties for Regions initiative.

Consideration of Minister's request should be borne in mind when decision on the specific expenditures in the Budget are being determined.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0512    Spending Restraint**

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

**That the request of the Minister for Local Government for restraint in discretionary expenditures be noted.**

**Motion put and carried 4/0**

## **11.4 ADMINISTRATION**

### **11.4.1 CEO – ACTIVITY REPORT – April/May 2009**

File: N/A  
 Author: Niel Mitchell, CEO  
 Interest Declared: No interest to disclose  
 Date: 12 March 2009  
 Attachments: p.16 St John Ambulance – letter of appreciation  
 p.17 Minister for Regional Development – Country Local Government Fund

#### Use of Common Seal

None

#### Use of Delegated Authority not elsewhere reported

None

#### WA Country Health Service – Mid West Region

In recent discussion with Shane Matthews, Regional Director, due to the resignation of the Community Nurse, he advised that –

- it is the intention of the Murchison Health Service to appoint a full time replacement
- given the current shortage of qualified staff, there will be a reduced or composite service provided, as they are able
- as a result of recent reviews of operations, the Community Nurse's focus would be more towards preventative and community engagement, but would not neglect the need for acute care

He also confirmed the Health Region's continuing commitment to the proposed Yalgoo Health Centre.

#### Yalgoo St John Ambulance Sub-Centre

A letter of thanks for the support of the Shire has been received from the Sub-Centre, together with a request for donations of any surplus office equipment, no longer required. In accordance with Policy, a list is in the process of being collated, of surplus items around the Shire, and will be advertised in the Bulldust for disposal.

#### Yalgoo Fire Truck

John Johnson, FESA Geraldton, has advised that the truck planned for Yalgoo, is due to be at the FESA workshops for refurbishment in about a month, prior to being sent here. Refurbishment will take approximately 3 months.

#### Lindsay Bridge Strategic Planning

As there were insufficient numbers, the strategic planning workshop had to be postponed. An alternative date will be arranged, and an invitation extended to one or two adjoining Councils to see if they are interested.

#### Reduction in number of Elected Members

As advised by memo, application has been made to the Local Government Advisory Board to reduce the number of elected members from 7 to 6 with immediate effect. The LGAB Executive Officer, Ross Earnshaw, has advised that the matter will be put before the Board at their meeting on Tuesday 19 May, and he will advise as soon as possible thereafter.

#### Healthy Community Project

Further discussions held with several prospective organisations. An expression of interest in principle from one organisation after their Board meeting on Tuesday 19 May expected prior to the Council meeting, is expected. To date, all others have either declined, re-directed my enquiry, or delayed their response.

#### Minjar Gold Mine

Together with the DCEO and EHO, I met with Simon Burns, Project Manager for Golden Stallion Resources, who are intending to re-open the Minjar Mine within the next few months. There will need to be some new buildings put in place, however, the design and camp layout is intended to be the same as before so that plumbing, water, power, paths etc do not need to be rebuilt.

It will be a drive in drive out operation, accommodation units for 100-120 people will be established, although only about 20-30 people will be on-site at any one time. They expect there to be negligible impact on roads, with only one or two road trains for supplies and consumables required each week.

Estimated lifespan of the re-opened mine is 3-5 years, but they are hoping to prove a larger deposit, and thereby extend the life of the mine significantly.

Country Local Government Fund (Royalties for Regions)

Hon. Brendon Grylls MLA, Minister for Regional Development has advised that it is considered that –

The purpose of the establishment of the Fund was to provide country local government with the funding additional to their own source revenue to address the infrastructure backlog facing the sector

Whilst the current guidelines may provide some limitations for fund expenditure, I believe Councils will be able to sufficiently identify priority projects that fall within these Guidelines.

Accordingly the request to permit the approx. \$2 million over four years of fund from the CLGF to be placed into Reserve for the purpose of construction of a swimming pool and court facilities, has not been approved.

A report will be prepared for next Council meeting as to the best way of utilising the funds, and setting aside sufficient monies for a swimming pool.

It is also expected that the results of the application to the \$550 million Regional Local Government Infrastructure Fund for \$2 million grant for the facilities, will be known by the end of May, or early June. The Department for Infrastructure, Transport, Regional Development and Local Government advised on 13 May, that notifications have started going out, and should be complete within 2 weeks.

Meetings

24 April	Adam Murzewski, Dept of Sport and Recreation, with DCEO
24 April	Andrew Klein, WACHS Mid West
25 April	ANZAC Day breakfast – attended by 16 people
29 April	with DCEO and EHO, met with Simon Burns, Golden Stallion Resources re re-opening of Minjar Mine
30 April	Craig Turley, Community Liaison Manager, Peter Plavina and Matthew Foran, OZ Minerals Corporate sustainability section
4 May	Local Government Structural Reform Conference in Perth
6 May	Brad Burnell, Heidi Mippy and Gary Thwaites, Child Protection Squad, WA Police
7 May	Murchison Executive Group meeting in Cue
8 May	Murchison Country Zone meeting in Cue
14 May	Brian Eckhardt, Local Government Insurance Service re annual review
14 May	Wayne McDonald, MWDC, and Tim Acker, consultant, re Murchison Arts

Future commitments

3 June	Bill Atyeo, EHO, next due in Yalgoo
10 June	Mid West Gascoyne Human Services Regional Managers Group meeting in Geraldton, as Murchison Councils' representative
TBC	with the President, meet with the President and CEO, Shire of Dalwallinu re: structural reform

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2009-0513    CEO Activity Report**

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

**That the CEO's Activity Report to 15 May 2009 be received.**

**Motion put and carried 4/0**

#### **11.4.2 MURCHISON COUNTRY ZONE – Minutes of 8 May 2009**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 14 May 2009  
Attachments: p.18 Minutes of MCZ Meeting

#### **MATTER FOR CONSIDERATION**

To receive the minutes of the meeting of the Murchison Country Zone held on 8 May 2009.

#### **BACKGROUND**

The MCZ meets once every six months to discuss and resolve matters of regional importance.

#### **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**

None

#### **CONSULTATION**

None

#### **COMMENT**

The meeting held on 8 May was attended by Cr Anderson and Cr Iturbide and the CEO. Invited guests attending included, the Minister for Local Government, Hon. John Castrilli MLA, and his Chief of Staff, Mr Gary Brennan. Other State and Commonwealth Parliamentarians were also in attendance.

Not surprisingly, a major topic of the day was the Minister's initiative for structural reform, and he was clear in his intent that reform must happen. To paraphrase his words, the local government sector, successive reports such as the Systemic Sustainability Study, and all the indicators, are that reform is necessary, and that progressive or incremental reform is not going to be effective. His opinion is that if reform is needed, it should be done promptly.

One of the initiatives discussed at the end of the meeting was the possibility of a joint application for funding to prepare a joint submission to engage a consultant/s to prepare a structural reform case for the Murchison Councils.

However, from the emails between CEOs, it appears that this direction may not be supported by the individual councils, as the feeling is that the Councils would prefer to make an individual submission, but ensuring that there is not contradictions between the opinions lodged.

Minutes of the meeting are attached for information.

#### **VOTING REQUIREMENTS**

Simple majority



OFFICER RECOMMENDATION 1/ COUNCIL DECISION

**C2009-0514    Minutes of Murchison Country Zone Meeting**

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

**That the minutes of the Murchison Country Zone meeting of 8 May 2009 be noted.**

**Motion put and carried 4/0**

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION 2

That –

- a joint application for funding to prepare a joint submission to engage a consultant/s to prepare a structural reform case for the Murchison Councils, be supported,
- the scope of the proposed submission to focus primarily on the implications of any amalgamation or merger for local communities, the local economy and employment impacts, rather than a narrow focus solely on the efficiency of the local government as an individual organisation
- the terms of reference to be agreed by the Presidents and CEOs of the Murchison Councils.

**NOTED – as other Shires of the Region have advised that they do not support the proposal for a joint submission, there is no possibility the proposal succeeding.**

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION 3 / COUNCIL DECISION

**C2009-0515    Joint Application for Funding**

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

**Should the other Murchison Councils decide not to support a joint application, that Yalgoo pursue –**

- **an individual application for funding to engage a consultant/s to prepare a structural reform submission,**
- **the scope of the proposed submission to focus primarily on the implications of any amalgamation or merger for the Yalgoo and Paynes Find communities, the local economy and employment impacts, rather than a narrow focus solely on the efficiency of the local government as an individual organisation**
- **the terms of reference to be agreed by the President and CEO.**

**Motion put and carried 4/0**

### **11.4.3 MURCHISON VERMIN REGIONAL COUNCIL**

File:  
Author: Niel Mitchell, CEO  
Interest Declared: No interest to disclose  
Date: 14 May 2009  
Attachments: none

#### **MATTER FOR CONSIDERATION**

To consider the nomination of a second delegate to the Murchison Region Vermin Council.

#### **BACKGROUND**

Previously, Cr Darryl Grey was a delegate of Council to the MRVC, however, with his resignation from Council, his nomination automatically lapses.

#### **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.
- S.3.61(2) – the Council of a regional local government is made up of elected members of participating local governments

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

None

#### **CONSULTATION**

None

#### **COMMENT**

Council is eligible to nominate two delegates to the MRVC, which to date has been Cr Morrissey and Cr Grey

#### **VOTING REQUIREMENTS**

Simple majority

#### **OFFICER RECOMMENDATION 1 / COUNCIL DECISION 1**

##### **C2009-0516 Nomination of Cr TK Iturbide**

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

**That Cr TK Iturbide be nominated as a delegate of the Shire of Yalgoo to the Murchison Region Vermin Council**

**Motion put and carried 4/0**

#### **VOTING REQUIREMENTS**

Simple majority

#### **OFFICER RECOMMENDATION 2 / COUNCIL DECISION 2**

##### **C2009-0517 Policy 1.7 External Organisation**

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

**That Policy 1.7 External Organisations – Council Representatives, be amended to reflect the nomination of –**

- **Cr TK Iturbide as delegate to the Murchison Region Vermin Council, and**
- **Cr TK Iturbide as deputy delegate to the Murchison Country Zone, resolved at the Council meeting of April 2009**

**Motion put and carried 4/0**

## **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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As permitted by resolution of the Meeting

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

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### STATUTORY ENVIRONMENT

Local Government Act 1995 –

- s.5.23 – Meetings generally open to the public, but the council or committee may close to members of the public the meeting, or part of the meeting for specific purposes.
- s.5.92 – Access to information by council, committee members
- s.5.93 – Improper use of information

Local Government (Rules of Conduct) Regulations 2007

- r.6 – Use of information –
  - o information arising from a meeting or part of meeting closed to the public, is not permitted to be disclosed
  - o documents marked as confidential are not permitted to be disclosed

### **Motion to Close the Meeting to the Public**

### VOTING REQUIREMENTS

Simple majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

### **C2009-0518 Motion to Close the Meeting to the Public**

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

**That the meeting be closed to the public to discuss the receipt of Interim Audit Special Reports.**

**Motion put and carried 4/0**

*The meeting was closed to the public at 4:26pm. Councillors and Executive staff remained in the meeting.*

### **14.1 INTERIM AUDIT – Special Reports**

Reason for Confidentiality –

- Local Government Act s 5.23(2)(a) – A matters affecting an employee or employees.

**Motion to Open the Meeting to the Public**

VOTING REQUIREMENTS  
Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

**C2009-0519    Motion to Open the Meeting to the Public**

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

**That the meeting be re-opened to the public.**

**Motion put and carried 4/0**

*The meeting was reopened to the public at 3.58pm.*

**15.        NEXT MEETING**

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The next Ordinary Meeting of Council is due to be held on Thursday, 18 June 2009, commencing at 11.00 am.

**16.        MEETING CLOSURE**

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There being no further business, the President declared the meeting closed at 3.59pm.

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