



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING
OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, YALGOO
ON 17 JUNE 2016
COMMENCING AT 11.00 AM



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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on 17 June 2016, commencing at 11.00 am.

PLEASE TURN OFF ALL MOBILE PHONES PRIOR TO THE COMMENCEMENT OF THE MEETING

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President Neil Grinham declared the Ordinary Meeting open at 11:03 am.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Neil A Grinham, Shire President Cr M Raul Valenzuela, Deputy Shire President Cr Percy J Lawson Cr Joanne Kanny Cr Gail Trenfield
STAFF	Silvio Brenzi, CEO Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) Karen Malloch, Executive Assistant (EA)
GUESTS	Sergeant Ivan Davies, Yalgoo Police (left 11.17 am)
OBSERVERS	
LEAVE OF ABSENCE	Cr Robert Grinham
APOLOGIES	

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.
Nil

4. PUBLIC QUESTION TIME**1.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

Nil

4.2 QUESTIONS WITHOUT NOTICE

Note: Sergeant Ivan Davies gave his presentation under “Questions Without Notice” as it was necessary for him to leave the meeting early due to a prior commitment.

The President welcomed Sergeant Ivan Davies of the Yalgoo Police, to the meeting.

On behalf of the Shire, the President extended his thanks to the local Police for their vigilance, persistence, and successful outcomes in the multiple cases of anti-social and criminal behaviour, which have occurred in Yalgoo recently.

Sergeant Davies cordially invited the President, CEO and any interested Councillors to attend the meeting held 11.00 am Monday 20 June 2016, at the Yalgoo Railway Station. The meeting was to discuss the planning of the new Police Station presently being built on Piesse Street, Yalgoo.

The President thanked Sergeant Davies for the invite and stated he would prepare a letter of thanks to the local police. The content of the letter reads as follows:

“Current actions taken in law enforcement.

The Shire of Yalgoo has recently been the victim in a multitude of crimes within the Yalgoo town site. As you are aware, these have included multiple cases of senseless vandalism, anti-social behaviour, break and enters and theft.

Our small community relies on each our service delivery departments to carry out effective delivery of its business to enhance our remote lifestyle and environment.

Following your recent presentation to Council at its Ordinary Meeting of Council on the 17/06/2016, I would like to pass on our genuine thanks for your efforts in following through and achieving some great results in multiple charges being laid over these offences. I understand that your team members have contributed significantly to this success by carrying out the relevant interviews and investigations to achieve the outcomes desired.

It is well recognized by Council and Shire staff that these types of results that are delivered in law enforcement will reduce the ongoing issue of crime in Yalgoo. Please accept this letter from myself on behalf of Council and the CEO as a well-deserved *Thank You* to you and your team!”

Sergeant Davies departed the meeting at 11:17 am.

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.1 MEETINGS ATTENDED BY ELECTED MEMBERS

Date	Details	Attended with whom
20 May 2016	Juvenile Justice Meeting, Yalgoo Primary School	Gail Trenfield
10 June 2016	Finance Committee Meeting	Cr G Trenfield, Cr J Kanny, Cr P Lawson, Cr R Valenzuela, Steven Cosgrove CGTS, President Neil Grinham, Silvio Brenzi CEO
7 – 13 June 2016	Rostered Visit	Dominic Carbone
14-16 June 2016	Rostered Visit	Bill Atyeo

8. CONFIRMATION OF MINUTES

1.1 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

C2016-0601 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 27 May 2016 be confirmed.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

9. REPORTS OF COMMITTEES

Reports of the Finance Committee:

9.1 Differential Rating 2016/17 – Proposed Rates and Minimums

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	9 June 2016
Attachments	<ul style="list-style-type: none"> • Shire of Yalgoo Rating Methodology and it’s Differential Rating Model for 2016-2017

Matter for Consideration

Determination of the rate in the dollar and the minimum rates of the various differential rating categories for the 2016/17 financial year and the advertising for the Shire’s intention to impose.

Background

The Valuer General’s Office (Landgate) provides Council with a rateable value for each rateable property within the Shire. Properties located in the townships of Yalgoo and Paynes Find are valued based on a gross rental value (GRV). Pastoral/rural, mining and exploration/prospecting are valued based on unimproved value (UV). Council will then set a “rate in the dollar” (RID) and minimum rate.

The rateable value (as advised by the Valuer General’s Office) is multiplied by the rate in the dollar to produce the annual rates to be charged to the property. If this value is less than the minimum rate value agreed by Council, then the ratepayer will be charged the minimum rate value.

In August 2015, Council reviewed and adopted the Objects and Reasons for the differential rating categories in the Shire of Yalgoo. The rating methodology has been reviewed and updated for the 2016-17 Financial Year (copy attached).

The annual differential rating proposal is to be advertised for public comment for a period of 21 days prior to its adoption by Council. Submissions from ratepayers and electors are to be invited and if any submissions are received, Council is required to consider them and decide whether to impose the proposed rates and minimum with or without modification.

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

Once Council has advertised for the required time, processed any submissions from ratepayers and Ministerial approval has been granted, Council can then adopt the Annual Budget on or prior to 31 August.

Statutory Environment

Local Government Act 1995

- s.6.32 – States that a local government, in order to make up the budget deficiency, is to impose a general rate on rateable land that may be imposed uniformly or differentially.
- s.6.33(1) – Provides that a local government may impose differential general rates according to a number of characteristics.

- s.6.33(3) – States that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.
- s.6.34 – States that a local government cannot without the approval of the Minister raise an amount of general rates that exceeds 110% of the budget deficiency or is less than 90% of the budget deficiency.
- s.6.35 – States a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate.
- s.6.36 – Requires that a local government before imposing any differential general rates provides at least 21 days local public notice of its intention to do so.

Strategic Implications

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

Rates Revenue as per the Long Term Financial Plan for the 2016-2017 financial year is estimated at \$2,007,807 based on a 4.7% increase over the previous year.

Policy Implications

- Policy 7.5 Rates Calculation – outlines the steps for staff to prepare a draft budget using Local Government Cost Index (LGCI).
- Policy 7.6 Preparation of Budget – outlines the steps and timetable leading to the adoption of the Budget.
- The Council adopted an increase rate in the dollar as part of the Long Term Financial Plan

Financial Implications

After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure commitments, however, it is allowed to adopt a budget that has a deficit or a surplus that doesn't exceed 10% plus or minus of its rates revenue.

Comment

Factors such as the growth of the Shire, need for additional resources to meet growth demands, the rising cost of labour and materials, previous rate increases approved, and a perception of the affordability of a reasonable rate increase are some of the factors taken into account when considering the percentage by which rates in the dollar and minimum rates are recommended to be increased.

Section 6.33 of the Local Government Act 1995 allows Local Governments to impose differential general rates to shift the revenue raising effort to certain sectors of the Community to maintain equity based on the level of services provided by the Shire. The differential land use rating, adopted by the Shire, allows it to impose different rates in the dollar and minimums for the following categories.

Gross Rental Value (GRV):

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

Townsite Vacant - Consists of vacant properties located within the townsite boundaries that are vacant (no residential, commercial, or industrial structures built on the land). The rate in the dollar is the same as the Town Improved category; however, the minimum rate is higher in order to encourage landowners to undertake development.

Unimproved Value (UV)

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

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

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

The table below details the rate in the dollar and minimum imposed by the Shire in the 2015-16 Financial Year for each differential rating category and compares them against other surrounding Local Governments.

Categories		Shire of Yalgoo 2015/16	Shire of Cue 2015/16	Shire of Morawa 2015/16	Shire of Mt Magnet 2015/16
Differential General Rate		Rate in \$	Rate in \$	Rate in \$	Rate in \$
GRV	Town sites Improved	0.07454640	0.1011	0.071988	0.097253
GRV	Town sites Vacant	0.07454640	--	--	--
UV	Pastoral/Rural	0.06575168	0.0802	0.021917	--
UV	Mining/Mining Tenement	0.37430250	0.3056	0.289681	0.300826
UV	Exploration/Prospecting	0.19882530	--	--	0.300826
Minimum Rate		Per Annum	Per Annum	Per Annum	Per Annum
GRV	Town sites Improved	\$270.00	\$430.00	\$271.00	\$397.00
GRV	Town sites Vacant	\$620.00	\$520.00	--	--
UV	Pastoral/Rural	\$270.00	\$430.00	\$271.00	--
UV	Mining/Mining Tenement	\$270.00	\$430.00	\$656.00	\$450.00
UV	Exploration/Prospecting	\$270.00	--	--	\$450.00

The table below details the estimated rates levied for the 2015/16 financial year as per the Adopted Budget.

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2015-16 Budgeted Total Revenue \$
Levied 2015-16				
Differential General Rate				
GRV. - Townsites Improved	0.07454640	33	279,123	20,808
GRV. - Townsites Vacant	0.07454640	0	0	0
UV -Pastoral / Rural	0.06575168	22	843,727	55,476
UV.- Mining / Mining Tenement	0.37430250	130	4,169,379	1,560,609
UV.- Exploration / Prospecting	0.19882530	108	725,698	144,287
Sub-Totals		293	6,017,927	1,781,180
Minimum Payment				
	Minimum \$			
GRV. - Townsites Improved	270	5	11,284	1,350
GRV. - Townsites Vacant	620	11	1,550	6,820
UV -Pastoral / Rural	270	3	4,573	810
UV.- Mining / Mining Tenement	270	32	22,832	8,640
UV.- Exploration / Prospecting	270	78	42,793	21,060
Sub-Totals		129	83,032	38,680
		422	6,100,959	
Discounts				0
Total Amount Raised from General Rate				1,819,860
Interim Rating				0
Specified Area Rates				0
Total Rates				1,819,860

The tables below detail three (3) rating models for the 2016 – 2017 Financial Year for Council consideration:

	Rate in	Number	Rateable	2016-17
RATE TYPE	\$	of	Value	Budgeted
Based on a 3% increase		Properties	\$	Total
				Revenue
				\$
Differential General Rate				
GRV. - Townsites Improved	0.07688500	32	261,026	20,069
GRV. - Townsites Vacant	0.07688500	0	0	0
UV -Pastoral / Rural	0.07077260	23	861,823	60,993
UV.- Mining / Mining Tenement	0.40875000	125	3,881,003	1,586,360
UV.- Exploration / Prospecting	0.22850000	111	751,154	171,639
Sub-Totals		291	5,755,006	1,839,061
	Minimum			
	\$			
Minimum Payment				
GRV. - Townsites Improved	280	5	11,284	1,400
GRV. - Townsites Vacant	640	11	1,550	7,040
UV -Pastoral / Rural	280	4	4,786	1,120
UV.- Mining / Mining Tenement	300	29	17,144	8,700
UV.- Exploration / Prospecting	300	58	40,630	17,400
Sub-Totals		107	75,394	35,660
		398	5,830,400	
Discounts				0
Total Amount Raised from				
General Rate				1,874,721
Interim Rating				0
Specified Area Rates				0
Total Rates				1,874,721

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2016-17 Budgeted Total Revenue \$
Based on a 4% increase				
Differential General Rate				
GRV. - Townsites Improved	0.07762820	32	261,026	20,263
GRV. - Townsites Vacant	0.07762820	0	0	0
UV -Pastoral / Rural	0.07146050	23	861,823	61,586
UV.- Mining / Mining Tenement	0.41270000	125	3,881,003	1,601,690
UV.- Exploration / Prospecting	0.23029000	111	751,154	172,983
Sub-Totals		291	5,755,006	1,856,522
	Minimum \$			
Minimum Payment				
GRV. - Townsites Improved	280	5	11,284	1,400
GRV. - Townsites Vacant	640	11	1,550	7,040
UV -Pastoral / Rural	280	4	4,786	1,120
UV.- Mining / Mining Tenement	300	29	17,144	8,700
UV.- Exploration / Prospecting	300	58	40,630	17,400
Sub-Totals		107	75,394	35,660
		398	5,830,400	
Discounts				0
Total Amount Raised from General Rate				1,892,182
Interim Rating				0
Specified Area Rates				0
Total Rates				1,892,182

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2016-17 Budgeted Total Revenue \$
Based on a 5% increase				
Differential General Rate				
GRV. - Townsites Improved	0.08080000	30	253,642	20,494
GRV. - Townsites Vacant	0.08080000	0	0	0
UV -Pastoral / Rural	0.07213050	23	861,823	62,164
UV.- Mining / Mining Tenement	0.41666230	126	3,881,727	1,617,369
UV.- Exploration / Prospecting	0.23250620	111	751,154	174,648
Sub-Totals		290	5,748,346	1,874,675
	Minimum \$			
Minimum Payment				
GRV. - Townsites Improved	300	7	18,668	2,100
GRV. - Townsites Vacant	640	11	1,550	7,040
UV -Pastoral / Rural	300	4	4,786	1,200
UV.- Mining / Mining Tenement	300	28	16,420	8,400
UV.- Exploration / Prospecting	300	58	40,630	17,400
Sub-Totals		108	82,054	36,140
		398	5,830,400	
Discounts				0
Total Amount Raised from General Rate				1,910,815
Interim Rating				0
Specified Area Rates				0
Total Rates				1,910,815

All options detailed above fall short of achieving the Long Term Financial Plan estimated rates revenue yield of \$2,007,807 with a proposed rate increase of 4.7%. On that basis it is recommended that Council give consideration of determining the following rates in the dollar and the minimum rates for the various differential rating categories for the 2016 -17 financial year and advertise accordingly.

It is proposed that the differential general rates and minimum payments for each of the differential rate categories be advertised on Tuesday 21 June 2016 and an invitation for submissions will be for a period of 21 days closing on Wednesday 13 July 2016 at 4:00 pm. The advertisement to include the time and place where the Shire of Yalgoo Rating Methodology and its Differential Rating Models describing the objects and reasons for the 2016 – 2017 Financial Year may be inspected and be available on the Shire’s website.

Voting Requirements

Simple Majority

FINANCE COMMITTEE RECOMMENDATION

F2016-0602 Differential Rating 2016/2017 – Proposed Rates and Minimums

That Council:

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

Differential General Rate	Rate in the \$
GRV. - Townsites Improved	0.08080000
GRV. - TownsitesVacant	0.08080000
UV -Pastoral / Rural	0.07213050
UV.- Mining / Mining Tenement	0.41666230
UV.- Exploration / Prospecting	0.23250620
	Minimum
Minimum Payment	\$
GRV. - Townsites Improved	300
GRV. - TownsitesVacant	640
UV -Pastoral / Rural	300
UV.- Mining / Mining Tenement	300
UV.- Exploration / Prospecting	300

2. **That the advertisement in (1) above also provide for an invitation for submissions to be made by an elector or a ratepayer for a period of 21 days closing at 4:00 pm on Wednesday 13 July 2016; and detail the time and place where the Shire of Yalgoo Rating Methodology, and it’s Differential Rating Model, may be inspected and a copy be placed on the Shire’s website.**

Moved: Cr J Kanny Seconded: Cr P Lawson Motion put and carried 5/0

COUNCIL DECISION

C2016-0602 Differential Ratings 2016/2017 – Proposed Rates and Minimums

That Council accepts and endorses the Finance Committee Recommendation/Decisions (1) and (2) from the Finance Committee Meeting held on 10 June 2016, on the Differential Ratings 2016/2017 – Proposed Rates and Minimums.

Moved: Cr J Kanny Seconded: Cr G Trenfield Motion put and carried 5/0

9.2 Report on Capital Expenditure Items to be Incorporated in the 2016-17 Draft Annual Budget

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	7 th June 2016
Attachments	<ul style="list-style-type: none"> • Preliminary Draft Annual Budget 2016-17

Matter for Consideration

That the Finance Committee considers the Capital Expenditure items for inclusion in the 2016-17 Annual Draft Budget and recommend accordingly to Council for their inclusion.

Background

Council is in the process of preparing the 2016-17 Annual Draft Budget and is required to determine the Capital Expenditure items for inclusion.

Statutory Environment

Local Government Act 1995
Section 6.2 Local Government to prepare Annual Budget.

Strategic Implications

Consideration needs to be given to the Shire’s Strategic Community Plan (SCP), Corporate Business Plan (CBP), and its Long Term Financial Plan (LTFP) when determining the items of Capital Expenditure in order of priority for inclusion in the 2016-17 Annual Budget.

Consultation

Dominic Carbone & Associates

Comment

Attached is a preliminary draft copy of the 2016-17 Draft Annual Budget that details the Capital Expenditure Items for the Finance Committee consideration. Please note that only the Capital Items and associated proceeds from trade-ins and written down values of assets to be sold only are included in the Preliminary Draft Annual Budget 2016-17.

Voting Requirements

Simple Majority

FINANCE COMMITTEE RECOMMENDATION

F2016-0603 Report on Capital Expenditure Items to be Incorporated in the 2016-17 Draft Annual Budget

That the Finance Committee recommends to Council, that the Capital Expenditure items detailed in the worksheets attached to this report, be incorporated in the 2016-17 Draft Annual Budget with the following amendments:

- Council Chamber chair replacement: \$10,000;
- Council Chamber Improvements (window treatments, computer cabling and electrical): \$5,000
- Consultancy fees – Development Rural and Industrial subdivision: \$40,000
- Amalgamation of Council land to accommodate an emergency management training facility: \$5,000
- Wild dog bounty: \$10,000
- Main Street beautification review and finalisation of study: \$25,000

Moved: Cr J Kanny Seconded: Cr G Trenfield Motion put and carried 5/0

COUNCIL DECISION

C2016-0603 Report on Capital Expenditure Items to be Incorporated in the 2016-17 Draft Annual Budget

That Council accepts and endorses the Finance Committee Recommendation/Decision **F2016-0603** from the Finance Committee Meeting held on 10 June 2016, “Report on Capital Expenditure Items to be Incorporated in the 2016-17 Draft Annual Budget”.

Moved: Cr J Kanny Seconded: Cr P Lawson Motion put and carried 5/0

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters**10.1 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 (e.g.: matters affecting employee/s or the personal affairs of any person).

1) The President listed correspondence he has received on behalf of the Shire:

The President informed Council he had received correspondence from Mark Lewis MLC, (Member for the Mining and Pastoral Region), and Vince Catania MLA, (Parliamentary Secretary to the Minister for Water; Sport and Recreation; Forestry). Both congratulated the Shire on the recent success in gaining grant funding from the “2016-17 Regional Events Scheme” for the Yalgoo Emu Cup 2016.

2) Telstra invitation:

The CEO informed Council he received an invitation from Telstra to attend the “nbn Executive Briefing” at the “Australian Local Government National General Assembly” in Canberra from 20-22 June 2016. The briefing focusses on Australia’s transition to a digital future, fuelling growth and driving improvements to remote areas, local economies and businesses. Due to prior commitments, it was necessary for the CEO to decline the invitation.

3) Councillor training:

The President thanked the Councillors whom have accepted the WALGA training options available. Cr J Kanny and Cr G Trenfield have opted to each study four courses online.

4) Invitation from Doray Minerals Ltd:

The CEO informed Council that Doray Minerals have invited all Elected Members for a site visit to the Deflector Mine. It was agreed that a site visit would be beneficial and a day, date will be organised in due course.

5) The Local Government Leadership Summit:

The President stated that the CEO and he would be attending the Local Government Leadership Summit in Melbourne on 11th and 12th August 2016.

6) WALGA Convention week:

The President informed Council that the WALGA Convention week attendees from the Yalgoo Shire are CEO Silvio Brenzi, Cr Neil Grinham, Cr Raul Valenzuela, and Cr Percy Lawson. Councillors will be attending the WALGA training sessions being offered in conjunction with the Convention.

7) Water treatment plant:

The new water treatment plant in Yalgoo was recently finalised and commissioned. No specific water test results have been received to date, but the Water Corporation will advise the Shire once full productivity has been attained. Cr Raul Valenzuela suggested the Elected Members arrange a site visit to the Shire of Wiluna’s Water Treatment Plant, once results have been received, to view and compare the overall success of the new plants.

8) Water Corporation survey:

The President invited the Elected Members whom use the town water supply to complete the Water Corporation survey.

9) Murchison Executive Group:

Murchison Executive Group Meetings are held on a rotational basis among the five member Shires. The President reported that Yalgoo is due to host the next meeting on Monday 25 July 2016 at the Yalgoo Council Chambers.

10) Record Keeping Plan:

The CEO informed Council that Shire of Yalgoo “2016 Record Keeping Plan” has been finished by the Shire Consultant, Kim Boulton, and forwarded to the State Records Tribunal, in compliance with the due date of 30 June 2016.

11) MEEDAC:

The CEO informed Council that MEEDAC approached the Shire to provide their employees with a few local jobs. This was a good opportunity for the Shire to employ the MEEDAC team in gardening, tidying the townscape and improving the Railway Station grounds.

12) “Decadent and Depraved” film:

The President and the CEO commented on the film “Decadent and Depraved” which will be filmed in Yalgoo during the first two weeks of September. Correspondence has been received from the filmmaker, Jordan Prince-Wright, requesting aboriginal extras / hunters and miscellaneous extras for various scenes.

10.1.1

President Neil Grinham postponed the viewing of photos and videos of the 56th Floodplain Management Australia Conference, Nowra Shoalhaven Council NSW, due to technical difficulties and extra time being required.

ATTENDANCE: 11.52 am Karen Malloch (EA) left the meeting.

11.54 am Karen Malloch (EA) rejoined the meeting.

10.1.2

President Neil Grinham will provide photos and videos of the visit to Barossa Valley, attended by President Neil Grinham and the CEO Silvio Brenzi, at the next Ordinary Council Meeting on 22 July 2016.

ATTENDANCE: 12.32 pm Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) left the meeting.

ADJOURNMENT: Lunch 12:32 pm – 1:18 pm.

The meeting adjourned at 12:32 pm for lunch.

The Shire President, Neil Grinham re-opened the Ordinary Meeting at 1:18 pm.

Remaining in the meeting were:

Cr Neil Grinham, Shire President
 Cr Raul Valenzuela, Deputy Shire President
 Cr Percy Lawson
 Cr Joanne Kanny
 Cr Gail Trenfield
 Silvio Brenzi, Chief Executive Officer (CEO)
 Karen Malloch (EA)

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

11.1 TECHNICAL SERVICES

2.1 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

11.2.1 A Development Application (DA) has been received from Pinnacle Planning for Proposed Advertising Signage for Lot 135 (Nº 35) Piesse Street, Yalgoo.

The DA has been forwarded to the Shires’ Town Planning Consultant for assessment and preparation of a report for Council consideration.

The CEO gave the Elected Members a brief over view on the Development Application submitted by Pinnacle Planning on behalf of Matzin Capital Pty Ltd. The company owns a block of land at Lot 135 Piesse Street, Yalgoo with the frontage extending to the main Yalgoo – Mt Magnet Road.

The Shire is waiting on an assessment report to be compiled by URBIS, encompassing input from Main Roads and associated stakeholders in order to gauge the Development Application’s feasibility and its impact on the township of Yalgoo. When the URBIS report is received, it will be subject to a report to Council for consideration.

It was then moved:

Voting Requirements

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0604 Report for Planning Development and Environmental Health

That Council will be forwarded a report for consideration, from the Shire’s Town Planning Consultant, URBIS, on which to base an assessment.

Moved: Cr J Kanny

Seconded: Cr R Valenzuela

Motion put and carried 5/0

3.1 FINANCE

11.3.1 Financial Activity Statements and Accounts Paid for the Month of April 2016.

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	11 June 2016
Attachments (Red Cover Page)	<ul style="list-style-type: none"> • Financial Statements for the Month of April 2016 • Financial documents were provided to members at the meeting.

Matter for Consideration

Adoption of the monthly Financial Statements.

Background

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed and require the Chief Executive Officer to prepare a list of accounts paid.

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

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.

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

Provision of timely accounting information to inform Council of the financial status and financial affairs of the local government.

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

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 17 June 2016

File:	
Author:	Steven Cosgrove
Interest Declared:	No interest to disclose
Date:	11 June 2016
Attachments (Yellow Cover)	Nil

Matter for Consideration

That Council note the report on outstanding matters.

Background

The report is compiled from resolutions of Council relating to reports presented to Council, Notice of Motions, and Urgent Business.

Statutory Environment

Nil

Business Implications

Nil

Consultation

Nil

Comment

Matters outstanding are detailed below with comments in relation to status.

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
22 nd January 2016	2014-2015 Budget-Imposition of Rates and Minimum Proposal Requiring Ministerial Approval.	That Council:	Correspondence has been forwarded to DLGC in accordance with Part 2 of council resolution. Council solicitors have been instructed to submit an application to SAT in accordance with part 1 of the resolution. Report N^o: 11.4.4 is included in this Agenda for consideration.
		1/ . Make application to the State Administrative Tribunal in accordance with Section 6.82 of the Local Government Act 1995 to have the following rates quashed:	
		- GRV-Town Vacant Land Minimum \$600.	
		- UV-Mining/Mining Tenement 35:75 cents.	
		- UV-Exploration and Prospecting 18:99 cents.	
2/ . The Department of Local Government and Communities be advised of (1) above.			

22 nd January 2016	Application for funding – National Stronger Regions Fund.	That the Chief Executive Officer prepares a funding application for the following project - The upgrade and extensions to the Shire of Yalgoo Community Hall.	Appropriate consultants have been engaged to prepare the application for funding by the due date. To be completed in July 2016. In Progress
22 nd January 2016	Application for Funding Round Five of the Heavy Vehicles Safety and Productivity Program.	That council engage the services of a suitable external consultant to prepare the application for funding for the new rest areas at Paynes Find for Round Five of the Heavy Vehicle Safety and Productivity Program.	Appropriate consultants have been engaged to prepare the application for funding by the due date. To be completed in July 2016. In Progress
19- February- 2016	Technical Services Report:	The CEO organise an appropriate meeting to investigate the use of solar panels in Yalgoo.	CEO to confirm - Ongoing
22-April- 2016	Public Question Time: Ninghan Station Creek Crossing.	Funding of partly completed crossing.	Incorporated in 2016/2017 Draft Annual Budget.
22-April- 2016	Public Question Time:	That the following matters be investigated: <ul style="list-style-type: none"> • Warne River crossing; • Goodinow Rd repairs; • Supply of gravel for back filling around the Community Centre between the building and brick surface. 	Included in 2016/2017 Draft Annual Budget.
22-April- 2016	Disposal of Council Property: Plant & Equipment.	Provision of funds in the 2016-17 Draft Annual Budget for the replacement of Concrete Agitator Truck and Batching Plant.	Incorporated in the 2016-17 Draft Annual Budget.
27-May-16	Minister for Local Government decision on the proposal to transfer part of Paynes Find and adjacent pastoral stations from the Shire of Yalgoo to the Shire of Dalwallinu.	That Council: <ol style="list-style-type: none"> 1. Receive Report No. 11.4.3 Minister for Local Government Decision on the Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu. 2. Thank all concerned "in writing" when replying to the letters of support and submissions in relation to the proposal. 3. To forward this Council Decision and the Report No. 11.4.3 – to the Minister for Local Government - Decision on the "Proposal to Transfer Part of Paynes Find and Adjacent Pastoral Stations from the Shire of Yalgoo to the Shire of Dalwallinu" to the Shire of Dalwallinu and additionally submit it as a media release to the local 	Thankyou letters forwarded. Media release to be prepared and agreed upon by Elected Members prior to forwarding to local newspapers.

		papers.	
27-May-16	DAIP Progress Report:	That Council adopts the Disability Access and Inclusion Plan and the Progress Report be forwarded to the Disabilities Commission.	DAIP Progress Report has been forwarded to the Disability Services Commission.
27-May-16	Donation to Mid-West Group of Affiliated Agricultural Societies:	That Council donates one hundred dollars (\$100) to the Mid West Agriculture Society from Account No: E041065 - Member Donations.	Donation of \$100 has been made to Mid-West Group of Affiliated Agricultural Societies.
27-May-16	Donation to Maranalgo Station Endurance Ride:	That Council donates one thousand dollars (\$1000) to the Maranalgo Endurance Ride that was held in Paynes Find from Account No: E041065 - Members Donations.	Donation of \$1000 was made to the Maranalgo Station Endurance Ride.
27-May-16	Shire of Yalgoo Airstrip Grading Policy:	That Council Amend Policy 13.2 "Airstrips Grading" in the following manner: <ol style="list-style-type: none"> 1. That airstrips located on privately run stations be graded once per calendar year, when the Shire of Yalgoo work teams are in the area; and 2. DPAW/Government owned/managed stations are to be graded as "private works" at the current charge rate if requested; 3. To advertise the "Airstrips Grading Policy" changes to the pastoral stations within the Shire of Yalgoo. 	Policy 13.2 to be updated and advertised accordingly. To be included in July Meeting for Policy adoption.
27-May-16	Report on Damage to Shire of Yalgoo property and infrastructure:	That Council request the CEO to prepare a report on the damage to the Shire property and infrastructure over the Financial Year 2015-2016 detailing costs incurred for repairs.	Report N^o: 11.4.5 is included in this Agenda for consideration.
27-May-16	Prepare a Local Law for the Recovery of Costs from Damage to the Shire of Yalgoo Properties.	That Council request the CEO to investigate the legal requirements to create a Local Law to recover the costs associated with damage to Shire property and infrastructure.	Matter to be investigated and Report to be prepared for council consideration.

27-May-16	Review of Bulldust publication.	<p>1. That the Chief Executive Officer prepare a report on improving the form, structure and appearance of the Shire of Yalgoo publication, the “Yalgoo Bulldust”, in particular the report to address the following matters:</p> <ul style="list-style-type: none"> • Ways of improving the content of the publication; • The regularity of the publication; • Current Annual production costs; • Current staff resources; and • Additional resources required and associated estimated costs. 	To be completed for consideration by Council at its’ July 2016 meeting.
27-May-16	Tourism	<p>As per Notice of Motion - 12.1.5(5) Council Decision C2016-0515 - that the Chief Executive Officer prepares a report on the current tourism strategy for Yalgoo. In particular, the report to address the following matters:</p> <ul style="list-style-type: none"> a. Improvements to be made to tourist attractions: (Church, museum, Jokers Tunnel, railway building etc). b. Future plans to encourage tourism. c. Possible access to funding to aid tourism. 	To be completed for consideration by Council at its’ July 2016 meeting.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0607 Report on Matters Outstanding as at 17 June 2016

That Council receives Report N^o 11.4.1 Report on Matters Outstanding as at 17 June 2016.

Moved: Cr R Valenzuela

Seconded: Cr P Lawson

Motion put and carried 5/0

ATTENDANCE: 2.29 pm Karen Malloch (EA) left the meeting.

2.31 pm Karen Malloch (EA) rejoined the meeting.

11.4.2 Report on Fees and Allowances for Elected Members

File:	
Author:	Steven Cosgrove
Interest Declared:	No interest to disclose
Date:	7 th June 2016
Attachments (Yellow Cover)	<ul style="list-style-type: none"> WA Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members; and Local Government Officers (Western Australia) Interim Award 2011.

Matter for Consideration

To adopt the allowable elected member’s fees and travel reimbursements to enable Council to set its fees and allowances in preparation of the Draft Annual Budget 2016-17.

Background

Western Australia Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members on 12th April 2016, reviewed the fees and allowances for elected members to apply from 1st July 2016.

Elected members of a local government are entitled to payment for attending Council, Committee and other designated meetings. The President and Deputy President are also entitled to an annual payment for the additional services provided to the local government. Members are also entitled to payment for travel costs to attend these meetings.

The setting of the fees is prescribed in the Local Government Act and Administration Regulations and is reviewed each year by the Salaries and Allowances Tribunal (SAT). The fees and allowances referred to in this item are those approved in the SAT Determination in April 2016. The travel allowances are those set by Local Government Officers (Western Australia) Interim Award 2011.

The setting of fees paid to elected members is part of the budget process and as a practice; Elected Members will consider current fees and the permissible fees allowed under the Local Government Act.

Listed below is the determination of meeting fees and allowances from Salaries and Allowances Tribunal in April 2016 for Level 4 local governments and are as follows:

Meeting	Minimum	Maximum	Shire’s Current Fees
Council meetings/ Council	\$90	\$236	\$232
Council meetings / President	\$90	\$485	\$477
Committee meetings and prescribed meetings – all elected members	\$45	\$118	\$116
Presidential allowance	\$508	\$9,864	\$8,939
The Deputy President is entitled to 25% of the Presidential allowance			\$2,235
Childcare cost is the actual cost per hour or \$25 per hour, whichever is the lesser amount.			\$25 or actual whichever is the lesser
ICT Expenses			\$3,500

Statutory Environment

WA Salaries and Allowances Act 1975 Section 7A and 7B

SAT Determination June 2014 12 April 2016

Public Service Award 1992

Local Government Act s5.98

Local Government (Administration) regulations Reg.30, Reg.31, Reg. 32

1. Section 7A of the Salaries and Allowances Act 1975 ('the SA Act') requires the Salaries and Allowances Tribunal ('the Tribunal') at intervals of not more than 12 months, to "inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments".
2. Section 7B(2) of the SA Act requires the Tribunal, at intervals of not more than 12 months, to inquire into and determine - the amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 ('the LG Act') to elected council members for attendance at meetings.

Travel expenses

Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 31(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(1) to (5) of this Part for travel costs incurred while driving a privately owned or leased vehicle based on the same rate contained in Section 30.6 of the Local Government Officers (Western Australia) Interim Award 2011.

The rates are as follows:

Cents Per Kilometre	Kms	Rate
Purpose – Over 2600cc		99.01c /km
Purpose – Over 1600cc to 2600cc		70.87c /km
Purpose – 1600cc and under		58.37c/km

It is noted that Council in July 2015, resolved to set the rate at 99.01 cents per km for 2015-16, however the rates that should have been set are as above, as the rate is dependent on the engine capacity of the vehicle.

Consultation

Dominic Carbone

Comment

Council is requested to give consideration and adopt Fees and Allowances for Elected Members to apply from 1st July 2016 and such allowances to be incorporated in the 2016-17 draft annual budget.

Councillor J Kanny stated her views on the Elected Members Fees and Allowances.

Cr Kanny believes that serving on Council is a privilege and ideally, should be viewed as a voluntary position requiring minimal personal sacrifice for the benefit of the community. Cr Kanny stated the allowances paid to Elected Members were sufficient and an increase was not necessary or in the best financial interests of the Shire.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0608 Report on Allowances for Elected Members

That Council:

1. Sets the following fees and allowances as follows:

Council Meeting fee – elected members	\$ 236.00
Council Meeting fee – President	\$ 485.00
Committee Meeting fee – all members	\$ 118.00
Presidential allowance	\$ 9,864.00
Deputy President allowance (25% of the Presidents allowance)	\$ 2,466.00
Childcare Costs reimbursement	\$25 or actual costs Per hr which ever is the lesser
Information and technology allowance (ICT)	\$3,500 per member
Travel expense reimbursement	99.01c/km over 2600cc 70.87c/km over 1600cc to 2600cc 58.37c/km 1600cc and under

2. Subject to (1) above the fees and allowances be incorporated in the 2016-17 Annual Budget.

Moved: Cr P Lawson

Seconded: Cr J Kanny

Motion put and carried 4/1

ATTENDANCE: 2.54 pm Cr R Valenzuela left the meeting.

2.55 pm Cr R Valenzuela rejoined the meeting.

11.4.3 Purchase of 30,000 Litre Water Tanker

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	13 June 2016
Attachments (Yellow Cover)	

Matter for Consideration

That Council endorse the actions of the Chief Executive Officer for the purchase of a 30,000 Litre Water Tanker from General Transport Equipment Pty Ltd \$87,724.01 (inclusive of GST \$7,748.00).

Background

The Shire’s water tanker was involved in a rollover accident on 8 March 2016. The damage to the water tanker was the subject of an insurance claim, the insurance company agreed to reimburse the Shire the market value of \$74,000.00 less the excess of \$300.00 = \$73,700.00 (exclusive of GST) which was received on 16 May 2016.

Statutory Environment

Shire of Yalgoo Purchasing Policy 7.2

“...to obtain at least three written quotations to be considered by panel of CEO and either the Executive Manager Corporate or Executive Manager Works and Infrastructure”.

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.
- (2) Where expenditure has been incurred by a local government —
 - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Business Implications

In order to have sufficient funds to purchase the water tanker, an additional \$6,276.00 needs to be allocated from the Shire’s own resources.

Consultation

Nil

Comment

The following quotations were obtained for the purchase of a water tanker:

Kenny’s-R-Us	\$116,612.56	(excluding GST)
Boomerang Engineering	\$165,000.00	(excluding GST)
General Transport Equipment Pty Ltd	\$79,976.00	(excluding GST)

The Chief Executive Officer placed an order with General Transport Equipment Pty Ltd on the basis that the actions be endorsed accordingly by the Council.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0609 Purchase of 30,000 Litre Water Tanker

That Council:

- 1) That the Council endorse the actions of the CEO to purchase a 30,000 litre water tanker from General Transport Equipment Pty Ltd for \$87,724.00 (inclusive of GST) or \$79,976.00 (exclusive of GST).
- 2) Subject to (1) above approve the expenditure pursuant to Section 6.8 of the Local Government Act 1995.
- 3) The 2015-16 Annual Budget be amended as follows:

Increase Capital Expenditure Account N ^o C165206	30,000 litre Water Tanker	\$79,976.00
Increase Income Account N ^o I144020	Reimbursements	\$73,700.00
Decrease Expenditure Account N ^o E122055	Rural Road Maintenance	\$6,276.00

Moved: Cr R Valenzuela Seconded: Cr J Kanny Motion put and carried 5/0 by Absolute Majority

11.4.4 2014-2015 Annual Budget – Imposition of Rates and Minimum Proposal Requiring Ministerial Approval

File:	
Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	13 June 2016
Attachments (Yellow Cover)	<ul style="list-style-type: none"> • Report N^o 11.3.2 2014-2015 Annual Budget – Imposition of Rates and Minimums Proposal Requiring Ministerial Approval; • Legal Advice – Civic Legal.

Matter for Consideration

That Council approve an application to the State Administrative Tribunal (SAT) to make an order quashing the GRV and UV general rates for 2014-15 as per the Solicitor’s advice.

Background

At the Ordinary Council Meeting in January 2016 Council resolved to adopt the following:

“That Council:

- 1/. *Make application to the State Administrative Tribunal in accordance with Section 6.82 of the Local Government Act 1995 to have the following rates quashed:*

<i>GRV – Town Vacant Land Minimum</i>	<i>\$600:00</i>
<i>UV – Mining/Mining Tenement</i>	<i>35:75 cents</i>
<i>UV – Exploration and Prospecting</i>	<i>18:99 cents</i>
- 2/. *The Department of Local Government and Communities be advised of (1) above”.*

The above-mentioned resolution was authorised by the Council on the basis that Council adopted the 2014-2015 Annual Budget without first obtaining Ministerial approval for the following:

- 1/. To impose a minimum payment of rates of \$600.00 on vacant land in accordance with Section 6.35(5) of the Local Government Act 1995; and
- 2/. To adopt rates in the dollar that exceeds the 2:1 rates required under Section 6.35(5) of the Local Government Act 1995.

The matter was subsequently referred to the Shire’s Solicitors to prepare the necessary application to SAT.

Statutory Environment

Local Government Act 1995

- s.6.33 Differential general rates***
- s.6.82. General review of imposition of rate or service charge***
- s.6.3. Budget for other circumstances***
- s.6.32 Rates and service charges***

Business Implications

Nil

Consultation

Civic Legal

Dominic Carbone & Associates

Comment

Letter dated 22 February 2016 received from the Shires’ Solicitor Civic Legal in relation to the matter, states in part the following:

- i. Because the Shire’s “non-complying” rates relate to both the GRV rateable land (minimum proposed) and UV rateable land (differential rates for mining tenements), it would be necessary to quash the entire “general rate” for each of the GRV rateable land and the UV rateable land and not merely the particular “minimum payment” and mining tenements “differential rates”.
- ii. It remains open to the Shire to seek to argue that only the non-complying differential rates and the invalid minimum payment should be quashed and that the remainder of the rates should remain on foot. However, we see no particular benefit to the Shire to raise such an argument.
- iii. If all of the rates are quashed the Shire can simply “re-impose” the same “valid rates” if it so desires.
- iv. We therefore recommend that the Shire proceed by seeking that the GRV and UV general rates for 2014-2015 be quashed.

The Council is requested to consider quashing the general rates for both the GRV and UV rateable land in their entirety and not just the non-complying rates as per the Shire’s Solicitors advice.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0610 2014-2015 Annual Budget – Imposition of Rates and Minimum Proposal Requiring Ministerial Approval

That Council:

- 1) Based on advice received from its’ Solicitors Civic Legal, make application to the State Administrative Tribunal for the 2014-2015 GRV and UV general rates to be quashed in their entirety.**
- 2) Inform the Shire’s Solicitor Civic Legal, of (1) above and to file the Application with the State Administrative Tribunal.**

Moved: Cr J Kanny

Seconded: Cr P Lawson

Motion put and carried 5/0

11.4.5 Report on Damage to Shire Property and Infrastructure over the Financial Year 2015-2016

File:	
Author:	Steven Cosgrove
Interest Declared:	No interest to disclose
Date:	7 th June 2016
Attachments (yellow)	<ul style="list-style-type: none"> • LGIS Property – Certificate of Membership; • Zurich Policy Schedule.

Matter for Consideration

That Council receives an assessment on damages to calculate the costs incurred to Shire property and infrastructure so that an estimate of financial loss can be made.

Background

Council at its’ May 2016 Ordinary meeting requested the CEO to prepare a report on the damage to the Shire property and infrastructure over the financial year 2015-2016 to date.

Statutory Environment

Nil

Business Implications

Nil

Consultation

Nil

Comment

The Shire’s deductibles/excess for Property Protection Policy and Motor Vehicle Insurance Policy are noted on the attached policy documentation and summarised below.

<u>LGIS Property Protection</u>	<u>Deductable / Excess</u>
<u>Standard</u>	<u>\$1,000</u>
<u>Personal Property</u>	<u>\$250</u>
<u>General Property</u>	<u>\$100</u>
<u>Machinery Breakdown</u>	<u>\$100</u>
<u>Electronic Equipment Breakdown</u>	<u>\$250</u>
<u>Named Cyclone</u>	<u>\$50,000</u>
<u>Earthquake</u>	<u>1% or \$20,000 whichever is cheaper</u>
<u>Motor Vehicle and Plant</u>	<u>Deductable / Excess</u>
<u>Basic Excess</u>	<u>\$300</u>
<u>Capped Excess Any One Event</u>	<u>\$30,000</u>
<u>Non-owned Trailer Liability additional excess of \$2,500 per non-owned trailer</u>	

The worksheet below details all expenditure related to insurance claims and vandalism.

Financial year 2015-16	Cost	Insurance Excess /deductible	Amount recouped from Insurance	Net Cost to the Shire
	\$	\$	\$	\$
Damage to CEO house - Repair broken window	145.00	0	0	145.00
Damage to 48 Gibbons Street - Repair broken glass to door	186.00	0	0	186.00
Damage to 18b Shamrock St – repair broken window	418.00	0	0	418.00
Damage to 19b Stanley St – repair broken window	209.00	0	0	209.00
Replace damaged gate at Depot	869.55	0	0	869.55
Damage to Railway Station - Repair broken windows	1,248.50	1,000.00	248.50	1,000.00
Damage to Museum - Repair broken windows	1,160.50	1,000.00	160.50	1,000.00
Damage to CEO house - Replace front door and locks, remove section of damaged timber floor, replace with tiles. Cleaning of CEO house.	3,790.00	1,000.00.00	2,790.00	1,000.00
Cameras at public toilets – recent – awaiting invoice	0	0	0	0
Stolen Fuel Card	37,716.13	1,000.00.00.00	36,716.13	1,000.00
YA827 Holden Colorado Stolen Ute	43,885.00	300.00	43,585.00	300.00
YA480 Caterpillar Prime Mover – vehicle roll over	305,781.00	300.00	305,481.00	300.00
YA499 Holden Colorado Contaminated fuel	7,027.00	300.00	6,727.00	300.00
YA415 Mitsubishi Community Bus – multiple damage over years x 3 claims	9,900.00	900.00	9,000.00	900.00
YA0 Toyota Prado – scratches to paint	2,548.00	300.00	2,248	300.00
1ENJ717 Dual Cab Hilux – hit tree stump	5,149.00	300.00	4,849	300.00
TOTAL	420,032.68	6,400.00	411,805.13	8,227.55
Cost to Shire – All claims				8,227.55
Staff administration				1,813.12
			Total \$	10,040.67

It is estimated that each claim requires staff administration duties of up to 4 hours, these duties including writing/processing claim forms, taking photographs, travelling and invoicing. The Officer who attends to these duties has a pay rate of \$28.33, and therefore it is estimated that the administration costs amount to \$1,813.12.

The worksheet reveals that the overall cost to Council for the 2015-16 financial year to date amounts to \$10,040.67.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

C2016-0611 Report on Damage to Shire Property and Infrastructure Over the Financial Year 2015/16

That Council:

- 1. Receives the Report N^o 11.4.5 Report on Damage to Shire Property and Infrastructure over the Financial Year 2015-2016 to date.**

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

ATTENDANCE: 3.10 pm Cr J Kanny left the meeting.

3.12 pm Cr J Kanny rejoined the meeting.

12. NOTICE OF MOTIONS

1.1 PREVIOUS NOTICE RECEIVED

13. URGENT BUSINESS

The President requested that Council give consideration to two Items of Urgent Business.

13.1 was presented by Cr R Valenzuela and 13.2 by the CEO.

13.1 “Predominantly Women’s Week”.

Cr R Valenzuela proposed that the CEO following the program “Predominantly Women’s Week” perform an assessment and review.

The program that was held 15 – 18 June 2016 at the Yalgoo Shire Hall was organised and run by the Shire CYDC, Linaire Hodge, with the involvement of several community agencies.

Crs R Valenzuela, G Trenfield, and P Lawson stated some concerns regarding the event:

- The limited range of people attending, for example only the local women were present; Cr R Valenzuela indicated this to be discriminatory,
- No invitations had been sent out to the stations or other members of the community,
- There were a number of primary and secondary school children at the program, the concern is did they have approval from their principals to attend?
- Several workers in the town wished to have haircuts but were turned away, Cr G Trenfield understood that school workers were exempt as they are wage earners,
- Why were wage earners required to pay for their haircuts,
- Where did the activity and the budget for the event come from?
- Considering the concerns above, was the event under the “Shire umbrella?”

Councillors declared that a review was necessary to provide guidelines for future programs.

It was then moved by Cr R Valenzuela and seconded by Cr J Kanny:

COUNCIL DECISION

C2016-0612 Report on “Predominantly Women’s Week”.

That Council request the CEO to review and prepare a report on the “Predominantly Women’s Week” and deliver the outcomes and cost implications to Council at the next Ordinary Meeting of Council on 22 July 2016.

Moved: Cr R Valenzuela

Seconded: Cr J Kanny

Motion put and carried 5/0

ATTENDANCE: 3.40 pm Cr P Lawson left the meeting.

3.41 pm Cr P Lawson rejoined the meeting.

13.2 Use of Common Seal

The CEO advised Council that the Shire received an application for a Road Use Agreement, for use of the Yalgoo – Morawa Road from Deflector Mining Ltd.

It is necessary for the final legal document to be signed by the CEO and the President, and the Shire of Yalgoo Common Seal to be affixed.

It was then moved by Cr G Trenfield and seconded by Cr R Valenzuela:

COUNCIL DECISION

C2016-0613 Use of Common Seal

That Council acknowledges the use of the Common Seal of the Shire on the Road Use Agreement between the Shire of Yalgoo and Deflector Mining Ltd for the use of the Yalgoo – Morawa Road.

Moved: Cr G Trenfield

Seconded: Cr R Valenzuela

Motion put and carried 4/0

ATTENDANCE: 3.40 pm Cr P Lawson left the meeting.

3.41 pm Cr P Lawson rejoined the meeting.

ATTENDANCE: 3.46 pm Cr G Trenfield left the meeting.

3. 51 pm Cr G Trenfield rejoined the meeting.

ATTENDANCE: 3.48 pm CEO Silvio Brenzi left the meeting.

3.52 pm CEO Silvio Brenzi rejoined the meeting.

ATTENDANCE: 3.50 pm Cr N Grinham left the meeting.

3.52 pm Cr N Grinham rejoined the meeting.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

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

s5.23. Meetings generally open to the public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;
 - (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.

s5.92 Access to information by council, committee members

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

s5.93. Improper use of information

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

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the local government or any other person. Penalty: \$10 000 or imprisonment for 2 years.

Local Government (Rules of Conduct) Regulations 2007

s6. 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.

15. NEXT MEETING

The next Ordinary Meeting of Council will be held in the Council Chambers, Gibbons Street, Yalgoo on Friday 22 July 2016, commencing at 11.00 am.

16. MEETING CLOSURE

There being no further business the President closed the meeting at 3.52 pm.

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

