



UNCONFIRMED MINUTES  
OF THE ORDINARY MEETING  
OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, YALGOO  
ON 30 JUNE 2017  
COMMENCING AT 11.00 AM



## **DISCLAIMER**

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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,  
held in the Council Chambers, 37 Gibbons Street, Yalgoo,  
on 30 June 2017, 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 Deputy Shire President Raul Valenzuela declared the Ordinary Meeting open at 11:00 am.

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

MEMBERS	Cr Raul Valenzuela, Deputy Shire President Cr Robert Grinham Cr Gail Trenfield Cr Joanne Kanny Cr Greg Payne
STAFF	Steven Cosgrove, Coordinator Governance & Technical Services (CGTS) Karen Malloch, Executive Assistant (EA)
CONSULTANTS	Dominic Carbone, Dominic Carbone & Associates, via Skype link
GUESTS	
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	Cr Neil Grinham, Shire President Silvio Brenzi, CEO

## **3. DISCLOSURE OF INTERESTS**

Disclosures of interest made before the Meeting  
Nil

**4. PUBLIC QUESTION TIME****4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE**

Nil

**4.2 QUESTIONS WITHOUT NOTICE**

Nil

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

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED****7.0 MEETINGS ATTENDED BY ELECTED MEMBERS**

Nil events attended by Elected Members.

Date	Details	Attended with whom

## 8. CONFIRMATION OF MINUTES

### 8.1 ORDINARY COUNCIL MEETING

#### Background

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

#### Voting Requirements

Simple majority

#### OFFICER RECOMMENDATION/COUNCIL DECISION

**C2017-0601**     Minutes of the Ordinary Meeting

**That the Minutes of the Ordinary Council Meeting held on 26 May 2017 be confirmed.**

**Moved: Cr J Kanny**

**Seconded: Cr R Grinham**

**Motion put and carried 5/0**

## 9. MINUTES OF COMMITTEE MEETINGS

Nil

## 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 (e.g.: matters affecting employee/s or the personal affairs of any person).

#### 10.1.1 Damage to the Historic Monsignor Hawes St. Hyacinth Chapel

An item relating to the on-going vandalism and damage to Shire properties, namely the St Hyacinth Chapel, was presented by the Deputy President Cr Raul Valenzuela for Council consideration:

1. Damage to the historic Hyacinth Chapel;
2. The Police investigation; and
3. The Shire's stance on the matter.

Councillors agreed that the individuals and the families involved should be held accountable and various options were discussed.

The Deputy President Cr Raul Valenzuela requested that Council give consideration to the following in order to propose a Motion for debate:

- a/. To invite Sergeant Nathan Johansen to attend the next Ordinary Council Meeting on 28 July 2017;
- b/. The CEO speak to the Community Youth & Development Officer, Linaire Hodge, in regard to the children and parents involved, and restricting their access to Shire funded activities; and

- c/. A letter be sent to the parents of the individuals involved, detailing consequences and action to be taken by the Shire.

After this matter was debated the following Motion was Moved by Cr J Kanny and Seconded by Cr Greg Payne.

### **Voting Requirements**

Simple majority

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

**C2017-0602     Action to be taken by the Shire of Yalgoo Regarding the Damage Incurred to the Monsignor Hawes St Hyacinth Chapel**

**That Council:**

- a/. Invite Sergeant Nathan Johansen to attend the next Ordinary Council Meeting on 28 July 2017;
- b/. The CEO speak to the Community, Youth and Development Officer, Linaire Hodge, in regard to the children and parents involved once confirmed, and restricting access to Shire funded activities for children over the school term and the parents for a two week period.

**Moved: Cr J Kanny**

**Seconded: Cr G Payne**

**Motion put and carried 5/0**



## **11. MATTERS FOR DECISION**

### **11.0 MATTERS BROUGHT FORWARD**

### **11.1 TECHNICAL SERVICES**

#### **11.1.1 Progress Report on the Capital Works Program 2016 - 2017**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 June 2017
Attachments	Nil

#### **Matter for Consideration**

To receive the Progress Report on the 2016 – 2017 Capital Works Program.

#### **Background**

The Shire in adopting its 2016 – 2017 Annual Budget has allocated funds amounting to \$3,182,204 for the purpose of acquiring capital assets and undertaking infrastructure works.

#### **Statutory Environment**

Nil

#### **Strategic Implications**

Timely delivering of the various capital projects which will deliver the objectives of the Community Strategic Plan.

#### **Policy Implications**

Nil

#### **Financial Implications**

To deliver the Capital Works Program within the budgeted allocations.

#### **Consultation**

Nil

#### **Comment**

The Capital Works Projects for the 2016-2017 financial year are detailed below:

**CAPITAL WORKS PROGRAMME 2016-17**

The following assets and works are budgeted to be acquired or undertaken during the year:

		2016-17 ANNUAL BUDGET	2016-17 BUDGET REVIEW	2016-17 JULY-MAY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$		YTD \$	\$	
<b>PROJECTS COMPLETED</b>						
						The CEO to provide a verbal update on the status of the capital projects as at 31 May 2017
000000- Admin Cente - Renovation of Storage Room to Office Space	L & B	0	320	320	0	Project completed
000000-Council Chamber Improvements	F & E	5,000	5,302	5,302	0	Project completed
000000- Admin Centre - New Front Reception Counter	L & B	8,140	8,140	8,140	0	Project completed
000000- Admin Centre - Internal Painting	L & B	15,000	13,455	13,455	0	Project completed
000000- Motor Vehicle CEO	P & E	90,000	86,698	87,345	(647)	Project completed minor variance
C175001- Mobile Phones HCP and Caravan Park	F & E	0	2,160	2,160	0	Project completed
C175002- Mobile Phone CGTS	F & E	0	1,368	1,368	0	Project completed
C175203- Laptop HP Spectre CEO	F & E	0	2,599	2,599	0	Project completed
C175205 - Telephone System - Office	F & E	0	12,055	11,265	790	Project completed minor variance
C175102-Staff Housing - 3 Storage Shed	L & B	17,400	17,710	17,710	0	Project completed
000000-Staff Housing - 6 Henty street Replace Carpet with Floor Board	L & B	7,000	6,042	6,042	0	Project completed
000000-Staff Housing - 8 Henty street Colorbond Fence Front	L & B	3,000	1,111	1,111	0	Project completed
C175101- Mobile Ablution Block	L & B	15,000	11,066	11,067	(1)	Project completed minor variance
C175110 - Furniture - Hall Lotterywest	F & E	0	4,282	4,896	(614)	Project completed minor variance
C165233 - Community Hall - Detailed Plan for Renovations	L & B	10,000	5,308	5,308	0	Project completed
000000- Kubota Utility Parks	P & E	28,000	27,965	27,965	0	Project completed
000000- Truck 3 Tonne Parks	P & E	64,000	57,390	57,390	0	Project completed
000000- Replace Playground Equipment - Shamrock Park	Recreation	45,000	45,000	35,000	10,000	Project completed with savings
000000- Trailer Float Reconditioning	P & E	30,000	29,813	29,813	0	Project completed
000000- Mobile Batching Plant	P & E	68,700	74,300	74,300	0	Project completed
000000- 3qm Agitator Truck Second Hand	P & E	35,000	27,727	27,727	0	Project completed
000000- Motor Vehicle Works Foreman	P & E	75,000	68,823	68,823	0	Project completed
000000- Works Truck	P & E	92,000	82,970	82,970	0	Project completed
000000- Yalgoo/Ninghan Road - Shoulder Binding	Roads	180,000	180,000	177,438	2,562	Project completed minor savings
000000- Yalgoo/Ninghan Road - Seal	Roads	212,310	0	0	0	Project did not go ahead
C165106 - Yalgoo/Ninghan Road -Reform and Resheet to 8M Wide Slk 25-32	Roads	322,564	322,564	320,040	2,524	Project completed minor savings
C165105- Yalgoo/North Road -Reform and Resheet	Roads	142,350	347,869	348,714	-845	Project completed minor variance
000000- Caravan Park Washing Machine Replacement	F & E	0	2,450	2,450	0	Project completed
C175104- Shade Structure Caravan Park	L & B	2,520	2,520	2,520	0	Project completed
000000- Caravan Park Sealing of Rammed Earth Walls	L & B	15,000	12,000	12,000	0	Project completed
000000- Caravan Park Auto Reticulation System	L & B	30,000	32,133	32,134	(1)	Project completed minor variance
000000- Entry Road Sheeting Jokker Tunnel	Other	15,000	24,003	24,003	0	Project completed
C175103- Admin Centre - Covered Area Carpark	L & B	11,000	12,020	12,020	0	Project completed
000000-Council Chamber Chairs Replacement	F & E	10,000	10,000	0	10,000	Project completed not yet invoiced
000000-Staff Housing - Power to 3 Storage Sheds	L & B	8,000	8,000	0	8,000	Project completed not yet invoiced
C175112 - Furniture - Art Centre Lotterywest	F & E	0	15,430		15,430	Project completed not yet invoiced
000000- Yalgoo/Morawa Road - Reseal Program	Roads	5,255	5,255	0	5,255	Completed not yet invoiced
000000- Shelter and Seating Jokker Tunnel	L & B	15,000	15,000	10,946	4,054	Project completed
000000- Shelter and Visitors Board at Railway Station	L & B	15,000	15,000	10,946	4,054	Project completed
000000- Land Purchases lot 134 and 135 Piesse Street	Other	0	4,000	0	4,000	Project completed awaiting settlement
000000- New Fence - Shamrock Park	Recreation	5,000	5,000	0	5,000	Completed not yet invoiced
000000 - 2 Replacement Irigation Pumps	Recreation	8,000	8,000	0	8,000	Completed not yet invoiced

		2016-17 ANNUAL BUDGET	2016-17 BUDGET REVIEW	2016-17 JULY-MAY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$		YTD \$	\$	
000000- Ninghan Homestead Road Floodway Crossover	Roads	20,000	20,000	0	20,000	Completed not yet invoiced
000000- Caravan Park Multiple Store Shelving	F & E	1,200	1,200	0	1,200	Completed not yet invoiced
<b>PROJECTS IN PROGRESS</b>						
000000 - Arts and Crafts Building	L & B	381,837	381,837	337,737	44,100	In progress
C175113 - Furniture - Day Care Centre Lotterywest	F & E	0	15,596		15,596	In progress
000000 -Community and Youth Centre CLGF 2012-13 Unspent	L & B	44,222	44,222	0	44,222	In progress
000000- Paynes Find Solar Lights	Other	0	60,000	48,000	12,000	In progress
000000- Ablution Block Depot	L & B	20,000	20,000	16,000	4,000	In progress
000000- Electric Boundary Fence Depot	L & B	45,500	45,500	53,680	(8,180)	In progress
000000- Yalgoo/Morawa Road - Widen	Roads	400,000	612,302	0	612,302	In progress
000000- Admin Cente - Refurbish Morning Tea / Public Meeting Room	F & E	5,000	5,000	0	5,000	In progress
000000- CCTV - Yalgoo Town site	F & E	60,248	60,248	0	60,248	In progress
000000-Staff Housing -75 Weekes Street Landscaping	L & B	5,000	5,000	0	5,000	In progress
000000-Staff Housing -8 Henty Street Landscaping	L & B	5,000	5,000	0	5,000	In progress
000000-Staff Housing - 19b Stanley Street Floorboards, Gate,Skylight	L & B	4,500	4,500	0	4,500	In progress
000000- Wame River Crossover	Roads	20,000	20,000	0	20,000	In progress
<b>PROJECTS YET TO BE FINALISED</b>						
000000-Staff Housing - 19b Stanley Street Security Screens	L & B	2,000	2,000	0	2,000	Project yet to commence
000000- Admin Centre - Records Fit Coolroom Panel to Sea Container	L & B	16,800	16,800	0	16,800	requires further investigation
000000-Staff Housing - 2 Units 17 Shamrock Street	L & B	0	86,350		86,350	Funds to be carried forward 2017-18 subject to grant funding
000000 - Community/ School Oval Shared Use Development	Recreation	400,000	150,000	0	150,000	Funds to be carried forward 2017-18 subject to grant funding
000000- Paynes Find Beautification	Other	78,658	18,658	0	18,658	Project yet to commence
000000- Paynes Find Airstrip Fence	Other	45,000	45,000	0	45,000	Project yet to commence
000000- Caravan Park Sealing of Parking Bays and Driveways	L & B	22,000	22,000	0	22,000	Project yet to commence
		<b>3,182,204</b>	<b>3,254,061</b>	<b>1,990,704</b>	<b>1,263,357</b>	

1,263,357

## **Voting Requirements**

Simple Majority

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

**C2017-0603     Progress Report on the Capital Works Program 2016 - 2017**

**That Council receive the Progress Report on the Capital Works Program 2016 – 2017 as at May 2017.**

**Moved: Cr R Grinham**

**Seconded: Cr G Trenfield**

**Motion put and carried 5/0**

## 11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

Nil

## 11.3 FINANCE

### 11.3.1 Accounts for Payment May 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 June 2017
Attachments	Nil

### Matter for Consideration

Council approve the Accounts for Payment list for the period 1 May 2017 to 31 May 2017 as detailed in the report below.

### Background

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requires the Chief Executive Officer to present a list of accounts paid and/or payable to Council and such to be recorded in the minutes of the meeting.

### Statutory Environment

*Local Government Act 1995*

#### 6.10 Financial Management regulations

Regulations may provide for –

- a. The security and banking of money received by a local government' and
- b. The keeping of financial records by a local government; and
- c. The management by a local government of its assets, liabilities and revenue; and
- d. The general management of, and the authorisation of payments out of –
  - I. The municipal fund; and
  - II. The trust fund, of a local government.

### Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
  1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –
    - I. The payee's name; and
    - II. The amount of the payment; and
    - III. The date of the payment; and
    - IV. Sufficient information to identify the transaction.
  2. A list of accounts for approval to be paid is to be prepared each month showing –
    - a. For each account which requires council authorisation in that month –
      - I. The payee's name; and
      - II. The amount of the payment; and
      - III. Sufficient information to identify the transaction; and
    - b. The date of the meeting of the council to which the list is to be presented.

3. A list prepared under subregulation (1) or (2) is to be –
  - a. Presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - b. Recorded in the minutes of that meeting.

**Strategic Implications**

Nil

**Financial Implications**

Nil

**Consultation**

Nil

**Comment**

The list of accounts paid for the period 1 May 2017 to 31 May 2017 are as follows:

**SHIRE OF YALGOO**  
**LIST OF ACCOUNTS PAID AND PAYABLE**  
**FOR THE PERIOD 1 MAY 2017 TO 31 MAY 2017**

DATE	PAYEE	PARTICULARS	AMOUNT
PAID			\$
05/05/2017	AMPAC Debt Recovery (WA) Pty Ltd	Debt Collection Costs	1,345.85
05/05/2017	Atyeo's Environmental Health Services PL	EHO and Building Control Consultancy	3,544.00
05/05/2017	BOQ Asset Finance & Leasing Pty Ltd	Photocopier Rental	329.50
05/05/2017	Bunnings Building Supplies Pty Ltd	Workshop consumables, Plant-seedlings, Posts	994.50
05/05/2017	Canine Control	Animal Ranger Expenses	929.50
05/05/2017	Courier Australia	Freight Charges	441.17
05/05/2017	David Roche	Paynes Find Complex Expenses	540.00
05/05/2017	Ellis & Sons Constructions	Demolish Costs - 17 Shamrock Rd	10,285.00
05/05/2017	Fairfax Media Publications Pty Limited	Tourism Advertising	159.38
05/05/2017	Five Star Business Equipment & Comms	Copier Paper Reading Photocopier Maintenance	2,699.43
05/05/2017	Gail Trenfield.	Members Meeting Fees and Communications Allowance	291.67
05/05/2017	Refuel Australia	Fuel and Oil Supplies	10,539.61
05/05/2017	Geraldton Mower & Repair Specialist	Parts and Repairs - YA489, YA483	473.20
05/05/2017	Geraldton Toyota	Parts and Repairs - YalgooCeo Vehicle	682.88
05/05/2017	Geraldton Tv & Radio Services Co	Housing Rairs and Maintenance	372.90
05/05/2017	GM Freight	Freight Charges	264.00
05/05/2017	GNC Quality Precast Geraldton	Septic Tank - Art Centre	3,789.50
05/05/2017	Hoppys Parts R Us	Parts & Repairs - Battery Terminal, Jockey Wheel	219.21
05/05/2017	Joanne Kanny	Members Meeting Fees, Communications Allowance and Travelling	890.04
05/05/2017	Landgate	Valuation Expenses	68.40
05/05/2017	Marketforce	Advertising - Election Expenses	12,442.27
05/05/2017	Midwest Group Aff Ag Societies	Members Donations - 2017 Royal Sow Display	100.00
05/05/2017	Midwest Pest Management	Termite Treatments to Shire Buildings and Staff Housing	5,015.00
05/05/2017	Murchison Earthmoving & Rehabilitation	Maintenance Grade - Paynes Find Air Strip	720.00
05/05/2017	PaynesFind Road House & Tavern	Council Meeting Lunch, Accommodation - Neil Grinham, Raul Valenzuela	591.90
05/05/2017	Playmaster Pty Ltd	Playground Equipment - Shamrock Park	38,500.00
05/05/2017	Proudlove's Smash Repairs	Repairs - YA805	300.00
05/05/2017	Raul. Valenzuela	Members Meeting Fees, Communications and Deputy President Allowance	713.92
05/05/2017	Robert Grinham	Members Meeting Fees, Communications Allowance and Travelling	1,054.40
05/05/2017	S & H Cranes P/L	Crane Hire - Art Centre	154.00
05/05/2017	Staples Australia Pty Limited	Office Equip Mtce, HCP Project Activity Expenses, Staff Amenities, Printing & Stationery	2,228.85
05/05/2017	Structerre Consulting Engineers	Yalgoo Art Centre	825.00
05/05/2017	U R Safe Pty Ltd	Depot Security	1,099.00
05/05/2017	Veolia Environmental Services	Household and Commercial Refuse Collection	4,005.94



DATE	PAYEE	PARTICULARS	AMOUNT
PAID			\$
05/05/2017	Wavecrest Projects Pty Ltd.	Maintenance Repairs - Public Amenities, Railway Station	6,688.00
05/05/2017	Westrac Equipment Pty Ltd	Parts and Repairs - YA457, YA424, YA860, YA890, YA807	7,091.94
05/05/2017	Yalgoo Districts Jockey Club.	Alcohol Bond Reimbursement - 2017 Yalgoo Races	1,000.00
5/11/2017	Payroll	Various	37,184.31
19/05/2017	Beaurepaires	Tyres - YA465	390.00
19/05/2017	Bunnings Building Supplies Pty Ltd	Consumables - Depot, Caravan Par, Shamrock Park	176.46
19/05/2017	Burgess & Sons Consulting	Consultancy	11,200.00
19/05/2017	Civic Legal	Legal Expenses - Debts Recovery	4,810.85
19/05/2017	Cockburn Cement Ltd	Cement Products - Rural Road Maintenance	2,211.00
19/05/2017	Concept Media Pty Ltd	Tourism Advertising	440.00
19/05/2017	Dominic Carbone & Associates	Consultancy	5,005.00
19/05/2017	Five Star Business Equipment & Comms	Copier Paper Reading	494.78
19/05/2017	Geraldton Toyota	Service and Repairs - YA778	556.47
19/05/2017	J & K Hopkins	Council Chambers Chair	449.00
19/05/2017	J R & A Hersey	Workshop Consumables	246.95
19/05/2017	Linaire Hodge.	Reimbursement - Staff Training Expenses	300.52
19/05/2017	Midwest Chemical & Paper	Cleaning Supplies - Caravan Park	95.03
19/05/2017	Murray River North Pty Ltd	Yalgoo Art Centre	65,645.20
19/05/2017	Neil Grinham	Members Meeting Fees, Communications Allowance, Travelling and President Allowance	980.64
19/05/2017	Novus Autoglass Midwest	Windscreen Repairs - YA805	306.00
19/05/2017	Ocean Centre Hotel Geraldton	Accommodation - Councillors Training Expenses	557.00
19/05/2017	Proudlove's Smash Repairs	Repairs - YA840, YA 0	900.00
19/05/2017	Redi Hire Solutions	Machine Hire - Shamrock Park	454.96
19/05/2017	Silvio Brenzi	Payroll Deduction Reimbursement	310.00
19/05/2017	ThinkWater Geraldton	Reticulation Parts - Community Park	197.95
19/05/2017	Totally Workwear Geraldton	Staff Uniforms	644.90
19/05/2017	Urbis Pty Ltd	Consultancy -Town Planning	2,374.78
25/05/2017	Payroll	Various	37,457.46
31/05/2017	Child Support Agency	Payroll Deduction to Child Support	352.56
31/05/2017	WA Shire Councils Union	Payroll Deduction Union Fee	82.00
31/05/2017	Shire of Yalgoo Municipal Fund	Payroll Deduction to Pay of Debt	200.00
31/05/2017	Shire of Yalgoo Municipal Fund	Payroll Deduction to Pay of Debt	100.00
05/05/2017	BOC Limited	Workshop Consumables	103.15
05/05/2017	Horizon Power	Lighting of Streets	705.59
05/05/2017	Telstra Corporation Ltd	Telephone-Internet	169.95
03/05/2017	AMP Flexible Lifetime Super	Super Contributions	543.20
03/05/2017	Australian Super	Super Contributions	694.26
03/05/2017	Colonial First State	Super Contributions	493.42



DATE	PAYEE	PARTICULARS	AMOUNT
PAID			\$
03/05/2017	Concept OneThe Industry Superannuation Fu	Super Contributions	531.12
03/05/2017	WA Super	Super Contributions	9,375.85
05/05/2017	Corporate & Resource Consultants P/L.	Rates Refund	247.08
05/05/2017	Extension Hill Pty Ltd.	Rates Refund	148.93
05/05/2017	Metalicity Energy P/L	Rates Refund	262.35
05/05/2017	Red Dragon Mines NL	Rates Refund	700.56
05/05/2017	Target	HCP Project Activity Expenses	307.20
05/05/2017	The West Australian	Tourism Advertising	795.00
05/05/2017	Water Corporation	Water Supply Charges to Various Buildings and Shire Staff Housing	5,958.02
05/05/2017	Yalgoo Gymkhana Club.	Alcohol Bond Deposit - 2017 Yalgoo Races	1,000.00
5/02/2017	NAB	Bank Fees	62.74
5/03/2017	Department of Transport	Licencing	25.30
5/08/2017	Department of Transport	Licencing	327.30
19/05/2017	Battery Mart	Parts	576.40
19/05/2017	Department of Transport	Licencing	204.45
23/05/2017	Department of Transport	Licencing	41.80
24/05/2017	Department of Transport	Licencing	13.20
30/05/2017	Credit Card	Transfer to Credit Card	5,000.00
31/05/2017	Credit Card	Transfer to Credit Card	4,000.00
31/05/2017	Department of Transport	Licencing	767.45
31/05/2017	NAB	Bank Fees	49.00
31/05/2017	Adjustment	Journal	0.08
			291,159.72

**Voting Requirements**

Simple Majority

Cr Greg Payne asked what the amount shown against the Credit Card represented and whether a detailed breakdown would be provided.

Consultant Dominic Carbone, explained to Council that the figures represent the transfer of funds from the Municipal Account to the Credit Card to reimburse for expenditure. When the reconciliation of the Credit Card is done, the items of expenditure paid by the Credit card, will be put on the list for the next meeting.

The Elected Members also discussed items of concern:

- a/. the HCP budget expenditure and;
- b/. the Horizon Power figures for street lighting, considering the present very poor street lighting throughout the township.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2017-0604     Accounts for Payment May 2017**

**That Council approve the list of accounts paid for the period 1 May 2017 to 31 May 2017 amounting to \$291,159.72 and the list be recorded in the Minutes.**

**Moved: Cr J Kanny**

**Seconded: Cr R Grinham**

**Motion put and carried 5/0**

### 11.3.2 Financial Activity Statements and Accounts Paid for the Period ended the 31 May 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 June 2017
Attachments	<ul style="list-style-type: none"> <li>• Statement of Comprehensive Income ending the 31 May 2017;</li> <li>• Statement of current Financial Position;</li> <li>• Financial Activity Statement;</li> <li>• Summary of Current Assets and Current Liabilities as of 31 May 2017;</li> <li>• Detailed worksheets;</li> <li>• Other Supplementary Financial Reports:                             <ul style="list-style-type: none"> <li>○ Reserve Funds;</li> <li>○ Loan Funds;</li> <li>○ Trust Fund</li> </ul> </li> </ul>

#### 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.

#### Statutory Environment

##### *Local Government Act 1995*

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

##### *Local Government (Financial Management) Regulations 1996*

Regulation 34 states:

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

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

#### Strategic Implications

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.

## Policy Implications

- 2.1 Capitalisation of Assets
- 2.4 Material Variance

## Financial Implications

Payments from Council's Municipal Account as disclosed in the budget or subsequently approved.

## Consultation

Dominic Carbone – Dominic Carbone & Associates

## Comment

The Shire prepares the monthly financial statements in the statutory format along with the other supplementary financial reports comprising of:

- Statement of Comprehensive Income;
- Statement of Financial Position;
- Reserve Funds;
- Loan Funds; and
- Trust Fund.

The areas where material variances have been experienced (10% or \$10,000 above or below budget) are commented on in the material variance attachment.

## Voting Requirements

Simple Majority

Cr Greg Payne requested a breakdown on expenditure in relation to the HCP Programme. With the agreement of the Seconder and Mover that the Motion be amended to include a part B incorporated in the Motion.

## OFFICER RECOMMENDATION

### **R34 (1) Financial Activity Statements for the Period ended the 31 May 2017.**

**That Council adopts the Financial Activity Statement for the period ended 31 May 2017.**

**Moved: Cr G Trenfield**

**Seconded: Cr J Kanny**

**Motion Amended**

## COUNCIL DECISION

### **C2017-0605    R34 (1) Financial Activity Statements for the Period ended the 31 May 2017.**

**A/. That Council adopts the Financial Activity Statement for the period ended 31 May 2017; and**

**B/. That information in relation to expenditure incurred under the HCP programme be supplied by the CEO at the next meeting to be held on 28 July 2017.**

**Moved: Cr G Trenfield**

**Seconded: Cr J Kanny**

**Motion put and carried 5/0**

**Attendance:** Cr G Trenfield left the meeting at 11.55 am.

**Attendance:** Cr G Trenfield re-joined the meeting at 11.57 am.

**Attendance:** Cr J Kanny left the meeting at 11.58 am.

**Attendance:** Cr J Kanny re-joined the meeting at 11.59 am.

**11.3.3 Investments as at 31 May 2017**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 June 2017
Attachments	Nil

**Matter for Consideration**

That Council receive the Investment Report as at 31 May 2017.

**Background**

Money held in the Municipal Fund of the Shire of Yalgoo that is not required for the time being may be invested under the Trustee Act 1962 Part III.

**Statutory Environment****Local Government Act 1995****6.14. Power to invest**

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).
- (2) Regulations in relation to investments by local governments may —
  - (a) make provision in respect of the investment of money referred to in subsection (1); and
  - [(b) *deleted*]
  - (c) prescribe circumstances in which a local government is required to invest money held by it; and
  - (d) provide for the application of investment earnings; and
  - (e) generally provide for the management of those investments.

**Local Government (Financial Management) Regulations 1996****19. Investments, control procedures for**

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —
  - (a) the nature and location of all investments; and
  - (b) the transactions related to each investment.

**19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

- (1) In this regulation —
  - authorised institution** means —
    - (a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or
    - (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;
  - foreign currency** means a currency except the currency of Australia.

(2) When investing money under section 6.14(1), a local government may not do any of the following —

- (a) deposit with an institution except an authorised institution;
- (b) deposit for a fixed term of more than 12 months;
- (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (d) invest in bonds with a term to maturity of more than 3 years;
- (e) invest in a foreign currency.

### Strategic Implications

Nil

### Consultation

Nil

### Comment

The worksheet below details the investments held by the Shire as at 31 May 2017:

SHIRE OF YALGOO INVESTMENTS AS AT 31 MAY 2017								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N <sup>o</sup>	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$1,582,650.47
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$40,909.11
NAB	N/A	Term Deposit	89-977-1574	1 moth 14 days	16.05.2017	30.06.2017	2.00%	\$61,241.88
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,569.47
<b>TOTAL</b>								<b>\$1,736,370.93</b>
<b>RESERVE FUNDS</b>								
NAB	N/A	Term Deposit	97-511-445	3 moths 20 days	16.09.2016	30.06.2017	2.52%	\$157,378.40
NAB	N/A	Term Deposit	89-972-5236	1 month 14 days	16.05.2017	30.06.2017	2.00%	\$456,921.48
NAB	N/A	Term Deposit	11-186-3992	3 months 20 days	19.06.2016	30.06.2017	2.52%	\$1,041,921.23
<b>TOTAL</b>								<b>\$1,656,221.11</b>
<b>TRUST</b>								
NAB	N/A	Trust a/c	50-832-4559	Ongoing	N/A	N/A	Variable	
<b>TOTAL</b>								<b>\$21,838.51</b>

INVESTMENT REGISTER						
01 MAY 2017 TO 31 MAY 2017						
NATIONAL AUSTRALIA BANK						
ACCOUNT N <sup>o</sup>	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 30.04.2017	INVESTMENT TRANSFERS	CLOSING BALANCE 31.05.2017
86-538-7363	Ongoing	Variable	\$40,656.41	\$252.70	0	\$40,909.11
89-977-1574	16.05.2017	1.7%	\$409,475.52	\$1,766.36	\$350,0000	\$61,241.88
24-831-4222	Ongoing	Variable	\$51,251.03	\$318.44	0	\$51,569.47
77-142-8128	30.06.2017	2.52%	\$153,109.12	\$2,276.93	0	\$157,378.40
89-972-5236	30.06.2017	2.00%	\$448,595.14	\$8,326.34	0	\$456,921.48
14-662-6305	30.06.2017	2.52%	\$1,013,656.59	\$28,264.64	0	\$1,041,921.23

The Consultant Dominic Carbone, drew Council’s attention to the ratio between the “Restricted” and “Unrestricted funds.”

Mr Carbone cautioned Councillors, it is very important they understand that the restricted funds are tied up and reserved for specific projects, leaving \$80,000 in unrestricted funds for day-to-day expenditure.

### **Voting Requirements**

Simple Majority

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

**C2017-0606     Investments as at 31 May 2017**

**That the Investment Report as at 31 May be received.**

**Moved: Cr J Kanny**

**Seconded: Cr G Trenfield**

**Motion put and carried 5/0**

## 11.4 ADMINISTRATION

### 11.4.1 Report on Matters Outstanding as at 16 June 2017

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 June 2017
Attachments	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
16 Dec 16	Closure of Noongal Homestead Access Road	<ol style="list-style-type: none"> <li>1. Initiates the closure of Noongal Road in accordance with Section 58 of the Land Administration Act 1997.</li> <li>2. Advertise for the proposed road closure for 35 days and seek comments from providers of public utility services and the general public.</li> <li>3. Following the public advertising period, considers the proposal in light of any objections or if no objections are received the matter be referred to the Minister for Lands for implementation.</li> <li>4. Inform the owners of Noongal Station that all costs associated with the closure and amalgamation including advertising will be at their own expense.</li> </ol>	Owners of Noongal Station on 12 June 2017 advised that they do not wish to proceed with the closure of Noongal Road.



18 Aug 16	Establishment of an Emergency Services Training Centre in Yalgoo.	That Council engage the services of a suitable consultant to undertake a review of the Business Case for the construction of a Volunteer Emergency Services Training and Operations Centre/VESTOC in Yalgoo	Consultant yet to be engaged. To be followed up.
27 Oct 16	Employees Collective Enterprise Agreement	Council resolved to authorise CEO to obtain necessary approvals.	The EBA is being reviewed by WALGA to reflect State legislation. The final document has been received and will be distributed to staff for comment and voting.
16 Dec 16 & 26 Feb 17	Closure of Thoroughfare Adjacent to Lots 27, 25, 23 and 19 Gibbons Street , Yalgoo	Proceed with the proposal for the closure of the lane-way located at the rear of Lots 27, 25, 23, 21 and 19 Gibbons Street; Yalgoo. Chief Executive Officer initiate the process as outlined in the report.	Advice from URBIS received. Letters sent out to all Land owners on 12 <sup>th</sup> April 2017 advising of current status (scope of works and fees - URBIS). Waiting on response from all Land owners.
24 Feb 17	Purchase of Lots 134 & 135 Piesse Street, Yalgoo	That Council give consideration to the purchase of Lots 134 & 135 Piesse Street, Yalgoo, and to make an offer not exceeding \$2,000.00 each, to the owner of Matzin Capital Pty Ltd	Council offer accepted. Authorisation of expenditure incorporated in 2016-2017 Budget Review. Council at the meeting on 28 April 2017 authorised the affixing of the Common Seal. Settlement date occurred on 16 June 2017.
31 Mar 17	Under-taking a Review of the Shire of Yalgoo Policies	That the CEO under-take a review of the Shire Policies over the next three months.	In Progress
28 April 17	Rezoning of Lot 65 and Lot 66 from Public Purpose Reserve to Residential	Allocate \$12,000 in the 2017-18 Draft Annual Budget for the purpose of initiating a scheme amendment for the rezoning of Lot 65 and Lot 66 from Public Purpose Reserve to Residential.	To be incorporated in the 2017-18 Draft Annual Budget.
26 May 2017	Differential Rating 2017-18 Proposed Rates & Minimums	That Council advertise the intention to impose the Proposed Differential Rates and record 21 day submission period.	Advertisement placed in the West Australian 6 June 2017, Geraldton Guardian 6 June 2017 and Midwest Times 7 June 2017

26 May 2017	Capital Expenditure Items to be incorporated in 2017-18 Draft Budget	The report was deferred for a work shop held on 16 June 2017.	Matter subject to a report in this Agenda.
26 May 2017	Request by DPAW to install Tourist information shelters, signage and pull-over bays	That Council advise DPAW: <ol style="list-style-type: none"> <li>1. That the proposed works are considered Public Works and as such are exempt from Planning Approval;</li> <li>2. That the Shire be provided with an Engineer's Certification addressing the drainage and proximity to intersections of the proposed works; and</li> <li>3. That the Shire has no objection to the erection of road signs.</li> </ol>	DPAW was advised by email dated 29 May 2017.
26 May 2017	Re-allocation of surplus R4R CLGF Grants 2012-13	That Council apply to DRD to utilise the unsent \$44,222 for installing shade sails at the Water Park and apply for an extension to FAA to 31.10.2017, and authorise the Capital Expenditure accordingly.	Letter to the Department of Regional Development sent on 31 May 2017.
26 May 2017	Disposal of Depot Fuel tank	Council accepted an offer from Great Southern Fuel Supplies for \$3,000 + GST.	Proceeds from sale received on 30 May 2017.
26 May 2017	Review of Delegations	Inform CEO in writing of Delegations conferred and CEO in turn inform Shire Employees of any delegations.	Advice sent on 1 June 2017.
26 May 2017	Invitation to WALGA President	That Council send an invitation to the WALGA President and her advisor to attend a future Ordinary Meeting of Council.	Letter sent on 6 June 2017.

### Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION/COUNCIL DECISION

**C2017-0607     Report on Matters Outstanding as at 16 June 2017**

**That Council receives Report N<sup>o</sup> 11.4.1 Report on Matters Outstanding as at 16 June 2017.**

**Moved: Cr R Grinham**

**Seconded: Cr G Payne**

**Motion put and carried 5/0**

**ADJOURNMENT: Lunch 12:27 pm – 1:23 pm.**

The Deputy Shire President, Raul Valenzuela Moved a Motion to adjourn the Ordinary Council Meeting at 12:27 pm for lunch.

The Motion was Moved by Cr Joanne Kanny and Seconded by Cr G Payne.

The Motion was put to the vote and carried 5/0.

The Deputy Shire President, Raul Valenzuela Moved a Motion to reopen the Ordinary Council Meeting at 1:23 pm.

The Motion was Moved by Cr R Valenzuela and Seconded by Cr G Trenfield.

The Motion was put to the vote and carried 5/0.

Returning to the meeting were:

Cr Raul Valenzuela,

Cr Robert Grinham,

Cr Joanne Kanny,

Cr Gail Trenfield,

Cr Greg Payne,

Steven Cosgrove, Coordinator Governance & Technical Services (CGTS),

Karen Malloch (EA).

**11.4.2 Report on Fees and Allowances for Elected Members**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	17 <sup>th</sup> June 2017
Attachments	Western Australia Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members.

**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 2017-18.

**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 11<sup>th</sup> April 2017, reviewed the fees and allowances for elected members to apply from 1<sup>st</sup> July 2017.

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 2017. 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 are requested to consider the current fees and also 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 2017 for Level 4 local governments and are as follows:

Meeting	Minimum	Maximum	Shire's Current Fees
Council meeting / council member	\$90	\$236	\$236
Council meetings President	\$90	\$485	\$485
Committee meeting and prescribed meetings – all elected members	\$45	\$118	\$118
Presidential allowance	\$508	\$19,864	\$9,864
The Deputy President is entitled to 25% of the Presidential allowance			\$2,466
Childcare costs are the actual cost per hour or \$25 per hour, whichever is the lesser amount. (Clause 8.2 (2) and (6).			\$25 or actual whichever is the lesser
ICT Expenses	\$500	\$3,500	\$3,500

## Statutory Environment

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

SAT Determination June 2014 12 April 2017

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 as per Clauses 8.2(3) and (5) of the Determination of the Salaries and Allowances Tribunal, 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	Rate
Purpose – Over 2600cc	99.01c /km
Purpose – Over 1600cc to 2600cc	70.87c /km
Purpose – 1600cc and under	58.37c/km

## Comment

Council for the 2016-2017 financial year has adopted the maximum fees for Meeting fees for Councillors, President and Committee these maximum fees have not changed in the 11 April 2017 review. Therefore Council is only required to review the President and Deputy President allowances as the maximum has not yet been reached, 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 2017-18 draft annual budget.

## Voting Requirements

### Simple Majority

Council requested more time for discussion and consultation with the President and the CEO regarding the Elected Members fees.

Cr R Grinham proposed the following Motion:

*“That Council defer the Report to the next Ordinary Council Meeting to be held on 28 July 2017.”*

As there was no further discussion on the original Motion the Deputy President Cr Raul Valenzuela put the Motion to the vote. The proposal was Seconded by Cr Greg Payne. The Motion was lost 0/5.

With the agreement of the Mover and Seconded, it was decided to incorporate the Foreshadowed amendment in the Motion.

## OFFICER RECOMMENDATION/COUNCIL DECISION

### C2017-0608 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	\$ 10,357.00
Deputy President allowance (25% of the Presidents allowance)	\$2,589.00
Childcare Costs reimbursement	\$25 or actual costs per hr whichever 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 2017-18 Annual Budget.

Moved: Cr R Grinham

Seconded: Cr G Payne

Motion put and lost 0/5

Deputy President Cr Raul Valenzuela asked Cr R Grinham to read out his foreshadowed Motion. The Deputy President Cr Raul Valenzuela asked for a Seconded to the Motion which was duly Seconded by Cr G Payne.

As there was no further discussion on the Motion the Deputy President Cr Raul Valenzuela put the Motion to the vote.

## COUNCIL DECISION

### C2017-0609 Lay on the Table - Report on Allowances for Elected Members

That Council defer the Report to the next Ordinary Council Meeting to be held on 28 July 2017.

Moved: Cr R Grinham

Seconded: Cr G Payne

Motion put and carried 5/0

**11.4.3 Report on Capital Expenditure Items to be Incorporated in the 2017-18 Draft Annual Budget**

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	17 June 2017
Attachments	Capital Expenditure by Asset Class Prepared for Investigation in the 2017-18 Draft Annual Budget.

**Matter for Consideration**

That Council give consideration to the Capital Expenditure items for inclusion in the 2017-18 Annual Draft Budget.

**Background**

The item was considered by the Finance Committee on the 26 May 2017. However Council at its' May 2017 Ordinary Meeting resolved as follows:

*"That "Report N° 9.2 on Capital Expenditure Items to be Incorporated in the 2017-18 Draft Annual Budget, be deferred for discussion and a detailed explanation from Consultant Dominic Carbone at a work-shop to be arranged for Friday 16 June 2017"*

**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 2017-18 Annual Budget.

**Consultation**

Nil

**Comment**

The Workshop was held on Friday 16 June 2017 as per Council requested. Attached is a worksheet detailing the Capital Expenditure Items incorporating changes made at the Workshop for Council consideration.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**C2017-0610     Report on Capital Expenditure Items to be Incorporated in the 2017-18 Draft Annual Budget**

**That Council approve of the Capital Expenditure items detailed in the worksheets attached to this report to be incorporated in the 2017-18 Draft Annual Budget.**

**Moved: Cr J Kanny**

**Seconded: Cr R Grinham**

**Motion put and carried 5/0**

## **12. NOTICE OF MOTIONS**

### **12.1 PREVIOUS NOTICE RECEIVED**

Nil

## **13. URGENT BUSINESS**

Nil

## **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](http://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 is due to be held in the Council Chambers in Gibbons Street on Friday 28 July 2017 commencing at 11.00 am.

## 16. MEETING CLOSURE

There being no further business, the Deputy President Cr Raul Valenzuela, declared the Ordinary meeting closed at 1:55 pm.

### DECLARATION

These minutes were confirmed at the Ordinary Council Meeting to be held.....

Signed: \_\_\_\_\_  
 Person presiding at the meeting at which these minutes were confirmed.

