



Notice Paper
Special Council Meeting
Friday, 4 December 2015

Councillors:

I inform you that a Special Meeting of Council will be held at 1.00pm on Friday, 4 December 2015 at the Paynes Find Community Centre.

Your attendance is respectfully requested.

The purpose of the meeting:

I received a request pursuant to section 5.4(a) (i) of the Local Government Act 1995 from Councillor's Neil Grinham and Raul Valenzuela to call a special meeting of Council for the purpose of dealing with the following matters.

1. Swearing of a Councillors Elect
2. Election of President
3. Election of Deputy President
4. Confirmation of resolutions passed at the 22 October 2015 Ordinary Council Meeting.

A copy of the Agenda will be emailed to you later today

Yours faithfully

Dominic Carbone
Acting Chief Executive Officer

CONTENTS

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	4
3.	DISCLOSURE OF INTERESTS.....	4
4.	PUBLIC QUESTION TIME	4
4.0	RESPONSE TO QUESTIONS TAKEN ON NOTICE.....	4
4.1	QUESTIONS WITHOUT NOTICE.....	5
5.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	5
6.	MATTERS FOR DECISION.....	5
7.	MEETING CLOSURE	13



Agenda for the Special Meeting of the Yalgoo Shire Council,
to be held in the Paynes Find Community Centre, Paynes Find,
on Friday 4 December 2015, commencing at 1.00 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Acting Chief Executive Officer to declare the meeting open at 1.00 pm

1.1 Swearing in of Councillors

Cr Neil Grinham to conduct the swearing in of:

- Cr Robert Grinham
- Cr Percy Lawson

Who were declared elected by the Returning Officer at the election held on Saturday, 17 October 2015.

The Councillors Robert Grinham and Percy Lawson to make the following declaration in accordance with Section 2.29(1) of the Local Government Act 1995.

I Of..... having been elected to the office of Councillor of the Shire of Yalgoo declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability and will observe the Local Government (Rules of Conduct) Regulations 2007.

1.2 Election of Shire President
(Nomination Form Attached)

The Acting Chief Executive Officer to advise of nominations received for the position of President.

Should more than one nomination be received a secret ballot be conducted by the Acting Chief Executive Office and declare the President Elect in accordance with Clause 4 of Schedule 2.3 of the Local Government Act 1995.

Pursuant to Section 2.29(2) of the Local Government Act 1995 the President elect to make the following declaration.

I of having been elected to the office of Shire President of the Shire of Yalgoo declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the

district according to the best of my judgement and ability and will observe the Local Government (Rules of Conduct) Regulations 2007.

The Acting Chief Executive Officer to hand the meeting over to the newly elected Shire President.

1.3 Election of Deputy Shire President
(Nomination form Attached)

The Acting Chief Executive Officer to advice of nominations received for the position of Deputy President.

Should more than one nomination be received a secret ballot be conducted by the Acting Chief Executive Officer and the Shire President to declare the Deputy President elect in accordance with Clause 8 of schedule 2.3 of the Local Government Act 1995.

Pursuant to Section 2.29(2) of the Local Government Act 1995 the Deputy President elect to make the following declaration.

I of having been elected to the office of Deputy President of the Shire of Yalgoo declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability and will observe the Local Government (Rules of Conduct) Regulations 2007.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS

STAFF

GUESTS

OBSERVERS

LEAVE OF
ABSENCE

APOLOGIES

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting

4. PUBLIC QUESTION TIME

4.0 RESPONSE TO QUESTIONS TAKEN ON NOTICE

4.1 QUESTIONS WITHOUT NOTICE

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

NIL

6. MATTERS FOR DECISION

At the ordinary meeting of Council held on 22 October 2015 not all the Councillors elect made a declaration nor were the Shire President and Deputy President elected and declarations made in accordance with section 2.29 of the Local Government Act 1995. Section 2.29 states.

2.29. Declaration

- (1) A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.
- (2) A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.
- (3) A declaration required by this section is to be taken or made before a prescribed person.
- (4) A person who acts in an office contrary to this section commits an offence.

Penalty: \$5 000 or imprisonment for one year.

[Section 2.29 amended by No. 24 of 2005 s. 57.]

On the basis that two Councillors did not make a declaration at the Council Meeting held on 22 October 2015 it is recommended that the resolutions adopted at the meeting be re affirmed in order to ensure that Council has acted appropriately

Therefore Council is requested to give consideration to re affirm the following resolutions adopted at the Ordinary Council Meeting held on 22 October 2015.

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1001 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 17 September 2015 at Paynes Find be confirmed.

Moved: Cr AB Fawkes

Seconded: Cr PJ Lawson

Motion put and carried 5/0

OFFICER RECOMMENDATION/COUNCIL DECISION**2015-1002 Imposition and Changes to the Fees and Charges after the Adoption of the 2015 – 2016 Annual Budget.**

That Council

- (1) Advertise the following Fees and Charges in accordance with Section 1.7 and 6.19 of the Local Government Act 1995;

<u>Caravan Park and Accommodation</u>	<u>Rate</u>	<u>GST</u>	<u>Total</u>
Shire Employees (Accommodation)	\$45.45	4.55	\$50.00
Washing machine hire per load	\$ 2.73	0.27	\$ 3.00
Dryer hire per load	\$ 2.73	0.27	\$ 3.00
Caravan storage fee per day	\$ 1.82	0.18	\$ 2.00
Tea towels (old stock)	\$ 1.82	0.18	\$ 2.00
Power Point (additional per point)	\$ 7.27	0.75	\$ 8.00
<u>Merchandise Sales</u>			
Yalgoo CD per copy	\$ 6.45	0.55	\$ 6.00
Book "Fields of Gold" per copy	\$10.00	1.00	\$11.00
Book "Architectural Gems of John Hawes" per copy	\$22.73	2.27	\$25.00

- (2) The Fees and Charges detailed in (1) above be imposed from 1st December 2015;
- (3) Subject to (1) and (2) above, the Schedule of Fees and Charges be amended accordingly by the month;

(a) by the insertion of:

<u>Caravan Park and Accommodation</u>	<u>Rate</u>	<u>GST</u>	<u>Total</u>
Shire Employees (Accommodation)	\$45.45	4.55	\$50.00
Washing machine hire per load	\$ 2.73	0.27	\$ 3.00
Dryer hire per load	\$ 2.73	0.27	\$ 3.00
Caravan storage fee per day	\$ 1.82	0.18	\$ 2.00
Tea towels (old stock)	\$ 1.82	0.18	\$ 2.00
Power Point (additional per point)	\$ 7.27	0.75	\$ 8.00
<u>Merchandise Sales</u>			
Yalgoo CD per copy	\$ 6.45	0.55	\$ 6.00
Book "Fields of Gold" per copy	\$10.00	1.00	\$11.00
Book "Architectural Gems of John Hawes" per copy	\$22.73	2.27	\$25.00

(b) by the deletion of:

Laundry fees

Non-park residents per day (or part)	\$ 4.55	0.45	\$ 5.00
--------------------------------------	---------	------	---------

Moved: Cr M R Valenzuela Seconded: Cr RW Grinham Motion put and carried by Absolute Majority 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1003 Adoption of 2015-2016 Budget Financial Activity Statement.

That Council pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996 adopts the 2015-2016 Budget Statement of Financial Activity.

Moved: Cr A B Fawkes Seconded: Cr PJ Lawson Motion put and carried 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1004 Pay Rates for Election Officers

That Council adopt the pay rates for the officers engaged for the Local Government Election being the Returning Officer @ \$40.75/hr, two Presiding Officers @ \$33.38 /hr and the Polling Clerk @ \$31.10/hr.

Moved: Cr MR Valenzuela Seconded: Cr J Kanny Motion put and carried 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1005 Appointment of Auditor

That Council appoints David Wall of RSM Bird Cameron as Auditor in accordance with section 7.3 of the Local Government Act.

Moved: Cr RW Grinham Seconded: Cr AB Fawkes Motion put and carried 6/0 by absolute majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1006 Attendance at the Civil Service at St George’s Cathedral 22 November 2015, co-hosted by WALGA and the Dean of Perth.

That Council advise the West Australia Local Government Association (WALGA), the number of Councillors attending the Civil Service at St George’s Cathedral, 5:00pm on 22 November 2015; and

That Council nominate the following Councillors Cr M Raul Valenzuela and Cr Percy Lawson to attend the Civil Service at St George’s Cathedral , 5:00pm on 22 November 2015.

Moved: Cr RW Grinham Seconded: Cr PJ Lawson Motion put and carried 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION #1

2015-1007 Declare all Positions on the Audit Committee as Vacant

That Council declare all positions on the Audit Committee vacant.

Moved: Cr MR Valenzuela Seconded: Cr J Kanny Motion put and carried 6/0 by absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION #2

2015-1007 Audit Committee

That Council nominate all elected members to comprise the Shire of Yalgoo Audit Committee in compliance with s7.1A of the Local Government Act 1995 and that the term of office will be until the next ordinary election in October 2016.

Moved: Cr MR Valenzuela Seconded: Cr AB Fawkes Motion put and carried 6/0 by absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION #3**2015-1008 Declare all Positions on the Finance Committee as Vacant**

That Council declare all positions on the Finance Committee vacant.

Moved: Cr J Kanny Seconded: Cr AB Fawkes Motion put and carried 6/0 by absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION #4**2015-1010 Finance Committee**

That Council nominate all elected members to comprise the Shire of Yalgoo Finance Committee in compliance with s7.1A of the Local Government Act 1995.

Moved: Cr MR Valenzuela Seconded: Cr AB Fawkes Motion put and carried 6/0 by absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION #5**2015-1011 Declare all Positions on External Organisations Vacant**

That Council declare all positions for representatives to external organisations vacant.

Moved: Cr PJ Lawson Seconded: Cr AB Fawkes Motion put and carried 6/0

OFFICER RECOMMENDATION AMENDED**Nomination of Councillors to External Organisations**

That Council makes the nominations to external committees/organisations as listed below:

Committee	Delegate
Murchison Executive Group (MEG) C2014-0114	Delegate: (1) CEO
Regional Road Group (RRG) C2014-0114	Delegate: (1) <i>(Note: nominations to this committee are made by the Murchison Sub Group NOT by the local government.)</i>
Murchison Sub Group of the Regional Road Group (RRG) C2014-0114	Delegates: (2): Deputy Delegate: (1)
Murchison Country Zone of WALGA (Cue Parliament) C2014-0114 <i>Generally (but not compulsory) is President and Deputy President</i>	Delegates: (2): Deputy Delegate: (1)
Murchison Regional Vermin Council (MRVC) C2014-0114	Delegates: (2)
Development Assessment Panel (DAP) 2015-0406	Members: (2) Alternates: (2) <i>Note: this committee is by Ministerial appointment following council nomination, with compulsory training required. Members of this committee are not put forward for re-nomination.</i>

Committee	Delegate
Gundawa Conservation Association C2014-0114	Delegates: (2)
Audit Committee 2014-0110 Cr P Lawson C2014-0505	Members: All Councillors
Golden Primary Health Care Service C2014-0114	Delegates: (2)
Finance Committee C2014-0112	Delegates: (4) Deputy Delegates: (2)
Shire of Yalgoo Community Benefit Fund Advisory Committee 2014-1203	Delegates:
Shire of Yalgoo Policy Committee C2015-0115	Delegates:
Shire of Yalgoo Road Inspection Committee C2015-0409	Delegates: (3)
Mid-West Local Government Emergency Management Network (MWLGEMN) C2014-0913	Delegates: (3)
Yalgoo Chief Bush Fire Control Officer (CBFCO) C2014-0412	Delegate: (1)
Yalgoo/Paynes Find Deputy Chief Bush Fire Control Officer (DCBFCO)	Delegate: (1)
Shire of Yalgoo Tourism Committee C2014 Item 15.6	Delegates:

Moved: Cr RW Valenzuela

Seconded: Cr AB Fawkes

Motion amended

AMENDMENT#1**2015-1012 Nomination of Councillors to External Organisations**

That Council amend attendance at the Golden Primary Health Care Service to attendance at the Yalgoo Interagency Meeting.

Moved: Cr M Raul Valenzuela

Seconded: Cr AB Fawkes

Amendment put and carried 6/0

AMENDMENT#2

2015-1013 Nomination of Councillors to External Organisations

That Council amend attendance at the Mid-West Local Government Emergency Management Network (MWLGEMN) to include attendance at all other Emergency Management Committees:

the District Emergency Management Committee (DEMC); and

the Yalgoo Local Emergency Management Committee (LEMC).

Moved: Cr M Raul Valenzuela

Seconded: Cr AB Fawkes

Amendment put and carried 6/0

AMENDMENT#3

2015-1014 Nomination of Councillors to External Organisations

That Council amend the list of External Organisations to exclude Yalgoo Chief Bush Fire Control Officer (CBFCO) and Yalgoo/Paynes Find Deputy Chief Bush Fire Control Officer (DCBFCO), as both positions will be appointed at the next LEMC meeting on 13 November 2015.

Moved: Cr AB Fawkes

Seconded: Cr J Kanny

Amendment put and carried 6/0

ORIGINAL MOTION AS AMENDED**2015-1015 Nomination of Councillors to External Organisations**

That Council makes the nominations to external committees/organisations as listed below:

Committee	Delegate
Murchison Executive Group (MEG) C2014-0114	Delegate: (1) CEO
Regional Road Group (RRG) C2014-0114	Delegate: (1) <i>(Note: nominations to this committee are made by the Murchison Sub Group NOT by the local government.)</i>
Murchison Sub Group of the Regional Road Group (RRG) C2014-0114	Delegates: (2) Cr Neil A Grinham Cr Robert W Grinham Deputy Delegate: (1) Cr M Raul Valenzuela
Murchison Country Zone of WALGA (Cue Parliament) C2014-0114 <i>Generally (but not compulsory) is President and Deputy President</i>	Delegates: (2) Cr Neil A Grinham Cr M Raul Valenzuela Deputy Delegate: (1) Cr Joanne Kanny
Murchison Regional Vermin Council (MRVC) C2014-0114	Delegates: (2) Cr Robert W Grinham Cr Neil A Grinham
Development Assessment Panel (DAP) 2015-0406	Members: (2) Cr Percy Lawson Cr Neil A Grinham Alternates: (2) Cr Joanne Kanny Cr Percy Lawson <i>Note: this committee is by Ministerial appointment following council nomination, with compulsory training required. Members of this committee are not put forward for re-nomination.</i>
Gundawa Conservation Association C2014-0114	Delegates: (2) Cr M Raul Valenzuela Cr Joanne Kanny
Audit Committee 2014-0110 Cr P Lawson C2014-0505	Delegates: All Elected Members
Interagency Committee	Delegates: (2) Cr Percy Lawson Cr Percy Lawson
Finance Committee C2014-0112	Delegates: All Elected Members
Shire of Yalgoo Community Benefit Fund Advisory Committee 2014-1203	Delegates: (3) Yalgoo Delegate: Cr Joanne Kanny Mines Delegate: TBA General Public Delegate: TBA
Shire of Yalgoo Policy Committee C2015-0115	Delegates: All Elected Members

Committee	Delegate
Shire of Yalgoo Road Inspection Committee C2015-0409	Delegates: (3) Cr Neil A Grinham Cr Robert W Grinham CEO, Silvio Brenzi <i>(A designated officer of the Shire)</i>
Mid-West Local Government Emergency Management Network (MWLGEMN) C2014-0913 District Emergency Management Committee (DEMC); the Local Emergency Management Committee (LEMC)	Delegates: (3) Cr M Raul Valenzuela Cr Neil A Grinham TBA <i>(A designated officer of the Shire)</i>
Shire of Yalgoo Tourism Committee C2014 Item 15.6	Delegates: All Elected Members

Moved: Cr RW Valenzuela Seconded: Cr AB Fawkes Original Motion put and carried as Amended 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION

Approval of Temporary A/CEO, Christmas Shut down dates and Staff Party.

- 1. That Council endorse closure of operational works from the 18/12/15 till 05/01/16 and approve Dominic Carbone to Act as CEO during the period of 1/12/15 until 21/12/15 excluding the 8/12/15; and**
- 2. That Council nominates Thursday 17 December 2015 for the Staff Christmas Party.**

Moved: Cr MR Valenzuela Seconded: Cr PJ Lawson Motion put and carried 6/0 by absolute majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1016 Close Meeting to the Public

To consider a matter that is closed to the members of the public under (LGA s. 5.23 (2) (a).

Moved: Cr MR Valenzuela Seconded: Cr AB Fawkes Motion put and carried 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1017 Record Decision Made During Closed Meeting

That Council accept the selection panels' three recommendations regarding the appointment of a CEO.

Moved: Cr J Kanny Seconded: Cr MR Valenzuela Motion put and carried 6/0

OFFICER RECOMMENDATION/COUNCIL DECISION

2015-1018 Open Meeting to the Public

That the meeting be re-opened to the public.

Moved: Cr MR Valenzuela Seconded: Cr J Kanny Motion put and carried 6/0

(absolute majority required)

OFFICER RECOMMENDATION/COUNCIL DECISION

Resolutions of the Ordinary Council Meeting held on the 22 October 2015

That the Council re affirms the resolutions detailed above

Moved:

Seconded:

Motion put and carried

7. MEETING CLOSURE

There being no further business, the President declare the meeting closed at _____.



**Shire of Yalgoo
Nomination Form For
SHIRE PRESIDENT**

Date: _____

Acting Chief Executive Office
Shire of Yalgoo

I Councillor _____ hereby nominate for the position of Shire President for the SHIRE OF YALGOO.

Signed

Or

I Councillor _____ hereby nominate Councillor _____ for the position of Shire President for the SHIRE OF YALGOO.

Signed

ACCEPTANCE OF NOMINATIONS

I Councillor _____ hereby accept the Nomination for the Position of Shire President

Signature of Nominee



**Shire of Yalgoo
Nomination Form For
DEPUTY PRESIDENT**

Date: _____

Acting Chief Executive Office
Shire of Yalgoo

I Councillor _____ hereby nominate for the position of Deputy President for the SHIRE OF YALGOO.

Signed

Or

I Councillor _____ hereby nominate Councillor _____ for the position of Deputy President for the SHIRE OF YALGOO.

Signed

ACCEPTANCE OF NOMINATIONS

I Councillor _____ hereby accept the Nomination for the Position of Deputy President

Signature of Nominee