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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,  
held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on Thursday 18 March 2010, commencing at 11.00 am.

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

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The President declared the Ordinary Meeting of Council open at 11.00am.

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

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MEMBERS	Cr TK Iturbide, Shire President Cr EC Rowe, Deputy President Cr L Hodder Cr MR Valenzuela Cr LJ Terry (from 11.01am)
STAFF	Ms S Daishe, Chief Executive Officer Mr K Hastie, Acting Chief Executive Officer Ms H Duffey, Acting Deputy Chief Executive Officer
GUESTS:	Mr Brett Manning, Managing Director, Ferrowest Ltd and Mr John Johnson, FESA Area Manager Murchison
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	Cr MJ Forster

**3. DISCLOSURE OF INTERESTS**

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Disclosures of Interest made prior to the Meeting

Cr EC Rowe declared a proximity and financial interest regarding the presentation by Mr Brett Manning from Ferrowest.

**4. PUBLIC QUESTION TIME**

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**4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

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None

**4.2 QUESTIONS WITHOUT NOTICE**

None

**5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

None

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr EC Rowe applied for the leave of absence for the April Council Meeting.

**7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**7.1 PRESIDENT**

16 March With Cr L Hodder, Cr LJ Terry, Cr MR Valenzuela, Acting Deputy Chief Executive Officer (DCEO), Ms Heide Duffey and the Chief Executive Officer (CEO), Ms Sharon Daishe attended the Paynes Find Fire truck presentation.

*Cr LJ Terry entered the meeting at 11.01am.*

**7.2 COUNCILLORS**

16 March Cr L Hodder, Cr LJ Terry and Cr MR Valenzuela attended the Paynes Find Fire truck presentation.

**8. CONFIRMATION OF MINUTES**

**8.1 ORDINARY COUNCIL MEETING**

BACKGROUND

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

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

**C2010-0301 Confirmation of Minutes**

**Moved Cr EC Rowe, Seconded Cr LJ Terry**

**That the Minutes of the Ordinary Council Meeting held on 18 February 2010 be confirmed.**

**Motion put and carried 5/0**

**9. MINUTES OF COMMITTEE MEETINGS**

None

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

- o Presentation from Mr. John Johnson from Fire and Emergency Services Authority (FESA) re changes to bushfire legislation.

- o Presentation from Mr. Brett Manning from Ferrowest Mining Company re future proposals for Yalgoo Iron and Western Haematite Ore projects.

## **ADJOURNMENT**

*The meeting adjourned for lunch break at 12.20pm and resumed at 1. 07pm, with all who were in attendance before the adjournment being present at the resumption together with Mr Nigel Goode from Greenfields technical services.*

## **11. REPORTS OF OFFICERS**

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### **11.0 MATTERS BROUGHT FORWARD**

None

*Note:*

*Item 11.4.5 was dealt with prior to item 11.1 by President's request.*

### **11.4.5 TENDER – Water Playground**

File: Tender 2010 -01  
Author: Kim Hastie, A/CEO  
Interest Declared: No Interest to Declare  
Date: 9<sup>th</sup> March 2010  
Attachments: p.41  
(yellow)

#### **MATTER FOR CONSIDERATION**

To consider the tenders received for the construction of the water playground. The tender was put on the basis of Design, Construct and Commission.

#### **BACKGROUND**

The calling of tenders for the construction of the water playground has been completed and Greenfield Technical Services has provided their assessment of the tenders received. See Attachment. Nigel Goode from Greenfield will be in attendance at the Council meeting for discussions on the matter.

#### **STATUTORY ENVIRONMENT**

Tendering regulations of the Local Government Act.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

The recommended tender will result in a total cost of \$386,790 which includes an 11 metre x 13 metre play area, a 2 metre concourse and Greenfield's management costs.

Neither the tender nor the proposed funding include provision for:  
Landscaping/lawn/reticulation;  
Furniture such as rubbish bins, seats, bbq's and shade for parents/visitors;  
Capacity to deal with the backwash of the filtration system; and  
An entry linkage with the footpath/street.

It is anticipated that this work will be in the \$60,000+ range.

The proposed funding for the project is:-

Country Local Government Fund – (as per restructure approved by Council January 2010) \$270,000;

CSRFF Grant – applied and received	\$125,000;
CSRFF Grant – Development bonus – applied for \$63,400 and received	\$ 14,044;
MWDC Grant – Have applied for and will not receive advice until June/July	\$ 70,000.

Thus at this point we have \$409,000 confirmed and \$70,000 unconfirmed income for this project.

#### CONSULTATION

Greenfield Technical Services  
Midwest Development Commission.

#### COMMENT

We are in a position where the tenders have been called prior to confirmation of the funding applications. One process identified at the time to deal with this is to “drop off” components of the total project so as to fit the funding available.

As it has transpired there is enough funding to proceed with the tendered project however this will not complete the overall development of the site that is required.

One significant matter is that a grant application is still pending and to commence the project (ie by awarding the tender) would jeopardise the success of that application. Such an action would also reflect poorly on any future grant applications.

The A/CEO considers it most inappropriate to commence a project (ie by awarding a tender) while there is an outstanding grant application.

Having said that it is possible to award a tender “... subject to confirmation of the success of the grant application for \$70,000 currently with the MWDC.”

The tender specifications and the recommended tenderer's submission include that prices will be held for 90 days following the close of tenders. Tenders closed on 9<sup>th</sup> February 2010 and hence the 90 days takes us out to 10<sup>th</sup> May 2010.

Waiting for the MWDC grant application process to finalise will also allow additional time to more accurately cost the additional items required to finish the complete complex. These items could then in turn be funded by the (assuming successful) MWDC grant.

#### VOTING REQUIREMENTS

Simple majority.

#### OFFICER RECOMMENDATION/ COUNCIL DECISION

##### **C2010-0302 Tender for Yalgoo Water Play Ground**

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

**That Council award tender 2010-01 for the design, construction and commission of the water playground in Yalgoo to Water Features by Design for the contract sum of \$356,790 + GST subject to confirmation of the success of the grant application for \$70,000 currently with the MWDC.**

**Motion put and carried 5/0**

*Mr Nigel Goode left the meeting at 1.33pm.*

Note: Order of business resumed by President's request.

## **11.1 WORKS**

### **11.1.1 WORKS ACTIVITY REPORT**

File: N/A  
Author: Des Hodder, Acting Works Foreman  
Kim Hastie, A/CEO  
Interest Declared: No interest to disclose  
Date: 10<sup>th</sup> March 2010  
Attachments: None

MATTER FOR CONSIDERATION  
Works Report for the past month

BACKGROUND  
Overview of works for the past month

STATUTORY ENVIRONMENT  
None

STRATEGIC IMPLICATIONS  
None

POLICY IMPLICATIONS  
None

FINANCIAL IMPLICATIONS  
None

CONSULTATION  
None

COMMENT  
Works Foreman, Cliff Hodder, has commenced a period of leave and will return to duty on 12<sup>th</sup> April 2010. Des Hodder will be Acting Works Foreman in Cliff's absence.

- a) Construction –  
Morawa Road – has had excess aggregate swept off. Gravel section has been graded. Surplus aggregate from dump points has been collected for use in the new septic systems in town.

Ninghan Road – the 4 kilometres of construction has been sealed and the 8 kilometre reseal has also been completed.

Town Streets (except Gibbons) –The re-seal works have been completed. The Acting CEO and Nigel Goode from Greenfields propose to discuss the re-sealing, re-kerbing and landscaping of Gibbons Street with the Council.

- b) Maintenance –  
The Morawa Road has had a maintenance grade.  
North Road is currently being graded and then heading for Dalgara Road.
- c) Plant  
Westrac will have serviced all the Caterpillar equipment by the time of the meeting.
- d) Other  
Airstrip is now being inspected twice per week. The security cages for the town entry statement lights have been fabricated and will be installed over the next week or two.

The plumber will be in town the week of Council meeting to install the septic systems for the new units location, health centre and caravan park house.

- e) Gibbons Street / Highway corner  
This work has now been completed.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0303    Works Activity Report**

**Moved Cr LJ Terry, Seconded Cr MR Valenzuela**

**That the Works Report to 10<sup>th</sup> March 2010 be received.**

**Motion put and carried 5/0**



**11.2 DEVELOPMENT**

None

**11.3 FINANCE**

**11.3.1 Deputy CEO – ACTIVITY REPORT – Month of February 2010**

File: N/A  
 Author: Heide Duffey, Acting Deputy CEO  
 Interest Declared: No interest to disclose  
 Date: 12 March 11 February 2010  
 Attachments: None

Investments

Fund	Institution	Invested	Due	Interest Rate %	Amount Due	Govt guarantee
Municipal	NAB	varying		Up to 3%		Yes
Reserve	Suncorp	1,032,296.13	15 April 2010	5.95	1,047,441.19	Yes except \$47,441.33
Reserve	Suncorp	1,067,226.37	30 April 2010	4.86	1,075,558.15	Yes
Comparative investment rates						
		WA Treasury (Overnight):		3.75		
		WA Treasury 30 days:		3.98		
		MBL 30 Days		4.10		

Remission On Interest

Notice of decision from the ATO as mentioned in the January 2010 report regarding interest paid in 2004-2007. The ATO have advised that our request has been fully considered and have decided that the circumstances on this occasion warrant full remission of the GIC and the amount of 20,942.25 has been remitted.

Contractor Ranger Duties

-Patrols conducted of Townsite and surrounding areas on the 8th February 2010.

Bush Fire Brigade Appliance update

On the 16<sup>th</sup> March 2010 FESA will be handing over a new light tanker to the Payne's Find Bush Fire Brigade. FESA have advised they are keen enlist new members both here in Yalgoo and Payne's Find. Applications for membership can be collected from the Shire Office.

Opening of Community Park

On the 18<sup>th</sup> March 2010 at 10.30am the community is invited to the opening of the Yalgoo Community Park. A BBQ brunch will be provided.

Shamrock Park

Shamrock Park has recently undergone a face lift with the upgrading of reticulation and more trees. Given the improved supply of water the park should soon be green and shady all year round.

Meetings

17<sup>th</sup> February Community Meeting  
22<sup>nd</sup> Lindy Yalgoo Primary School

Future meetings

16<sup>th</sup> March Delivery of Light tanker at Payne's Find.  
18<sup>th</sup> March Community Park  
12th April Interagency Meeting.

VOTING REQUIREMENTS

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0304    DCEO Activity Report**

**Moved Cr EC Rowe, Seconded Cr MR Valenzuela**

**That the Deputy CEO's Activity Report for February 2010 be received.**

**Motion put and carried 5/0**

### **11.3.2 FINANCIAL ACTIVITY STATEMENTS –FEBRUARY 2010**

File:  
Author: Heide Duffey, Acting Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 12 March 2010  
Finance (green) p.1 Financial Activity Statements for February 2010  
p.34 Balance Sheet  
p.20 Income Statement Summary by Program  
p.21 Income Statement by Nature & Type  
p.22 Income Statement Detail  
Material Variance

#### **MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for February 2010.

#### **BACKGROUND**

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

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Section 6.4–Specifies that a local government is to prepare such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
  - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5 and 6 prescribe further details of information to be included in the monthly statement of financial activity.

#### **STRATEGIC IMPLICATIONS**

None

#### **POLICY IMPLICATIONS**

None

#### **FINANCIAL IMPLICATIONS**

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

#### **CONSULTATION**

None

**COMMENT**

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

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

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0305    Financial Activity Statements for the Month of February 2010**

**Moved Cr EC Rowe, Seconded Cr LJ Terry**

**That Council adopt the financial statements and material variances for the period ending 28th February 2010, as attached.**

**Motion put and carried 5/0**

**11.3.3 ACCOUNTS PAID DURING THE MONTH OF FEBRUARY 2010**

File: N/A  
Author: Heide Duffey, Acting Deputy Chief Executive Officer  
Interest Declared: No interest to disclose  
Date: 15 March 2010  
Finance: p40+. Listing of accounts paid  
(green)

**MATTER FOR CONSIDERATION**

Authorisation of accounts paid during the month of February 2010

**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 February 2010 as per attached schedule.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0306 Accounts Paid during the Month of February 2010**

**Moved Cr LJ Terry, Seconded Cr MR Valenzuela**

**That:**

- 1. The Cheque Detail of payments covering vouchers EFT 1 - 78 totalling \$205,752.75 paid during the month of February 2010, be received;**
- 2. Cheque payments covering cheque numbers 11373-11403 totalling \$24370.67 paid during the month of February 2010, be received; and**
- 3. Salaries and Wages totalling \$66,925.89 paid during the month of February 2010 be received.**

**Motion put and carried 5/0**

**11.3.4 PROPOSED CONTRACT FOR THE PROVISION OF LICENSING**

File:  
Author: Heide Duffey, Acting CEO  
Interest Declared: No interest to disclose  
Date: 12 March 2010  
Attachments: to be tabled

**MATTER FOR CONSIDERATION**

To consider implementing an online Licensing Service.

**BACKGROUND**

Representatives from the Licensing Services had a meeting with Acting CEO and Acting DCEO offering the Shire the opportunity to go online as agent for Licensing Services. The shire is currently carrying out some of this work.

**STATUTORY ENVIRONMENT**

**STRATEGIC IMPLICATIONS**

Licensing Services will provide:

- All Training including accommodation meals and travel.
- All PC, Printers, software and equipment.
- All equipment to remain the property of the Licensing Service

**POLICY IMPLICATIONS**

Agent (the Shire) must supply the service in accordance with specifications as listed in the contract. Principal (Licensing Services) to provide auditing & performance at no cost to Council.

**FINANCIAL IMPLICATIONS**

No financial outlay is required by the Shire to implement this service. Commissions, average of \$8.25 per transaction as listed in the contract, would be paid monthly directly into the Shire Account. Commission reviewed 1<sup>st</sup> July each year.

**CONSULTATION**

Consultation between the Licensing Service, A/DCEO our IT personal.

**COMMENT**

The Shire would be expanding on limited Licensing Services currently provided to the community. This on line service is becoming a more common way of providing a complete and efficient service with support at no extra cost

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0307 Proposed Contract for the Provision of Licensing**

**Moved Cr LJ Terry, Seconded Cr MR Valenzuela**

**That Council Adopt the recommendation as outlined in the attached contract.**

**Motion put and carried 5/0**

**11.4 ADMINISTRATION**

**11.4.1 CEO – ACTIVITY REPORT – February/March 2010**

File: N/A  
 Author: Kim Hastie, A/CEO  
 Interest Declared: No interest to disclose  
 Date: 10<sup>th</sup> March 2010  
 Attachments: None

Use of Common Seal  
 Nil.

Use of Delegated Authority not elsewhere reported  
 Nil.

Meetings

15 February Met with Russell Hayes and Jim McNamara of Fire and Emergency Services Authority (FESA). Met with Brian Chinnery of the Health Department to discuss the new Health Centre.  
 16 February Attended Regional Road Group (RRG) meeting in Mullewa.  
 17 February Staff meeting – office and depot.  
 18 February Attended Oakajee Port and Rail (OPR) presentation at school with the Shire President. Attended Council meeting.  
 22 February Meeting with School Principal and Acting Deputy Chief Executive Officer (ADCEO).  
 24 February Office staff meeting.  
 25 February Regional Road Group (RRG) meeting in Geraldton.  
 1 March Brought new Chief Executive Officer (CEO) from Perth to Yalgoo.  
 8 March Met with Cliff Hodder and Des Hodder regarding handover and continuity of works crew during Cliff’s period of leave.

Future commitments

11 March Murchison Executive Group (MEG) meeting in Mount Magnet.  
 15 March New Chief Executive Officer (CEO), Sharon Daishe, commences and will be involved in a handover phase.  
 16 March Fire and Emergency Services Authority (FESA) handover of new fire tender in Paynes Find.  
 18 March Council meeting.  
 19 March My last day.

VOTING REQUIREMENTS  
 Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0308 CEO Activity Report**

**Moved Cr EC Rowe, Seconded Cr MR Valenzuela**

**That the CEO’s Activity Report as shown above be received.**

**Motion put and carried 5/0**

#### **11.4.2 NEW POLICY – Additional Two Days Annual Leave for all Staff**

File: P11  
Author: Kim Hastie, A/CEO  
Interest Declared: No Interest to Declare  
Date: 8<sup>th</sup> March 2010  
Attachments: None

##### **MATTER FOR CONSIDERATION**

For Council to authorise the creation of a new policy to grant all staff an additional two days annual leave (without leave loading) per annum in lieu of the two public holidays lost under the new Award.

##### **BACKGROUND**

For many years local government employees have been granted two additional public holidays each year: being the day after Easter Monday and the day after the New Year public holiday.

Traditionally these days were taken on the day as public holidays. Several years ago, as part of an award modernisation program the industry, driven mainly by metropolitan local governments, began to take the days at other times during the year and not on the actual day by way of mutual agreement between employers and employees. However many country local governments continued to take the extra days on the days for which they were granted. This gave staff an opportunity to travel to destinations to see family and friends for a longer break at Easter and New Year.

With the new local government award in place effective from 1<sup>st</sup> January 2010 these two days are not recognised in the award. Effectively this means that employees have lost an entitlement that they have had for decades.

##### **STATUTORY ENVIRONMENT**

Award provisions prevail. An employer can grant employment conditions in excess of award provisions.

##### **STRATEGIC IMPLICATIONS**

The ability to attract staff to locations away from the coast and the south west regions of the State is difficult at the best of times. Reducing employees' entitlements will only add to the pressures of staff recruitment.

##### **POLICY IMPLICATIONS**

This proposal is to introduce a new policy.

##### **FINANCIAL IMPLICATIONS**

Nil as the proposed policy is not introducing any additional pay and is intended to be "without leave loading"

##### **CONSULTATION**

Workplace Solutions, WALGA.

##### **COMMENT**

It is proposed that the new Policy 11.12 would read; "Two Days Additional Annual Leave":

1. Commencing 1<sup>st</sup> January 2010 all employees, including those under employment contract, will receive an additional two days annual leave per annum.
2. These two days are in lieu of the previous and now defunct entitlement to two additional public holidays per year.
3. These two days will be taken on the day after Easter Monday and the day after the New Year public holiday.
4. The additional two days annual leave will not attract leave loading.

##### **VOTING REQUIREMENTS**

Simple majority.



**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0309    New Policy for Additional 2 days Annual Leave for all Staff**

**Moved Cr EC Rowe, Seconded Cr LJ Terry**

**That Council adopt new Policy 11.12 as detailed under Comment above.**

**Motion put and carried 5/0**

**11.4.3 INSTRUMENT OF AUTHORISATION – Main Roads/Shire of Yalgoo**

File:  
Author: Kim Hastie, A/CEO  
Interest Declared: No interest to disclose  
Date: 9<sup>th</sup> March 2010  
Attachments: pg.1  
(yellow)

**MATTER FOR CONSIDERATION**

To consider the Shire of Yalgoo accepting delegated authority from Main Roads WA for the purposes of installing temporary traffic signs and devices on local roads for the purposes of managing Event traffic.

**BACKGROUND**

Under the provisions of the Road Traffic Code, the Main Roads WA is the only organisation authorised to install traffic signs and control devices on roads (even local roads) for the purposes of controlling an Event (ie street parade)

Main Roads is now offering the Shire of Yalgoo a delegated authority so that each time that such signage is required the Shire can install the necessary devices without reference to Main Roads. This delegated authority will exclude such devices on roads under the control of Main Roads WA.

**STATUTORY ENVIRONMENT**

Road Traffic Code

**STRATEGIC IMPLICATIONS**

None

**POLICY IMPLICATIONS**

None

**FINANCIAL IMPLICATIONS**

None

**CONSULTATION**

Nil

**COMMENT**

The Instrument of Authorisation is shown in the Attachment and requires sealing and signing by the Shire President and Chief Executive Officer.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0310 Instruments of Authorisation – Main Roads/ Shire of Yalgoo**

**Moved Cr LJ Terry, Seconded Cr L Hodder**

**That the Shire President and Chief Executive Officer be authorised to seal and sign the Instrument of Authorisation, with the Main Roads WA, as shown in the Attachment.**

**Motion put and carried 5/0**

**11.4.4 PROPOSED DEVELOPMENT ASSESSMENT PANELS**

File: P3  
Author: Kim Hastie, A/CEO  
Interest Declared: No Interest to Declare  
Date: 9<sup>th</sup> March 2010  
Attachments: pg.6  
(yellow)

**MATTER FOR CONSIDERATION**

To consider a request from WALGA to circulate WALGA’s response to the proposed Development Assessment Panels to all local politicians.

**BACKGROUND**

Councillors will recall that several months ago the Department of Planning released a discussion paper on the proposal to introduce Development Assessment Panels into the planning approval process.

WALGA has prepared a response to this proposal, as shown in the Attachment, and has asked member Councils to distribute this to local politicians.

**STATUTORY ENVIRONMENT**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**COMMENT**

The industry generally, particularly in smaller local governments, has rejected the proposal from the Department of Planning for the establishment of Development Assessment Panels. This has been based on the introduction of another layer that doesn’t seem to add value; rather it adds cost to local governments.

WALGA’s response is effectively the same and is seeking that the State Government work with the industry to develop a more appropriate model.

**VOTING REQUIREMENTS**

Simple majority.

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0311 Proposed Development Assessment Panels**

**Moved Cr EC Rowe, Seconded Cr LJ Terry**

**That Council authorise the CEO to correspond with all local members of parliament as requested by WALGA.**

**Motion put and carried 5/0**

**11.4.5 TENDER – Water Playground**

Item 11.4.5 was dealt with prior to item 11.1.

**11.4.6 BUSH FIRES ACT –Notice of Exemption to Horizon Power**

File: B5  
Author: Kim Hastie, A/CEO  
Interest Declared: No Interest to Declare  
Date: 10<sup>th</sup> March 2010  
Attachments: p.45  
(yellow)

**MATTER FOR CONSIDERATION**

To provide comment on a proposal by FESA to grant an exemption, from section 22C of the Bush Fires Act, to Horizon Power.

**BACKGROUND**

Section 22C of the Bush Fires ACT empowers the Minister to provide an exemption to the prohibition to lighting fires on days of “total fire ban”.

The CEO of FESA under delegated authority from the Minister is proposing to issue such an exemption to Horizon Power to allow that authority to carry out emergency works as necessary.

The proposed exemption certificate is shown in the Attachment.

FESA has asked that the Shire review this and comment accordingly.

**STATUTORY ENVIRONMENT**

Bush Fires Act.

**STRATEGIC IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil.

**CONSULTATION**

Nil.

**COMMENT**

The proposed exemption certificate appears to be comprehensive in that Horizon Power are required to operate within strict guidelines.

**VOTING REQUIREMENTS**

Simple majority.

**OFFICER RECOMMENDATION/ COUNCIL DECISION**

**C2010-0312 Bush Fires Act**

**Moved Cr LJ Terry, Seconded Cr MR Valenzuela**

**That Council endorse the proposed exemption certificate and advise FESA accordingly.**

**Motion put and carried 5/0**

**11.4.7 STRUCTURAL REFORM - Regional Collaborative Group**

File: S20  
 Author: Kim Hastie, A/CEO  
 Interest Declared: No Interest to Declare  
 Date: 12 March 2010  
 Attachments: p.53  
 (yellow)

**MATTER FOR CONSIDERATION**

To consider the draft Regional Collaborative Group Agreement and subsequent advice to the Minister.

**BACKGROUND**

Councillors are aware that the Shire of Yalgoo has been invited to join a Regional Collaborative Group with other Murchison local governments as part of the reform process.

The Shire President and A/CEO attended a meeting in Mount Magnet on 5<sup>th</sup> February 2010 at which we were advised, by the Director General of the Local Government Department, that a draft RCG agreement would be forthcoming. This has subsequently arrived. See Attachment.

At the meeting held on 18<sup>th</sup> February 2010 Council resolved as follows: -

***That the Shire of Yalgoo:-***

- 1 *Commence dialogue with Murchison zone local governments in regard to forming a regional cooperative group;***
- 2 *Advise the Minister of the action under 1 above and that a definitive answer to his question about forming a RCG may not be forthcoming until after his 26<sup>th</sup> March 2010 deadline; and***
- 3 *Prepare a proposal regarding a cooperative grouping in the Murchison Region for discussion at the next WALGA zone meeting.***

Item 1 above has commenced with the A/CEO attending a Murchison Executive Group meeting in Mount Magnet on 11<sup>th</sup> March 2010.

Item 2 above has been actioned.

Item 3 above has commenced with some discussion/dot points being prepared and will formulate between now and the next Zone meeting.

In regard to the MEG meeting there was some variance of view with regard to the need to form a RCG.

Other discussion points were the general suitability of the draft Agreement and the existing structures such as MEG and the Zone being more appropriate to “formalise” a collaborative structure.

The meeting did agree to go forward with actions as identified in the recommendation below.

**STATUTORY ENVIRONMENT**

Nil.

**STRATEGIC IMPLICATIONS**

The outcomes of this process will have a major impact on the function and process of local government in the region.

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil at this stage.

**CONSULTATION**

Regional CEO colleagues.

**COMMENT**

Generally the draft agreement was seen to be unsuitable with the exception of Clause 5 which is the current/future focus of the region even without formalising any structure.

The existing MEG or zone structure is considered a more appropriate mechanism to deliver the Ministers desire collaborative approach to structural reform. This would require a minimum of formalisation.

**VOTING REQUIREMENTS**

Simple majority.

**OFFICER RECOMMENDATION**

**Structural Reform**

The recommendation below was moved by Cr LJ Terry and seconded by Cr EC Rowe, however after discussion was not put to vote.

That Council advise the Ministers for Local Government and Regional Development that:-

- 1 the proposed draft agreement regarding Regional Collaborative Groups, with the exception of clause 5, is not considered suitable for the Murchison Region;
- 2 the Murchison region has an existing, functioning and funded regional grouping of local governments;
- 3 the Murchison region local governments intend to continue to develop the existing Murchison Executive Group and WALGA Zone structures into a formalised arrangement including an agreement that will be more appropriate to the region; and
- 4 that the current and future focus of the existing and future structure of local government in the Murchison region will consider the items in clause 5 of the draft Regional Collaborative Group agreement

**COUNCIL DECISION 1**

**C2010-0313    Structural Reform**

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

**That the above officer recommendation regarding structural reform be put on the table.**  
**Motion put and carried 5/0**

**COUNCIL DECISION 2**

**C2010-0314    Structural Reform**

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

**That the President and Chief Executive Officer (CEO) of the Shire of Yalgoo invite the Presidents and CEOs of the Shires in the Murchison Executive Group to meet to discuss developing the existing Murchison Executive Group and WALGA Zone structures into a formalised regional arrangement.**  
**Motion put and carried 5/0**

**ADJOURNMENT**

*The meeting adjourned for a short break at 2.23pm and resumed at 2.45pm with all who were in attendance before the adjournment being present at the resumption.*

## **12. NOTICE OF MOTIONS**

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### **12.1 PREVIOUS NOTICE RECEIVED**

None

## **13. URGENT BUSINESS**

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### **ADMISSION OF URGENT BUSINESS**

VOTING REQUIREMENTS  
Simple majority

### **COUNCIL DECISION**

#### **C2010-0315 Appointment of Chief Bush Fire Control Officer**

Moved Cr EC Rowe, Seconded Cr MR Valenzuela

That Council:-

1. Cancel the appointment of Mr Niel Mitchell as Chief Bush Fire Control Officer; and
2. appoint Ms Sharon Daishe as Chief Bush Fire Control Officer.

**Motion put and carried 5/0**

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

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None

## **15. NEXT MEETING**

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The next Ordinary Meeting of Council is due to be held in Paynes Find Community Centre on Thursday, 22 April 2010, commencing at 11.00 am.

Expected departure time is 9.00am in Cliff Hodder's car.

## **16. MEETING CLOSURE**

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There being no further business, the President declared the meeting closed at 3.00pm.

### **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