

# **UNCONFIRMED MINUTES**

# OF THE ORDINARY MEETING

**OF COUNCIL** 

**HELD ON** 

21 MARCH 2013

AT 11.00am

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Unconfirmed Minutes of the Ordinary Meeting of the Yalgoo Shire Council, held in the Council Chambers, 37 Gibbons Street, Yalgoo, on Thursday 21 March 2013, commencing at 11.00 am.

## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President Terry Iturbide declared the Ordinary Meeting open at 11.22am.

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

MEMBERS Cr Terry K Iturbide, Shire President

Cr M Raul Valenzuela, Deputy Shire President

Cr Laurence Hodder
Cr Neil A Grinham

STAFF Sharon Daishe, Chief Executive Officer

Heather Boyd, Deputy CEO

Karen Malloch, Executive Assistant

GUESTS Andrew Borratt

Senior Project Officer, Advice & Support, Department of Local Government

**OBSERVERS** 

LEAVE OF ABSENCE

APOLOGIES Cr Robert Grinham

Cr Stan Willock

## 3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting

## 4. PUBLIC QUESTION TIME

## 4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

## 4.2 QUESTIONS WITHOUT NOTICE

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

Item 14.1 Consideration of a matter affecting an employee 5.23 (2) (a)

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

## 7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

## 7.1 PRESIDENT

Date	Details	Attended with whom
12/3/2013	Murchison Regional Vermin Council	

## 7.2 COUNCILLORS

Date	Details	Councillors

## 8. CONFIRMATION OF MINUTES

#### 8.1 ORDINARY COUNCIL MEETING

#### **Background**

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

Following distribution, the CEO detected an error on page 15, being that the second decision on this page had not been numbered.

The minutes have been corrected and the formal copy has been reprinted for the President's signature when adopted by Council.

#### **Voting Requirements**

Simple majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

#### C2013-0301 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 21 February 2013 be confirmed with the following corrections:

- Insert decision number C2013-0205 to the second decision on page 15 (numbering having been omitted from the decision entitled "BD008 Staff Housing Weekes Street – Provisional Authorisations for MWIP Funding"); and
- Increment decision numbering by one number for each subsequent decision (such that the last decision on page 31 will be C2013-0213); and
- Update table of contents to reflect the corrected decision numbering.

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

#### 9. MINUTES OF COMMITTEE MEETINGS

## 10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters

#### 10.0 INFORMATION ITEMS

Sharing of operational information on items that are not confidential, do not require a decision and do not meet the definition of matters for which the meeting may be closed under section 5.23 of the Local Government Act (eg: matters affecting employee/s or the personal affairs of any person).

## 11. MATTERS FOR DECISION

## 11.0 MATTERS BROUGHT FORWARD

## 11.1 WORKS AND SERVICES

## 11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

# 11.2.1 Regional CLGF (Country Local Government Fund) Projects 2013-14 (and fallback position 2012-13)

File: ADM090/430
Author: Sharon Daishe, CEO
Interest Declared: No interest to disclose
Date: 13 March 2013

Attachments P1 CLGF Regional Guidelines 2012-13 (NB: 2013-14 Guidelines have not yet

(yellow) been released).

#### **Matter for Consideration**

To consider developing a position regarding regional projects for the 2013-14 regional round of the Country Local Government Fund.

## **Background**

The Royalties for Regions Country Local Government Fund for the past three rounds has provided a notional amount of funding for regional groups of country local governments.

In previous rounds, the guidelines have required local governments in the group to participate in a facilitated regional meeting at which regional projects are agreed on. Each local government in the group then takes a recommendation back to their Council after the regional meeting and when all have approved the projects; the lead Shire for each project prepares and lodges a business case.

In the past, the meeting has occurred in Sep/October, and business cases are due by the closing date of 31 May the following year.

Projects in previous rounds are as follows:

- 2010-11: Murchison Vermin Fence (MRVC as lead) all funds. Expenditure is occurring now.
- 2011-12: Various projects including staff housing (Cue, Sandstone, Mt Magnet) and road projects. Shire of Yalgoo was successful in gaining approval to fund sealing on the Yalgoo Morawa Road. This was outside the guidelines as only one Shire (Yalgoo) allocated their regional allowance. However, Shires in the group approved the project, we achieved support from the Director, Regional Development & Lands, and the Shire of Morawa countersigned the application. Shire of Yalgoo lodged the business case in May 2011, received approval in January 2013 and funding in February 2013 which we will spend on sealing the prepared surface in March (scheduled to mobilise on 19 March).
- 2012-13: Canning/Gunbarrel Interpretive Centre (lead Shire Wiluna) and Murchison Vermin Exclusion
  cell (lead Shire Mt Magnet). The business case for the Vermin Cell has been drafted however the
  Department of Agriculture have indicated that they are not yet willing to support this project. Projects
  require approval from the heads of all regional departments before they are put before Treasury for
  final approval.

We have recently been advised that although the 2013-14 guidelines have not yet been released, we can expect to be required to lodge business cases in approximately September 2013. This is about eight months earlier than in previous years. Business cases are technical documents that require a high level of research and can rarely be successfully completed in a short period of time.

Following the 2012 regional meeting, Council resolved to recognise certain projects of regional significance for in principle support (decision C2012-0903) and include these in the Forward Capital Works Plan. These projects are:

- Key Worker Housing
- Transport infrastructure: Yalgoo Morawa Road and Goldfields Highway
- Murchison health strategy
- Murchison tourism strategy
- Mobile Telecommunications on major arteries
- Murchison vermin exclusion cell (all elements that combine to create the closed cell)

Note that at this point in time, CLGF only funds infrastructure projects.

#### **Statutory Environment**

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

Secure 2012-13 and 2013-14 rounds of regional CLGF for expenditure on projects in the Murchison Region.

#### **Policy Implications**

Nil

#### **Financial Implications**

Shire of Yalgoo notional allocation for contribution to the regional projects is \$421,524. Note that these funds are designed to be pooled into the agreed regional project. Individual local governments do not have discretion over expenditure of their notional regional allocation.

#### Consultation

Regional CEOs (local governments and Mid West Development Commission).

#### Comment

The Mid West Development Commission has called a regional CLGF meeting to be held in the last week of March. MWDC are currently polling Presidents and CEOs to obtain consensus on a date, to ensure that all Shires will be represented.

There is a risk that the Vermin Exclusion project business case will not have the support of the Department of Agriculture by the due date of 31 May therefore the region needs a fallback position for these funds.

As the 2013-14 business cases will need to be prepared by September, I strongly recommend that Council advocates for funds to be used on projects for which there is an existing prepared business case. The following projects fall into this category, and are projects that Council has already resolved to support in principle:

- Key Worker Housing
- Transport infrastructure: Yalgoo Morawa Road and Goldfields Highway
- Murchison vermin exclusion cell (all elements that combine to create the closed cell)

The Shire of Yalgoo would be in a position to complete the seal of the Yalgoo Morawa Road next year if we received an allocation similar to our notional allocation of \$421,524. We have a business case already prepared, and will be able to demonstrate that we were able to expend the regional 2011-12 funds within a very short period after receiving them.

#### **Voting Requirements**

Simple Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0302 Country Local Government Fund Regional Allocation 2013-14

#### That:

- Council's position for the 2013-14 regional Country Local Government Fund (and if necessary as a fallback position for the 2012-13 round) is to prefer projects that have an existing business case for regional CLGF; and
- 2. Council requests that the regional group considers allocating \$421,524 to the Yalgoo Morawa Road project to complete the seal of this road.

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

# 11.2.2 Proposed CLGF 2011-12 Amendment & Budget Amendment to Construct Shelter at Yalgoo Cemetery (FCWP OS006)

File: ADM089

Author: Sharon Daishe, CEO Interest Declared: No interest to disclose

Date: 14 March 2013

Attachments P11 Quotation from Landmark Engineering with notes

(yellow)

#### **Matter for Consideration**

To consider constructing a shelter at the Yalgoo Cemetery at a cost of \$30,000, to be funded from Country Local Government Fund (CLGF) 2011-12 and savings within the Shire's budget 2012-13.

#### **Background**

Council has recently completed a CLGF funded project at the Yalgoo Cemetery, which has drawn wide attention and was recently the subject of a study commissioned by the Department of Regional Development and Lands (RDL) on Royalties for Regions (R4R) project funding.

Currently there is no shade at the cemetery. The need for shade has long been documented to provide comfort at burials during our extremes of weather, and is noted in the Forward Capital Works Plan (FCWP) project for the cemetery.

Provision of shade will complete the major capital project at the cemetery, leaving only minor details such as signage.

#### **Statutory Environment**

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

Completion of Shire capital project OS006 Yalgoo Cemetery, for the benefit of community.

#### **Policy Implications**

Nil

#### **Financial Implications**

This project is budgeted to cost \$30,000 as per the attached quote and budget notes.

It is suggested that Council fund this as follows:

- \$15,000 from savings in the budget. This is included in the budget review item that Council will consider later in this meeting.
- \$15,000 from CLGF 2011-12. This would require Council to make a decision not to proceed with the solar lights at the northern entrance statement, and to apply to RDL for permission to amend the funding agreement accordingly.

#### Consultation

- Project Executive Ron Adams
- Finance Consultant Christine Harvey

#### Comment

Council previously budgeted to spend \$15,000 of 2008-09 CLGF on installing solar lights at the northern entrance statement. This project however has been constantly deferred in favour of higher priority projects.

Traffic during the hours of darkness on the north road is generally minimal due to kangaroo activity and is also mostly local therefore occupants are already familiar with the entrance statements.

The solar lighting at the eastern and western entrance statements on the Great Northern Highway has not proved particularly effective despite various modifications since the original installation.

It is recommended that Council defers expenditure on the solar lights at the northern entrance statements indefinitely, and applies to remove the project from CLGF 2011-12.

This funding would then be available to complete the cemetery project, which is already substantially completed using approved CLGF funds 2010-11.

The application to RDL regarding CLGF 2011-12 will, if approved, result in CLGF issuing an amendment to the financial assistance agreement.

Council has sufficient funds available in the 2012-13 budget to make up the project budget of \$30,000. This project is easy to achieve immediately.

#### **Voting Requirements**

**Absolute Majority** 

## OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0303 <u>Budget Amendment and CLGF 2011-12 Amendment – Construct Shelter at Yalgoo</u> Cemetery OS006

#### **That Council:**

- 1. Applies to the Department of Regional Development and Lands to transfer \$15,000 of CLGF 2011-12 from OS002 Town Entry Statement Lighting to OS006 Cemetery for the purpose of constructing a shelter; and
- 2. Approves a budget amendment of \$30,000 capital expenditure to construct a shelter at Yalgoo Cemetery, FCWP project OS006, funded by:
- \$15,000 municipal funds 2012-13; and
- \$15,000 CLGF 2011-12 (originally disclosed in the budget for expenditure on OS002 solar lighting)

Moved: Cr MR Valenzuela Seconded: Cr NA Grinham Motion put and carried by absolute majority 4/0

## 11.3 FINANCE

## Note from Deputy CEO re Financial Statements

Financial statements for the period ended 28 February 2013 will be presented to the April meeting of Council, which is within the required statutory period of two months. This is necessary as a data entry date anomaly that had to be rectified prevented the Shire's accountants from completing the statements in time for inclusion in the agenda papers for March.

## 11.3.1 Review of Annual Budget as at 31 December 2012

File:

Author: Christine Harvey, Finance Consultant

Interest Declared: No interest to disclose Date: 25 February 2013

Attachments P1 2012/2013 Budget Review Statement of Budget Review and notes on

(white) Closing Funds and Budget Amendments

#### **Matter for Consideration**

To consider and adopt the Budget Review as presented in the Statement of Budget Review for the period 1 July 2012 to 31 December 2012.

## **Background**

A Statement of Financial Activity incorporating year to date budget variations and forecasts to 30 June 2013 for the period ending 31 December 2012 is presented for council to consider.

The Local Government (Financial Management) Regulations 1996, regulation 33A as amended, requires that local governments conduct a budget review between 1 January and 31 March in each financial year.

A copy of the review and determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. Council adopted a 10% and a \$10,000 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

#### Triple Bottom Line Assessment

- Economic Implications: The budget has been reviewed based on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for Council and the community.
- Social Implications: The budget has been reviewed to deliver social outcomes identified in various planning and community supporting strategies that have previously been adopted by the Council.
- Environmental Implications: The budget has been reviewed to support key environmental strategies and initiatives adopted by the Council.

The adjustments have resulted in no change to the closing funds and therefore remain within the percentage and dollar material variance set by council in the 2012/2013 Adopted Budget.

\$Nil

## Features of the budget review include:

Surplus bought forward altered from budget in Financial Statements 30 June 2012	80,611
Increase in rates due to mining activity	37,389
Additional Integrated Planning expenses (previous Council Decision C2012-1003)	(33,000)
Additional Forward Capital Works Plan expenses	(25,000)
Additional Election expenses	(8,000)
Additional Housing Utilities expenses	(20,000)
Additional Public Conveniences expenditure	(12,000)
Additional Community Bus expenses	(5,000)
Additional Yalgoo Refuse Site Maintenance expenses (previous Council Decision C2012-1113)	(30,000)
Additional Rural Road Maintenance expenses	(55,000)
Increased Contribution to Road Maintenance - Mining	55,000
Increased Flood Damage Recoup income	95,000
Additional Website Development expenses	(10,000)
Additional HCP Vehicle expenses	(5,000)
Additional Public Works Overheads Staff Training expenses	(20,000)
Decrease in Insurance (Reg/Ins) expenses	5,000
Increase in Licensing (Reg/Ins) expenses	(5,000)
Additional Admin Building Maintenance expenses	(20,000)
Additional Capital expenditure:	
30 Selwyn St Staff Housing (previous Council Decision C2012-1110)	(150,000)
16 Shamrock (refurb) Staff Housing (previous Council Decision C2012-1112)	(17,000)
1 Stanley (refurb) Staff Housing (previous Council Decision C2012-1112)	(18,000)
Yalgoo Cemetery	(15,000)
Reduced Capital expenditure:	450,000
74 Weekes St Staff Housing (previous Council Decision C2012-1110)	150,000
Works Depot: Replace Workshop	15,000
Waterwise Reticulation Project	10,000

Refer attachment for detailed explanation of budget variances.

#### **Statutory Environment**

**NET CHANGES** 

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires:

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Consideration and review is to be given to a local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year.
- (3) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (4) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
  - \*Absolute majority required.
- (5) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

## **Strategic Implications**

The Budget Review has been developed based on existing strategic planning documents adopted by Council.

## **Policy Implications**

The budget is based on the principles contained in the Plan for the Future.

## **Financial Implications**

Specific financial implications are as outlined in this report and the attachment.

#### Consultation

Sharon Daishe – Chief Executive Officer Heather Boyd – Deputy Chief Executive Officer Ron Adams – Project Executive

#### Comment

The budget has been reviewed to continue to deliver on other strategies adopted by the Council and maintains a high level of service across all programs.

The closing funds remain in surplus as a result of this budget review with no movement from the budget review.

Refer attachments for full details and explanations of the budget adjustments.

## **Voting Requirements**

**Absolute Majority** 

## OFFICER RECOMMENDATION/COUNCIL DECISION

## C2013-0304 Adoption of Annual Budget Review for the Period ended 31 December 2012

That Council adopt the budget review with the following variations for the period 1 July 2012 to 31 December 2012 and amend the budget accordingly:

Surplus bought forward altered from budget in Financial Statements 30 June 2012	80,611
Increase in rates due to mining activity	37,389
Additional Integrated Planning expenses (previous Council Decision C2012-1003)	(33,000)
Additional Forward Capital Works Plan expenses	(25,000)
Additional Election expenses	(8,000)
Additional Housing Utilities expenses	(20,000)
Additional Public Conveniences expenditure	(12,000)
Additional Community Bus expenses	(5,000)
Additional Yalgoo Refuse Site Maintenance expenses (previous Council Decision C2012-1113)	(30,000)
Additional Rural Road Maintenance expenses	(55,000)
Increased Contribution to Road Maintenance - Mining	55,000
Increased Flood Damage Recoup income	95,000
Additional Website Development expenses	(10,000)
Additional HCP Vehicle expenses	(5,000)
Additional Public Works Overheads Staff Training expenses	(20,000)
Decrease in Insurance (Reg/Ins) expenses	5,000
Increase in Licensing (Reg/Ins) expenses	(5,000)
Additional Admin Building Maintenance expenses	(20,000)
Additional Capital expenditure:	
30 Selwyn St Staff Housing (previous Council Decision C2012-1110) 16 Shamrock (refurb) Staff Housing (previous Council Decision C2012-1112)	(150,000) (17,000)
1 Stanley (refurb) Staff Housing (previous Council Decision C2012-1112)	(18,000)
Yalgoo Cemetery	(15,000)
Reduced Capital expenditure:	
74 Weekes St Staff Housing (previous Council Decision C2012-1110)	150,000
Works Depot: Replace Workshop Waterwise Reticulation Project	15,000 10,000
waterwise nedealation i roject	10,000
NET CHANGES \$Nil	

Moved: Cr L Hodder Seconded: Cr NA Grinham Motion put and carried by absolute majority 4/0

## 11.3.2 Draft Budget 2013-14 - Meeting Dates and Timelines

File:

Author: Heather Boyd, Deputy CEO Interest Declared: No interest to disclose

Date: 8 March 2013

Attachments P3 Budget timetable

(white)

#### **Matter for Consideration**

To consider a date to hold an information workshop on the draft 2013-14 budget.

#### **Background**

The administration is currently researching information and preparing the 2013-14 draft detailed budget based on Council decisions regarding key program areas.

In order to have a meaningful opening balance of funds carried forward, the draft detailed budget will be finalised for presentation to council after the close of the 2012-13 financial year, but prior to the 2012-13 audit.

A preparation timeline has been prepared in consultation with the Shire's accountants and is attached.

The budget must be adopted by council by 31 August 2013 for submission to the Department of Local government.

## **Statutory Environment**

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

Finalise end of financial year and management budget of high quality and within succinct timelines to achieve raising of rates notices on 30 August and submission of budget within legislative timelines.

## **Policy Implications**

Compliance with Policy 7.6 Annual Budget – Preparation timetable.

#### **Financial Implications**

Rate revenue available to meet operating expenditure and maximise interest earned.

#### Consultation

- CEO Sharon Daishe
- Contract Accountants UHY Haines Norton
- Finance consultant Christine Harvey

#### Comment

It is recommended that Councillors attend a budget information workshop on 13 August 2013 to discuss the draft detailed 2013-2014 budget.

In accordance with the proposed budget timeline, administration expects to present the budget to Council for adoption at the Ordinary meeting on 22 August 2013.

## **Voting Requirements**

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0305 Council Workshop on Draft 2013-14 Budget

That a budget workshop be held on Tuesday 13 August 2013. (Commencement time to be advised).

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

#### 11.4 ADMINISTRATION

#### 11.4.1 Change Date July 2013 Ordinary Council Meeting

File:

Author: Sharon Daishe, CEO Interest Declared: No interest to disclose

Date: 14 March 2013

Attachments Nil

#### **Matter for Consideration**

To consider changing the date of the July Ordinary Meeting of Council from Thursday 18 July to Thursday 25 July 2013.

#### **Background**

Council generally meets on the second last Thursday of the month. Papers for each meeting are prepared on the preceding Thursday.

In July 2013, the second last Thursday falls on the 18<sup>th</sup> and papers therefore must be ready by Thursday 11 July which is very early in the month and is often too early to expect the Shire's accountants to have processed the end of month financial papers, especially if there are any matters to query.

End of month accounts processing requires the following steps:

- Staff at the Shire reconcile bank and process end of month transactions and information after the final day of the month. This may take two to three days working days to complete.
- The accounts are then sent to the Shire's accountants, UHY Haines Norton who require a minimum of four working days to process and return the papers.
- On receipt of the papers, the Deputy CEO prepares the material variance report and reports on financial management matters to the CEO and other key staff.
- The DCEO then prepares the reports and agenda item for insertion into the agenda. These are scheduled to be given to the person preparing the agenda by Wednesday of the papers week so that they can make the necessary conversion from excel into pdf, and paginate etc.

The process all too often becomes hasty, with not enough time for the executive to review accounts before they are prepared for the agenda. Allowing until the 15<sup>th</sup> of the month for preparation of accounts is generally reasonable.

Further, the CEO will be absent on leave during the week prior to the meeting, returning to duty on Monday 15 July.

#### **Statutory Environment**

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

NA

## **Policy Implications**

NA

## **Financial Implications**

Cost of giving local public notice of change of date.

#### Consultation

- Heather Boyd, Deputy CEO
- Christine Harvey, Finance Consultant

#### Comment

It is recommended that the July 2013 Ordinary Meeting of Council be changed to Thursday 25 July. As the August meeting falls on Thursday 22, this still allows four weeks until the next meeting.

## **Voting Requirements**

Simple Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0306 Change of Ordinary Meeting of Council to Thursday 25 July 2013

That Council changes the date of the July 2013 Ordinary Meeting of Council from Thursday 18 July to Thursday 25 July.

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and lost 0/4

## 11.4.2 Compliance Audit Return 2012

File: ADM036

Author: Sharon Daishe, CEO Interest Declared: No interest to disclose

Date: 12 March 2013

Attachments – P13 Minutes of the Audit Committee Meeting held on Monday 11 March 2013

(yellow) P19 Compliance Audit Return (CAR) 2012

#### **Matter for Consideration**

1. To receive the report of the Shire of Yalgoo Audit Committee regarding the Compliance Audit Return for the period 1 January 2012 to 31 December 2012 – LG (Audit) Regulation 14. (3A)

2. To receive, adopt and record the Compliance Audit Return for the period 1 January 2012 to 31 December 2012 - LG (Audit) Regulation 14. (3)

#### **Background**

The Local Government (Audit) Regulations 1996 require local governments to carry out an annual audit of certain compliance matters.

Amendments to the regulations in December 2011 introduce a new requirement, being that the Audit Committee review the CAR and report the review to the Council before Council adopts the CAR.

The Audit Committee met on Monday 11 March 2013 for this purpose.

#### **Statutory Environment**

Local Government (Audit) Regulations 1996

- 14. Compliance audits by local governments
- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be
  - (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724 5; amended in Gazette 30 Dec 2011 p. 5580-1.]

- 15. Compliance audit return, certified copy of etc. to be given to Executive Director
- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with
  - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and

- (b) any additional information explaining or qualifying the compliance audit,
- is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
  - (2) In this regulation —

certified in relation to a compliance audit return means signed by —

- (a) the mayor or president; and
- (b) the CEO.

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

Legislative compliance is an indicator of governance and internal controls. The Department of Local Government redesigned the CAR 2011 to reflect areas considered high risk. Refer Circular 35-2011.

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### Consultation

Nil

#### Comment

The audit committee report of the review of the Compliance Audit Return 2012 is contained in the minutes of the meeting of the Audit Committee held Monday 11 March 2013.

The compliance audit return shows substantial or complete compliance in all areas reported.

#### **Voting Requirements**

Simple Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0307 Report of the Audit Committee – Compliance Audit Return 2012

That Council receives the report of the Audit Committee of the review of the Compliance Audit Return for the period 1 January to 31 December 2012.

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

## OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0308 Adoption of Compliance Audit Return 2012

That Council adopts the Compliance Audit Return for the period 1 January to 31 December 2012 as reviewed and presented by the Audit Committee.

Moved: Cr MR Valenzuela Seconded: Cr NA Grinham Motion put and carried 4/0

## 11.4.3 Regional Tourism Strategy

File: ADM468

Author: Sharon Daishe, CEO Interest Declared: No interest to disclose

Date: 14 March 2013

Attachments p28 Regional Marketing Strategy prepared by Frances Jones, Gascoyne

(yellow) Murchison Tourism Inc

p32 "Billy Bungarra" regional tourism mascot

#### **Matter for Consideration**

To consider matters relating to a regional tourism strategy, including adoption of Billy Bungarra as the regional mascot.

#### **Background**

In April of 2011, Council resolved to allocate funds in the budget towards a strategy for development of tourism and tourist infrastructure in Yalgoo including management, operation, development and promotion.

The Shire does not have any tourism staff, and funds have been expended in good faith on a variety of tourism initiatives including purchasing television episodes in each of 'Our Town' and Russell Goodrick's Best Country Towns.

Shires in the Murchison have routinely nominated tourism as a regional priority. In September 2012 the Mid West Development Commission (MWDC) facilitated a workshop with Shires in the region to identify infrastructure priorities for the regional allocation of the Country Local Government Fund (CLGF). However, tourism emerged high on the list of regional priorities.

Over the past few years Frances Jones, proprietor of a station stay business in the Murchison and chair of the Gascoyne Murchison Tourism Inc, has presented tourism marketing information to CEOs of the local governments in the Murchison Region. Frances' assistance to date has been on a voluntary basis and she has actively advocated for the Murchison Outback Pathways.

In 2012, Frances was successful in gaining funding via Tourism Transition Funding, leveraged with contribution from regional Shires, to engage a professional to develop a regional mascot. This resulted in the design and adoption of Billy the Bungarra as the Gascoyne Murchison Tourism Inc mascot.

In consideration of Frances' willingness, experience and passion for the region, Frances was asked whether she would be willing to prepare a strategy to assist Shires in the Murchison to pursue tourism on a regional basis. Frances subsequently prepared a marketing strategy and was invited to present this at a Murchison Executive Group meeting in Meekatharra. This meeting was ultimately cancelled by its members due to competing commitments, and Frances was invited to present the strategy to the next meeting of the MEG which was due to be held at Wooleen Station (of which Frances is proprietor) in December 2012.

Jo Burgess of WALGA also attended this meeting. Having considered Frances' presentation, the group agreed that the next step would be to invite elected members to attend a regional tourism meeting. It was agreed that this would occur in Yalgoo in February 2013, and that Frances would be invited to present her marketing strategy.

Gavin Treasure of MWDC, Jac Eerbeek of Australia's Golden Outback and Marcus Falconer of Tourism WA made presentations at this meeting. Jac has state funding to market the region therefore is able to add value to any funds that local governments contribute. Marcus, Jac and Jo Burgess were enthusiastic about the proposal put forward by Frances; whether or not it was actually delivered by Frances; as regional marketing would be an entry point to spearhead a cohesive regional approach to tourism.

#### **Statutory Environment**

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

The Murchison region is the only area in the Mid West that does not have a regional tourism strategy. Jac Eerbeek cited examples of the increased visitation achieved when tourism is approached on a regional basis, with an identifiable regional brand.

## **Policy Implications**

Nil

#### **Financial Implications**

The Shire currently allocates \$40,000 in the annual budget for tourism promotion and related activities.

The marketing strategy proposed by Frances Jones would cost approximately \$23,000 per Shire if all Shires in the Murchison Region agree to contribute.

This would cover all marketing for the year and still leave ample funds available to put towards a tourism strategy or other initiatives.

#### Consultation

- CEOs and elected members in the Murchison Region
- Jac Eerbeek, CEO, Australia's Golden Outback
- Marcus Falconer, Tourism WA
- Frances Jones, Chair, Gascoyne Murchison Tourism Inc
- Gavin Treasure, CEO, Mid West Development Commission
- Jo Burgess, WALGA

#### Comment

Debate during the regional tourism meeting on 27 February 2013 at Yalgoo, and subsequently at a Murchison Executive Group (MEG) meeting hosted at MWDC in Geraldton on 7 March, generally indicated in-principle support for a regional tourism strategy.

Billy the Bungarra was extremely (although not universally) popular.

Local governments were divided on the regional marketing strategy presented by Frances Jones for the following reasons:

- Differing need: some Shires are extremely keen to immediately pursue marketing and have funds available, whilst other Shires would need to identify new funds.
- Timing: the Shires who require marketing assistance now are keen to proceed with the marketing now; other Shires prefer that a strategy is developed before committing funds to marketing.
- Shires with few businesses, and/or already full caravan parks, are unsure of what benefit would be gained by the expenditure on marketing.
- Governance and potential conflict of interest: Frances Jones, who was invited to prepare the marketing strategy, has offered her services to implement it at an attractively reduced cost. This is possible because she is already involved in marketing through her business, and for instance already attends the

caravan camping show. Frances is the chair of Gascoyne Murchison Inc and the proprietor of a station stay business in the Murchison. The Murchison Executive Group rotates its meetings amongst the member Shires, and uses Wooleen Station for accommodation when meeting in Murchison Shire. Note that to balance this issue, Frances clearly stated that whilst she offered her services, she equally supported any decision to use another person or organisation to carry out the services.

- Engagement relationship: If Frances Jones is to be engaged to undertake the marketing strategy, the engagement relationship will require clarification. Sandstone CEO indicated that Sandstone Shire would consider being 'banker' if Shires wish to proceed with the marketing strategy. It is likely that Frances Jones would be engaged as a consultant, but may need to resolve whether this constitutes a conflict of interest with her chairmanship of Gascoyne Murchison Tourism Inc.
- Local Government Legislation: Local governments individually would pay around \$23,000, for a range of marketing services. However, the marketing strategy in total exceeds \$100,000 therefore advice would need to be sought regarding whether a tender would need to be called.

I recommend that Council as a minimum opts in to developing a regional tourism strategy, and adopts Billy the Bungarra as our regional mascot. This mascot was professionally developed, with funds contributed by Yalgoo and other regional Shires. The bungarra is uniquely representative of our region, and is an extremely versatile mascot that can be tailored to just about any particular situation. For instance Billy could be dressed up as a jockey for the Yalgoo Races, could point visitors into our caravan park, could be pictured riding an Emu for the Emu Cup, could be drawn competing in a novelty event for the Yalgoo Gymkhana; the list is only limited by imagination.

## **Voting Requirements**

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0309 Regional Tourism Strategy

#### **That Council:**

- 1. Agrees in principle to the development of a Regional Tourism Strategy that includes the Shires in the Murchison Region and Upper Gascoyne; and
- 2. Authorises the CEO to work with the regional Shires to prepare a draft scope for the strategy and identify sources of funding; and
- 3. Adopts Billy the Bungarra as the mascot for the Shire of Yalgoo and the Gascoyne Murchison Regional Shires; and
- 4. Authorises the CEO to seek opportunities to collaborate with willing Shires in the region on marketing initiatives that are within the Shire's tourism budget; and
- 5. Pending equal commitment by the Shires in the regional group and resolution of any governance issues authorises expenditure of up to \$23,000 of the Shire's 2013-14 tourism budget on the regional tourism marketing strategy.

Moved: Cr MR Valenzuela Seconded: Cr TK Iturbide Motion put and carried 4/0

## 11.4.4 Swimming Pool Subsidy for Water Parks

File: ADM034

Author: Sharon Daishe, CEO Interest Declared: No interest to disclose

Date: 14 March 2013

Attachments P34 Extract from Testing Water of Aquatic Facilities

(yellow)

#### **Matter for Consideration**

To consider presenting an agenda item to the Murchison Country Zone of WALGA to request that WALGA lobbies for a subsidy system based on the Public Swimming Pool Operating Subsidy to be made available to local governments who operate public water spray park facilities.

#### **Background**

Construction of a swimming pool in Yalgoo has long been debated by Council, to meet community demand for a recreational facility that also provides relief from our extreme temperatures.

In 2008 (refer Agenda Item 11.4.5 to the November 2008 Ordinary Meeting of Council), the cost of constructing a swimming pool was estimated at \$1.5 million with an annual operating cost in the vicinity of \$200,000. Five years later this estimate will of course have increased exponentially. Housing and vehicle costs for the swimming pool operator are not factored into this estimate.

The Shire of Yalgoo wisely decided instead to construct a water playground, which opened on 14 December 2010 after the Shire succeeded in gaining funding (Country Local Government Fund, Country Sport and Recreation Facilities Fund and Mid West Grants Scheme).

At the time, such facilities were relatively new and therefore it was difficult to accurately project annual operating costs.

After construction, the Shire's Environmental Health and Building Officer was advised that water playgrounds were deemed to be an aquatic facility under the Health (Aquatic Facilities) Regulations 2007 and as such, similar rules apply to the water playground as to a public swimming pool.

As water borne disease can be harmful and in extreme cases deadly, proper management of the water quality is essential. This is an area of significant technical expertise and the Code of Practice requires that only qualified personnel are permitted to operate, manage and maintain aquatic facilities.

For a water park, this means that personnel must have an approved qualification in plant operation and maintenance. Maintenance and water quality testing must be undertaken at least once per day and generally several times each day by a qualified operator therefore we need to have several qualified staff. The training, which is highly technical, takes several days initially with further papers to complete before qualification is awarded.

As the cost of sending one staff member away to Perth for a week is high, we recently engaged the Royal Life Saving Society to bring the training to us in Yalgoo and we shared the cost by inviting other Shires to send participants.

The Shire has not always been able to keep the water park open, due to issues with water quality, our remote distance from access to technical support, and lack of qualified staff. This was the subject of a ministerial to the Department of Indigenous Affairs last year.

The cost of operating a swimming pool has long been recognised, and a Public Swimming Pool Operating Subsidy exists.

This was the subject of a recent WALGA resolution (Moved: Mayor D Ennis, Seconded: Cr J Brown):

That the Treasurer, the Hon Troy Buswell, be asked to reaffirm his commitment to the provision of the Public Swimming Pool Operating Subsidy and to increase the subsidy to reflect today's values as a commitment to the health and wellbeing of Western Australians.

RESOLUTION:141.6/2012 CARRIED UNANIMOUSLY

#### **Statutory Environment**

- Health (Aguatic Facilities) Regulations 2007
- Aquatic Facilities Code of Practice
- Aquatic Facilities Guidelines

## **Strategic Implications**

Local governments with water park facilities are facing similar challenges and expenses relating to public health and water quality as are those with swimming pools.

A subsidy would assist local governments with water playground facilities to meet their obligations under the Health (Aquatic Facilities) Regulations 2007 and the Code of Practice for Aquatic Facilities.

Compliance will protect the health of our community, and ensure that operation of the facility is sustainable.

## **Policy Implications**

Nil

#### **Financial Implications**

The cost of annual operation includes:

- Repairs and maintenance
- consumables
- staff labour
- training including travel and accommodation

The estimated annual cost for the Shire of Yalgoo 2012-2013 is \$40,000.00.

#### Consultation

• Murray Brown, former secretary to Murchison Country Zone of WALGA

#### Comment

It is recommended that Council requests the Murchison Country Zone to take up this issue with WALGA on behalf of all local governments.

#### **Voting Requirements**

Simple Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0310 Public Water Park Operating Subsidy

That Council through the Murchison Country Zone requests WALGA to lobby for a subsidy for local governments that operate public water parks; similar to the existing Public Swimming Pool Operating Subsidy.

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

## 11.4.5 CEO Annual Performance Review – Approve Facilitator

File:

Author: Sharon Daishe, CEO

Interest Declared: Impartiality
Date: 12 March 2013

Attachments Nil

Note that this item is in the open section of the meeting as it relates only to the appointment of an external facilitator. Council will need to **close the meeting** if Council wishes to discuss any confidential matters relating to the employee, including any performance related matters.

#### **Matter for Consideration**

To consider arrangements for the annual review of performance of Chief Executive Officer Sharon Daishe.

## **Background**

Section 5.38 of the Local Government Act mandates an annual review of performance of the CEO but does not prescribe the methodology.

The contract held with the Chief Executive Officer sets out the methodology. In summary this requires that where an external facilitator is to be used, both parties must agree to the nominated facilitator; the CEO is required to submit a self assessment prior to assessment by Council; and the final report is to be forwarded to Council for consideration to either accept or reject the report.

Sharon Daishe CEO, completed three years of service on 14 March 2013 and the annual review for the third year is due. Consultant Margaret Hemsley facilitated the previous review.

### **Statutory Environment**

Local Government Act 1995

5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

#### 5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and

- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

#### **Strategic Implications**

Review of performance provides an opportunity for the CEO and Council to review the past year and establish performance indicators and training requirements for the year ahead.

Appointment of an independent consultant provides support and confidence to both the Council and the CEO that the process will be equitable, neutral, positive and professional.

#### **Policy Implications**

Nil

#### **Financial Implications**

The Shire's budget for consultancy includes the cost of the human resource services provided by Marg Hemsley of Risk ID.

#### Consultation

President Terry Iturbide

#### Comment

The CEO contract requires that both parties must agree to the appointment of an external facilitator. I support the selection of Marg Hemsley to facilitate both the annual review of performance, and the development of indicators for the performance criteria that are stated in the CEO contract.

#### **Voting Requirements**

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0311 Approve Consultant to Review Performance of CEO

That Council appoints consultant Margaret Hemsley of Risk ID to facilitate the annual performance review of Sharon Daishe, CEO, in consultation with President Terry Iturbide, and to develop performance indicators for the next annual review.

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

## 11.4.6 Authorisation to Appoint Acting Chief Executive Officer

File: Contractor File
Author: Sharon Daishe, CEO
Interest Declared: No interest to disclose
Date: 12 March 2013

Attachments Nil

## **Matter for Consideration**

To consider approving Samantha Tarling, Consultant to Local Government, as a person who is authorised by Council to act in the position of Chief Executive Officer for the Shire of Yalgoo to cover periods when the incumbent CEO is on leave.

#### **Background**

In June 2011 Council approved Gary Martin, Consultant to Local Government, to act in the position of CEO. Mr Martin has satisfactorily carried out this function, most recently acting in the position during my leave in January/February 2013.

I expect to be absent on leave for two weeks in June/July 2013. At this time of year staff will be preparing end of year financials and we will also be heavily involved in finalising and/or implementing Integrated Planning.

It is prudent to have more than one person on the list of persons who Council has approved to act in the position of CEO. Such persons may have different skill sets that may be of advantage pending different functions at different times of year. Having more than one person available provides a back up should one be unavailable.

Samantha Tarling, Consultant to Local Government, is currently contracted to the Shire of Meekatharra for a period of six months as Acting Community Development and Services Manager. Ms Tarling was formerly CEO at the Shire of Wiluna for around five years. Since July 2012 she has also contracted to Core Business Australia, who provides Australia wide consulting services to local government. During this time Ms Tarling has provided contract services in asset management planning to the Shire of Toodyay, and human resource organisational structural review to the Shire of Narembeen. Ms Tarling's knowledge and experience is particularly relevant to activities at the Shire of Yalgoo in June/July this year.

#### **Statutory Environment**

Local Government Act 1995

s.3.1 (1) The general function of the local government is to provide for the good government of persons in its district.

#### **Strategic Implications**

Ensure that the Shire's operations remain well resourced during periods of absence of the CEO.

#### **Policy Implications**

Nil

## **Financial Implications**

The Shire budget each year provides for an Acting CEO.

#### Consultation

- Roy McClymont, CEO, Shire of Meekatharra
- Samantha Tarling, Consultant to Local Government
- Terry Iturbide, President, Shire of Yalgoo
- Heather Boyd, Deputy CEO
- Christine Harvey, Finance Consultant

#### Comment

It is recommended that Council approves Samantha Tarling, Consultant to Local Government, as a person who is authorised to act in the position of CEO when I am leave.

Approving Samantha Tarling means that the Shire of Yalgoo will have access to two competent Acting CEOs with different and complementary skill sets therefore offering a choice in the future. This is highly desirable as if one is not available; the Shire has a backup person.

If Council approves this recommendation it is my intent to engage Ms Tarling to act during my period of leave in June/July. Ms Tarling has indicated that she would be available. Shire finance staff has expressed their strong support. Ms Tarling's specialist skills and contemporary experience in the area of finance and integrated planning will provide sound support to staff and enable the Deputy CEO to concentrate on critical end of year finance tasks.

## **Voting Requirements**

Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

#### C2013-0312 Appointment of Acting Chief Executive Officer

#### **That Council:**

- 1. Approves the appointment of Samantha Tarling, Consultant to Local Government, as a person who is authorised to act in the position of Chief Executive Officer during absences on leave of CEO Sharon Daishe with the delegations that apply to the position at the time; and
- 2. Confirms that Council decision C2011-0614 remains valid in that Gary Martin, Consultant to Local Government, is also a person who is similarly approved; thereby offering a choice of two approved persons for covering such absences.

Moved: Cr MR Valenzuela Seconded: Cr NA Grinham Motion put and carried 4/0

ADJOURNMENT: Lunch 11:55am to 12.52pm.

The meeting adjourned for lunch at 11:55 am and resumed at 12:52pm, with all who were in attendance before the adjournment being present at the resumption except Heather Boyd, Deputy CEO and Karen Malloch, Executive Assistant.

## 12. NOTICE OF MOTIONS

#### 12.1 PREVIOUS NOTICE RECEIVED

#### 13. URGENT BUSINESS

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

#### 14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

Councillors are obliged to maintain the confidentiality of matters discussed when the meeting is closed. Fines of up to \$10,000 or two years imprisonment apply to certain offences relating to misuse of information.

The following legislative extracts were downloaded from www.auslii.edu.au on 8 November 2010.

#### **Local Government Act 1995**

## 5.23. Meetings generally open to the public

- (1) Subject to subsection (2), the following are to be open to members of the public
  - (a) all council meetings; and
- (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following
  - (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
- (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to —
- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

- (ii) endanger the security of the local government's property; or
- (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

#### 5.92. Access to information by council, committee members

- (1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.
  - (2) Without limiting subsection (1), a council member can have access to
    - (a) all written contracts entered into by the local government; and
- (b) all documents relating to written contracts proposed to be entered into by the local government.

#### 5.93. Improper use of information

A person who is a council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law —

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the local government or any other person.

Penalty: \$10 000 or imprisonment for 2 years.

#### **Local Government (Rules of Conduct) Regulations 2007**

#### 6. Use of information

(1) In this regulation —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

**confidential document** means a document marked by the CEO to clearly show that the information in the document is not to be disclosed;

non-confidential document means a document that is not a confidential document.

- (2) A person who is a council member must not disclose
  - (a) information that the council member derived from a confidential document; or
- (b) information that the council member acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subregulation (2) does not prevent a person who is a council member from disclosing information
  - (a) at a closed meeting; or
- (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

## 14.1 Consideration of a matter (detail) 5.23 (2) (s)

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

Voting Requirements - Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0313 Close Meeting to the Public

That the meeting be closed to the public to discuss a matters affecting an employee (LGA s. 5.23 (2) (s)).

Moved: Cr MR Valenzuela Seconded: Cr L Hodder Motion put and carried 4/0

The meeting was closed to the public at 12.53pm.

ATTENDANCE: 12:53pm CEO, Sharon Daishe left the meeting

Remaining in the meeting were:

Crs T Iturbide, N Grinham, R Valenzuela, L Hodder and guest, A Borrat.

ATTENDANCE: 1:16pm President T Iturbide left the meeting

ATTENDANCE: 1:17pm President T Iturbide rejoined the meeting

#### Motion to Open the Meeting to the Public

Voting Requirements - Simple Majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

C2013-0314 Open Meeting to the Public

That the meeting be re-opened to the public.

Moved: Cr NA Grinham Seconded: Cr L Hodder Motion put and carried 4/0

The meeting was reopened to the public at 1:32pm.

#### 15. NEXT MEETING

#### **Community Workshop Notice - 9 April 2013**

Council previously agreed on Tuesday 9 April 2013 as a suitable date to finalise the community consultation process for the Shire of Yalgoo Community Plan. The CEO had obtained a quote and engaged the nominated facilitator however that person subsequently resigned from their position.

In discussion with the CEO, Councillors agreed that we wish to use a person with known capacity to undertake this task.

Consultation therefore will be carried out by the Shire's community and youth development coordinator, Pip Parsonson. Pip will work closely with Marg Hemsley, the consultant who is preparing the Shire's Community Plan. Pip and Marg will meet on Tuesday 19 March to develop the format for the day, and advise councillors in due course of the time and agenda.

ATTENDANCE: 1:34pm Deputy President R Valenzuela left the meeting

ATTENDANCE: 1:35pm Deputy President R Valenzuela rejoined the meeting

Person presiding at the meeting at which these minutes were confirmed

## **Ordinary Meeting of Council**

The next Ordinary Meeting of Council is due to be held in the Council Chambers in Gibbons Street on Thursday, 18 April 2013 commencing at 11.00 am.

16. MEETING CLOSURE
There being no further business, the President declared the meeting closed at 1:35pm.
DECLARATION
These minutes were confirmed by Council at the Ordinary Meeting held on
l Signed:

## **Common Acronyms**

Acronym	Detail
AGM	Annual General Meeting
ASKAP	Australian Square Kilometre Array Pathfinder
BA	Broadcast Australia
BFS	Bush Fire Service
BFTA	Bush Fire Threat Analysis
CEMO	Community Emergency Management Officer
CEO	Chief Executive Officer
CLGF	Country Local Government Fund (Royalties for Regions)
CRC	Community Resource Centre
CRS	Coordinator Regional Services
CSRFF	Community Sporting and Recreation Facilities Fund
DAFWA	Department of Agriculture & Food
DAIP	Disability & Access Inclusion Plan
DCEO	Deputy Chief Executive Officer
DCP	Department of Child Protection
DEC	Department of Environment and Conservation
DEMC	District Emergency Management Committee
DIA	Department of Indigenous Affairs
DITRDLG	Dept of Infrastructure, Transport, Regional Development & Local Government
	(Federal)
DLG	Dept of Local Government
DPI	Dept for Planning and Infrastructure
EA	Executive Assistant
EA	Executive Assistant
ECC	Emergency Coordination Centre
EMWA	Emergency Management Western Australia
ERM	Emergency Risk management
EWP	Elevated Work Platform
FaHCSIA	Families, Housing, Community Services & Indigenous Affairs
FAG	Financial Assistance Grant
FESA	Fire and Emergency Services Authority
FRS	Fire and Rescue Service
GPG	General Purpose Grant
GRAMS	Geraldton Regional Aboriginal Medical Service
GTS	Greenfield Technical Services – consulting civil engineers
HMA	Hazard Management Agency
ICC	Indigenous Coordination Centre
ICV	Indigenous Community Volunteers
ILRG	Identified Local Road Grant
IMG	Incident Management Group
IPWEA	Institute of Public Works/Engineering WA
ISA	Integrated Service Arrangement – replacing MRWA TNCs in 2011 or 2012
ISG	Incident Support Group
LEC	Local Emergency Coordinator
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LGEEP	Local Government Energy Efficiency Program

LGGC Local Government Grants Commission LGMA Local Government Managers' Association LRC Local Recovery Coordinator LRCC Local Recovery Coordinator LRCC Murchison Country Zone MEEDAC Midwest Employment and Economic Development Aboriginal Corporation MEG Murchison Executive Group (ECOs) MGM Mount Gibson Mining (Extension Hill Haematite) MMGM Minerals and Mining Group (Golden Grove Mine) MMGHSRMG Minerals and Mining Group (Golden Grove Mine) MMGHSRMG Murchison Mid West Gascoyne Human Services Regional Managers Group MRBA Meekatharra Rangelands Biosecurity Association MRVC Murchison Regional Vermin Council MRWA Main Roads WA MSC Model Sudivision Conditions Schedule MWAC Municipal Waste Advisory Council MWDC Mid West Development Commission MWGAAS Mid West Group of Affiliated Agricultural Societies MWIP Mid West Investment Plan MWRC Mid West Regional Council – consisting of 7 Shires NDES National Digital Economy Strategy NRIS National Register Inquiry System OPR Oakajee Port and Rail PE Project Executive POC Plant Operating Costs PWOC Public Works Overhead Costs RZR Roads to Recovery (Cmwith) RARA Regional Development Australia Fund RDA Regional Development Australia Fund RDA Regional Development and Lands RFT Request for Tender RGS Regional Grant Scheme RCQP Regional Grant Scheme RCQP Regional Grant Scheme RCQP Regional Grant Scheme RCQP State Emergency Management Tender RGS Regional Grant Scheme RCQP State Emergency Management Policy SES State Emergency Management Policy SEMS Standard Operating Procedure SWWP (Regional) Strategic Waste Management Plan TNC Term Network Contract – from MRWA for State roads maintenance TQUAL Tourism Quality Projects TIRF Tourism Infrastructure Regional Development Fund VAAAA West Australian Agriculture Authority	Acronym	Detail
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ROMAN Road Management – software system  SAO Senior Administration Officer  SAT State Administrative Tribunal  SEC State Emergency Coordinator  SEMC State Emergency Management Committee  SEMP State Emergency Management Policy  SES State Emergency Service  SEWS Standard Emergency Warning Signal  SLK Straight line kilometres  SOP Standard Operating Procedure  SWMP (Regional) Strategic Waste Management Plan  TNC Term Network Contract – from MRWA for State roads maintenance  TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	RLCIP	Regional and Local Community Infrastructure Program
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SAT State Administrative Tribunal SEC State Emergency Coordinator SEMC State Emergency Management Committee SEMP State Emergency Management Policy SES State Emergency Service SEWS Standard Emergency Warning Signal SLK Straight line kilometres SOP Standard Operating Procedure SWMP (Regional) Strategic Waste Management Plan TNC Term Network Contract – from MRWA for State roads maintenance TQUAL Tourism Quality Projects TIRF Tourism Infrastructure Regional Development Fund VAST Viewer Access Satellite Television	ROMAN	Road Management – software system
SEC State Emergency Coordinator SEMC State Emergency Management Committee SEMP State Emergency Management Policy SES State Emergency Service SEWS Standard Emergency Warning Signal SLK Straight line kilometres SOP Standard Operating Procedure SWMP (Regional) Strategic Waste Management Plan TNC Term Network Contract – from MRWA for State roads maintenance TQUAL Tourism Quality Projects TIRF Tourism Infrastructure Regional Development Fund VAST Viewer Access Satellite Television	SAO	Senior Administration Officer
SEMC State Emergency Management Committee  SEMP State Emergency Management Policy  SES State Emergency Service  SEWS Standard Emergency Warning Signal  SLK Straight line kilometres  SOP Standard Operating Procedure  SWMP (Regional) Strategic Waste Management Plan  TNC Term Network Contract – from MRWA for State roads maintenance  TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	SAT	State Administrative Tribunal
SEMP State Emergency Management Policy SES State Emergency Service SEWS Standard Emergency Warning Signal SLK Straight line kilometres SOP Standard Operating Procedure SWMP (Regional) Strategic Waste Management Plan TNC Term Network Contract – from MRWA for State roads maintenance TQUAL Tourism Quality Projects TIRF Tourism Infrastructure Regional Development Fund VAST Viewer Access Satellite Television	SEC	State Emergency Coordinator
SES State Emergency Service SEWS Standard Emergency Warning Signal SLK Straight line kilometres SOP Standard Operating Procedure SWMP (Regional) Strategic Waste Management Plan TNC Term Network Contract – from MRWA for State roads maintenance TQUAL Tourism Quality Projects TIRF Tourism Infrastructure Regional Development Fund VAST Viewer Access Satellite Television	SEMC	State Emergency Management Committee
SEWS Standard Emergency Warning Signal  SLK Straight line kilometres  SOP Standard Operating Procedure  SWMP (Regional) Strategic Waste Management Plan  TNC Term Network Contract – from MRWA for State roads maintenance  TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	SEMP	State Emergency Management Policy
SLK Straight line kilometres  SOP Standard Operating Procedure  SWMP (Regional) Strategic Waste Management Plan  TNC Term Network Contract – from MRWA for State roads maintenance  TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	SES	State Emergency Service
SOP Standard Operating Procedure  SWMP (Regional) Strategic Waste Management Plan  TNC Term Network Contract – from MRWA for State roads maintenance  TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	SEWS	Standard Emergency Warning Signal
SWMP (Regional) Strategic Waste Management Plan  TNC Term Network Contract – from MRWA for State roads maintenance  TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	SLK	Straight line kilometres
TNC Term Network Contract – from MRWA for State roads maintenance TQUAL Tourism Quality Projects TIRF Tourism Infrastructure Regional Development Fund VAST Viewer Access Satellite Television	SOP	Standard Operating Procedure
TQUAL Tourism Quality Projects  TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television		(Regional) Strategic Waste Management Plan
TIRF Tourism Infrastructure Regional Development Fund  VAST Viewer Access Satellite Television	TNC	Term Network Contract – from MRWA for State roads maintenance
VAST Viewer Access Satellite Television	TQUAL	Tourism Quality Projects
	TIRF	
WAAA West Australian Agriculture Authority	VAST	Viewer Access Satellite Television
	WAAA	West Australian Agriculture Authority

Acronym	Detail
WACHS	WA Country Health Service
WACRN	Western Australian Community Resource Network
WARDT	Western Australian Regional Development Trust
WAERN	West Australian Emergency Response Network
WALGA	WA Local Government Association
WALGEMAG	Western Australian Local Government Emergency Management Advisory Group
WALGGC	West Australian Local Government Grants Commission
WAPC	Western Australian Planning Commission
WARDT	Western Australian Regional Development Trust
WWTP	Waste Water Treatment Plan

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