



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE
PAYNES FIND COMMUNITY CENTRE,
PAYNES FIND
ON FRIDAY 25 MAY 2018
AT 10.00 AM

ADJOURNED TO FRIDAY 8 JUNE 2018





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Minutes for the Ordinary Meeting of the Yalgoo Shire Council,
To be held at the Paynes Find Community Centre
on Friday 25 May 2018, commencing at 11.00 am.

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

Adjournment: At 11.30 am the CEO Silvio Brenzi, pursuant to Local Government (Administration) Regulations 1996 S 8(a) adjourned the meeting as no quorum was achieved with no members present, until Friday 8th June 2018 commencing at 10.00 am held in the Council Chambers, Yalgoo.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Friday 8 June 2018 President Cr Joanne Kanny reconvened the meeting from Friday 25 May 2018 at 10.02 am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr Joanne Kanny, Shire President Cr Gregory Payne, Deputy President Cr Percy Lawson Cr Gail Trenfield Cr Robert Grinham Cr Tamisha Hodder (arrived at 10.03 am)
STAFF	Silvio Brenzi, Chief Executive Officer Elisha Hodder, Executive Assistant
GUESTS	Graham Bassell Karen Cosgrove Michelle Hodder
OBSERVERS	Nil
LEAVE OF ABSENCE	Nil
APOLOGIES	Nil

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil

ATTENDANCE: Cr Tamisha Hodder entered the Chambers at 10.03 am.

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

4.1.1 Graham Bassell – Question taken on notice at the Ordinary Council Meeting held on the 27 April 2018.

Q. Silvio was recommended to undertake training practically into the matters of conflict resolution by the Worksafe investigator during investigation leading to the improvement notices dated 12/12/17. What training has Silvio undertaken as a result of the workplace investigation?

A. The recommendation is noted and training will occur when appropriate courses are available and time is allocated.

4.1.2 Graham Bassell’s question directed to the Chief Executive Officer Silvio Brenzi.

Q. Having spoken to ASIC, do you have or anticipate having a pecuniary interest in the development of and / or later the operational of Yogi Mine given that the anticipated mine occupies part of The Shire of Yalgoo?

A. CEO Silvio Brenzi advised Mr Bassell that the answer is No.

4.1.3 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. Are you aware that the Shire CEO, Mr. Silvio Brenzi, lied to Council at the Ordinary Council Meeting on 27/4/2018 when he said [in response to Graham Bassell’s question regarding the Worksafe improvement notices being incomplete and Worksafe records showing no request for an extension of time - @ 4.2.3 in the unconfirmed minutes from 27/4/2018], that he had requested an extension of time, yet Worksafe records show that there has never been a request for an extension of time and notification of the compliance by CEO Brenzi with the Worksafe Improvement Notices was not given until 7/5/18?

A. President Cr Joanne Kanny advised Mr Bassell, the definition ‘to lie’ is to knowingly tell our untruth. The answer given to Council on the 27/4/18 was based on the information on hand at the time.

4.1.4 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. Is Council intending to confirm the minutes of the Ordinary Council Meeting of the Yalgoo Shire held 27/4/18 knowing that the published unconfirmed minutes are not a true record of what transpired between the CEO, Silvio Brenzi and Worksafe?

A. President Cr Joanne Kanny advised Mr Bassell that Council members will determine the accuracy of the minutes, not members of the public.

4.1.5 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. What action did you take toward the Shire CEO, Mr. Silvio Brenzi on being notified in the e-mail dated 3/4/18 that he had assaulted a staff member and if you took no action, why did you not take action?

A. President Cr Joanne Kanny advised Mr Bassell she has been advised of the investigation outcomes of a Bullying allegation that has shown no bullying took place. The matter is closed.

4.1.6 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. Does the Shire of Yalgoo have any Local Government Laws or Policies to deal with the riding of motorbikes without helmets within the town common boundary?

A. President Cr Joanne Kanny advised that the answer is “No”.

4.1.7 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. Did the Yalgoo Council organise or participate in any programs for reconciliation week?

A. President Cr Joanne Kanny advised that the answer “Yes”.

4.1.8 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. When was the last time the Yalgoo Council had to adjourn a Ordinary Council meeting due to not having a quorum?

A. President Cr Joanne Kanny advised the last meeting was 25/5/18 at Paynes Find.

4.1.9 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. Has Yalgoo Councillors participated in any Drug and Alcohol testing since the council decision was past at the Ordinary meeting on the 22nd of September 2017 item 13.2?

COUNCIL DECISION

C2017-0911 Policy Review of 10.4 – Fitness for Work.

That Council adopt the follow amendment.

- **Elected Members take part in testing prior to Council business only, and not during or prior to carrying out their own private business**
- **Testing will only take place prior to Council events.**

Moved: Cr Gregory Payne

Seconded: Cr Raul Valenzuela

Motion put and carried 5/0

A. President Cr Joanne Kanny advised that drug and alcohol testing under the fitness for work policy is a confidential item and will not be discussed with the public.

4.1.10 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. Will Yalgoo Council consider including more CCTV cameras to be installed in town in the 2018-2019 budget using Shire buildings for power sources; 1 in Henty (Staff Housing), 1 in Shamrock street (Old police station), 2 at each end of Stanley street (staff house’s)?

A. President Cr Joanne Kanny advised “Yes” that council will consider it in the 2018-19 annual budget.

4.1.11 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. In the 23 February 2018 ordinary council meeting, Cr Hodder declared an interest in item 11.4.4, What was the reason for declaring an interest?

A. President Cr Joanne Kanny advised there were personal matters behind Cr Hodder’s decision to declare an interest.

4.1.12 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. Under Item 5.

“President Cr Joanne Kanny suggested the meeting be closed for Item 11.4.4 – Centacare Playgroup Programme matters regarding an employee.”

My understanding is that the only employee of council is the CEO is this correct?

What would be the Council’s reason for going behind closed doors to discuss the CEO’s role in the program?

Or were Council discussing a Shire worker that comes under the CEO’s delegation?

Under Item 5. Council went behind closed doors to discuss an employee and came out from behind closed doors with a decision to close the program, with no reference to the employee why is this?

A. President Cr Joanne Kanny advised that Council are entitled to close a meeting to the public for various reasons, once the meeting was closed no further information on what was discussed, other than the decision made is available to the public.

ATTENDANCE: Michelle Hodder entered the chambers at 10.08 am

4.1.13 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. Item 11.4.4. In the 23rd of February 2018 ordinary meeting. As there was such an adverse decision made by council to the officers recommendation under the Administration regulations 11.d.a. Council must give a full written explanation for their decision. Did council do this?

A. President Cr Joanne Kanny advised that Council did not see the decision significantly different therefore the decision was self-explanatory due to the fact that the program was only endorsed for a six month period initially.

4.1.14 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. In the 27 of April 2018 ordinary meeting public question time Item’s 4.1.1 Youth and Family Support program and 4.1.2 The Children’s School Holiday Programs was answered that they are in the Yalgoo Community Strategic Plan. As these programs are run under the Youth and Family Support program should Council have followed the Community consultation process before making their adversely different decision on Item 11.4.4 in the 23rd of February 2018 ordinary meeting?

A. President Cr Joanne Kanny advised the children’s school holiday program is still planned to continue whilst the Youth and Family Support program is not being run.

4.1.15 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q In the 23rd March 2018 ordinary meeting Item 12.1.1 absolute majority required to rescind item 11.4.4 council decision made in the 23rd of February 2018 ordinary meeting in which Cr Hodder declared an interest. How come Cr Hodder did not declare an interest in this recommendation Item 12.1.1 March meeting to rescind item 11.4.4 from February meeting?

A. President Cr Joanne Kanny advised the personal interest between Cr Hodder and other parties were no longer employees of the Shire at the time of the March meeting to discuss item 12.1.1, therefore Cr Hodder felt there was no longer a conflict of interest.

4.1.16 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. In the 23rd March 2018 ordinary meeting in Item 12.1.1 Cr Trenfield and in the Presidents media release they both make reference to the Youth and Family program not being financially viable or beneficial. Is the Council supposed to be a financial profitable organisation?

A. President Cr Joanne Kanny advised that no the Local Governments are accountable to be financially sustainable.

4.1.17 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. In the Presidents media statement it makes reference to the \$200,000 cost to the council, could council supply a detailed breakdown of the costs and the financial contributions made by the mines to support these two community officers and programs?

A. President Cr Joanne Kanny advised the answer is NO. costings involve personal income amounts to staff. However the public is entitle to view the Shire of Yalgoo’s Annual Budget to ascertain cost allocations.

4.1.18 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. In reference to Cr Trenfield comments in Item 12.1.1 and Presidents media release they seem to refer to the officers not the program could the councillors please explain?

A. President Cr Joanne Kanny advised that programs require officers to implement, therefore incorporating comments referring to the staff or officer involved is unavoidable.

4.1.19 Neil Grinham’s question directed to the Shire President Cr Joanne Kanny.

Q. In the 23rd of March 2018 ordinary meeting in Item 11.4.6. \$10,000 financial contribution to the Yalgoo Jockey Club, as Cr Hodder was the club President did Cr Hodder declare an interest and if not why not?

A. President Cr Joanne Kanny advised that Cr Hodder was not a member of Council when the 17/18 Annual Budget was adopted therefore funds were already approved for the donation to the Yalgoo Jockey Club. The council decision made on the 23 March was to “inform” the Yalgoo Jockey Club of the assistance to be provided.

4.2 QUESTIONS WITHOUT NOTICE

4.2.1 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. I refer you back to the question on notice concerning our request as to why there has been no action in relation to the assault and your response has nothing to do with the question. I ask you to re-read the question and provide an answer?

A. President Cr Joanne Kanny advised Mr Bassell that an answer was given to the question and that if it was to do with an assault it is believed to be an additional matter and not a council matter.

4.2.2 Graham Bassell’s question directed to the Council.

Q. Why does the Yalgoo Shire Council retain the services of the Chief Executive Officer that is non-compliant with legislative requirements, incompetent with his duties, assault staff, divides the community, resides in Geraldton instead of Yalgoo not resting the house provided here he spends two nights a week here in Yalgoo, does not engage or participate with the community, lies to council and is inconsistent in his hiring and firing of staff.

A. President Cr Joanne Kanny advised Mr Bassell that the question will be rejected. The question is considered inappropriate (rejected) on the basis that it adversely reflects on the character of a Council employee.

4.2.3 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. Having spoken to ASIC, do you have or anticipate having an pecuniary interest in the development of and or later the operation of Yogi Mine giving that the anticipated mine occupiers are at Wagga Wagga Station?

A. President Cr Joanne Kanny advised Mr Bassell her answer is no.

Mr Bassell stated giving the fact that the Mine is on the property that it provides President Cr Joanne Kanny with a pecuniary interest

President Cr Joanne Kanny advised Mr Bassell that she has no financial interest in Wagga Wagga Station.

President Cr Joanne Kanny advised that the CEO Silvio Brenzi would also speak on the matter.

CEO Silvio Brenzi advised Mr Bassell at this point in time there has been no advancement for any mine activity other than their current activity, no approvals been sort from Council yet as per that mining activity on that lease.

4.2.4 Graham Bassell’s question directed to the Chief Executive Officer Silvio Brenzi..

Q. Does that include the Environmental impact statement that’s been prepared by consultants?

A. CEO Silvio Brenzi advised Mr Bassell that he is unaware of what the Mining company is doing as far as timing for environmental consultants, but is aware they have one.

Then Mr Bassell made the following statement “ that Mr Brenzi participated in preparation of the consultant’s report”.

CEO Silvio Brenzi responded as follows I reject that statement.

4.2.5 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. Is Council aware that in the proposed documents for the Yogi magnetised Mine Project prepared by consultants as submitted to the Department of environmental based on information supplied by CEO Brenzi, there is a notation that community consultation has occurred, when the true situation is that community consultation has not occurred. So is council aware of CEO Brenzi’s activity in the preparation of the report?

A. President Cr Joanne Kanny advised Mr Bassell that she is not aware of anything and it is believed nothing has taken place and requested Mr Bassell provide a copy of the report

4.2.6 Graham Bassell’s question directed to the Shire President Cr Joanne Kanny.

Q. On the 12 December 2017 Worksafe issued an improvement notice directing the CEO to include in the Shire Policy Manual, a Policy detailing the actions to be taken in the incidents of a report of bullying. The Policy was to cover the circumstances when the CEO was the Bully. Why is it that the policy provided and adopted did not provide for that situation of the CEO being the Bully and was not rectified until intervention by Worksafe in the weekend ending the first of June?

President Cr Joanne Kanny requested that CEO Silvio Brenzi provide Mr Bassell with an answer.

A. CEO Silvio Brenzi advised Mr Bassell had made communications with Worksafe regarding the policies, which the draft policies were adopted at the March meeting, the recommendation were that Council accept other recommendations be incorporated into the policy. An email was sent a few weeks ago to the Worksafe representative asking if she was happy with what was done, A response was received a week ago requesting a few short falls be rectified, which were done , Andrew Borrat form the Department of Local Government Sports and Communities was also notified of these changes and that the last correspondence received from Kathrine Jones at Worksafe is that compliance has been achieved even whilst there was a breach of the Act because of the overdue time. No further action will be taken by Worksafe.

4.2.7 Graham Bassell’s question directed to the Chief Executive Officer Silvio Brenzi.

Q. What is the name of the company undertaking the anonymous risk assessment on behalf of the Shire, and why were not all the employees included in this assessment?

CEO Silvio Brenzi asked Mr Bassell as to what risk assessment is he referring to.

Mr Bassell advised anonymous risk assessment that was one of the improvement notices from Work Safe.

A. CEO Silvio Brenzi responded “No i have not allocated a company to accommodate a risk assessment”.

4.2.8 Graham Bassell’s question directed to the Chief Executive Officer Silvio Brenzi.

Q. Dose the Yalgoo Shire have an Occupational Health and Safety committee and if not why not?

A. CEO Silvio Brenzi responded “No we don’t as we are not required to have one”

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Deputy President Cr Gregory Payne advised he will be absent during the Finance Committee Meeting and Ordinary Council Meeting on Friday 29 June 2018.

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.0 MEETINGS ATTENDED BY ELECTED MEMBERS

Date	Details	Attended with whom
14 May 18	LEMC Meeting	Deputy President Cr Gregory Payne CEO Silvio Brenzi
22 May 18	Walga Training – Effective Community Leadership at Geraldton	President Cr Joanne Kanny
29 May 18	Lunch on the Lawn for Reconciliation Week hosted by GRAMS based Geraldton	President Cr Joanne Kanny
30 May 18	Protea Lodge Opening – Hosted by WA Country Health Service Midwest – Geraldton Regional Hospital Campus	President Cr Joanne Kanny

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

C2018-0501 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 27 April 2018 be confirmed.

Moved: Cr Gregory Payne

Seconded: Cr Robert Grinham

Motion put and carried: 6/0

9. REPORTS OF COMMITTEE MEETINGS

9.0 Arts and Culture Committee Meeting held on 18 May 2018

9.1 Report on Selection of Community members for Committee

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	14 th May 2018
Attachments	Application for the Arts and Culture Committee.

Matter for Consideration

That the committee review the additional application for a community representative for the A& C committee.

Background

Following the last meeting, a community member Mr Raul Valenzuela has re- submitted an application using the same criteria that was advertised in the bulldust from the original advertisement.

No other applications have been received after advertisement in the local newspapers.

Statutory Environment

Local Government Act 1995

Consultation

Public of Yalgoo and surrounding areas (advertisement).

Comment

Nil

Voting Requirements

Simple Majority.

ATTENDANCE: Graham Bassell and Karen Cosgrove left the Chambers at 10.26 am

COMMITTEE RECOMMENDATION / COUNCIL DECISION

C2018-0502 Report on Selection of Community Members for Committee

That the Arts and Culture Committee recommends to Council;

- 1. That Mr Raul Valenzuela’s application is accepted,**
- 2. Subject to (1) above, Mr Raul Valenzuela be elected as a public member of the A&C committee for a term equivalent to the other members.**

Moved: Cr Robert Grinham Seconded: Cr Gail Trenfield Motion put and carried: 6/0

9.2 Report on Capital Expenditure Account C175112

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	14 th May 2018
Attachments	Nil

Matter for Consideration

Capital funds for work completion at the YACC.

Background

Following a council decision at the annual mid - year budget review, an additional \$25,000.00 was allocated to the capital funds of the YACC.

Quotations have been sought and contractors approved for irrigation works, turf supply and install and construction of heavy landscape rock works around the building

Statutory Environment

Local Government Act 1995

Consultation

CEO and Local Contractors

Comment

Shire of Yalgoo staff will work along with external contractors to complete the works this financial year. Suitable plants and trees will also be included in the works.

Voting Requirements

Simple Majority.

COMMITTEE RECOMMENDATION / COUNCIL DECISION

C2018-0503 Report on Capital Expenditure Account C175112

That the committee notes the report on landscape work completion.

Moved: Cr Gail Trenfield

Seconded: Cr Tamisha Hodder

Motion put and carried: 6/0

9.3 Opening of YACC

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	14 th May 2018
Attachments	Nil

Matter for Consideration

To select the opening of the YACC

Background

Opening times and hours have already been selected. However, due to a difficulty in obtaining volunteer staff from local venues the YACC has not yet opened. This, along with the need to complete the external landscaping work has restricted the opportunity to open the centre.

Statutory Environment

Local Government Act 1995

Consultation

CEO and MEEDAC

Comment

With a recent staff position becoming available, it is planned that the r role will incorporate part time hours to suit the YACC times. This will give a temporary starting point to enable an effective opening and is anticipated that it will encourage and enable local residents to begin voluntary/training as the centre operators.

Voting Requirements

Simple Majority.

CEO Silvio Brenzi advised council the purpose of having a part time Office staff is to supervise and guide one or two member of MEEDAC on running the Arts and Cultural Centre.

COMMITTEE RECOMMENDATION / COUNCIL DECISION

C2018-0504 Opening of YACC

That the Arts and Culture Committee recommends to Council;

That the official opening of the YACC be after the recruitment of an office staff member who will work part time during the set opening hours.

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried: 6/0

9.4 Urgent Business Items

9.4.1 Request to utilise the Yalgoo Arts & Culture Centre as a Training Hub - Carnamah Group North Midlands Project.

The Chief Executive Officer informed the meeting that he has received an email dated 10 May 2018 from Adam Fawkes on behalf of the North Midlands Project located in Carnamah inquiring as to whether the group could utilise the Art Centre as an Art and Training Hub.

COMMITTEE RECOMMENDATION / COUNCIL DECISION

C2018-0505 Request to utilise the Yalgoo Arts & Culture Centre - Carnamah Group North Midlands Project.

That the Arts and Culture Committee recommends to Council;

- 1 That the CEO request a formal proposal from North Midlands Project in their request for using the Yalgoo Arts and Culture Centre as a training Hub.
- 2 Subject to (1) above the proposal be presented at the next Committee Meeting.

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 6/0

9.4.2 Inaugural Resident Artist – Margaret Simpson and Charmaine Simpson

The Chief Executive Officer informed the meeting that he has received an email dated 9 May 2018 from MEEDAC requesting that Margaret Simpson and Charmaine Simpson be nominated for the inaugural resident artists.

COMMITTEE RECOMMENDATION / COUNCIL DECISION

C2018-0506 Inaugural Resident Artist – Margaret Simpson and Charmaine Simpson

That the Arts and Culture Committee recommends to Council;

1. That the applications from Margaret Simpson and Charmaine Simpson are received
2. Subject to (1) above that Margaret Simpson and Charmaine Simpson be nominated as the inaugural resident artists, according to the Yalgoo Arts and Culture Centre Operational Guidelines.

Moved: Cr Gregory Payne

Seconded: Cr Robert Grinham

Motion put and carried: 6/0

Adjournment: 10.35 am – 10.46 am

President Cr Joanne Kanny requested a motion be moved to adjourn for 10 minutes. The motion was moved by Cr Gail Trenfield and seconded by Cr Robert Grinham. There being no debate the motion was put and carried 6/0, meeting adjourned at 10.35 am.

President Cr Joanne Kanny reopened the meeting at 10.46 am

Returning to the meetings were:

Cr Joanne Kanny, Shire President

Cr Gregory Payne, Deputy President

Cr Robert Grinham

Cr Percy Lawson

Cr Gail Trenfield

Cr Tamisha Hodder

Silvio Brenzi, Chief Executive Officer

Elisha Hodder, Executive Assistant

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).

1) School Holiday Program

CEO Silvio Brenzi informed Council there is a school holiday program being put together for the middle of the July Holiday (4th and 5th through to the 10th and 11th July) some activities planned such as basketball activities, cooking lessons to help teach children about nutrition and eating healthy, children's movie nights and arts and craft sessions.

The Movie Premiere – Arrangement had been made for Jordan Prince Wright and his crew to visit Yalgoo to show his latest film "The Decadent and Depraved". Dates set for Sunday 1 July 18 commencing at 6.30 pm at the Community Hall.

2) Cr Percy Lawson tabled a letter on behalf of Ninghan Billy Aboriginal Corporation (NBAC)

Letter was tabled by Cr Percy Lawson on behalf of Ninham Billy Aboriginal Corporation (NBAC) requesting use of the Town Community hall and Old police station. Cr Percy gave a brief description as to why they would like to utilise the facilities.

CEO Silvio Brenzi suggested to Cr Lawson that a formal proposal be presented to Council.

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

Nil

11.1 TECHNICAL SERVICES

11.1.1 Progress Report on the Capital Works Program 2017-18

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 May 2018
Attachments	Nil

Matter for Consideration

To receive the Progress Report on the 2017-2018 Capital Works Program.

Background

The Shire in adopting its 2017-2018 Annual Budget has allocated funds amounting to \$3,213,634 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 2017-2018 financial year are detailed be:

CAPITAL WORKS PROGRAMME 2017-18

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

		2017/18 ANNUAL BUDGET	2017/18 JULY- APRIL ACTUAL	VARIANC E FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					
Governance					
000000-Refurbish Morning Tea /Public Meeting Room	F & E	5,000	0	5,000	The CEO to provide a verbal update on the status of the capital projects as at 30 April 2018 Check Account Allocation Posting to incorrect account
000000- Computus Shelving for Record Management	F & E	4,000	2,436	1,564	Purchase of Shelving complete
000000-Admin Mobile Phones, laptop, Computers, Office Equip.	F & E	5,000	2,508	2,492	New Hard Drive Ordered to Cater for CCTV and Replacement of CEO Mobile
000000-Council Chamber -Table	F & E	4,000	0	4,000	Matter for further consideration
000000- Admin Centre - Garden Reticulation	L & B	7,000	0	7,000	Check Account Allocation Posting to incorrect account
000000- Admin Centre -Records Fit Coolroom Panels to Sea Container	L & B	16,800	19,085	(2,285)	Complete
000000- Motor Vehicle CEO	P & E	86,030	89,370	(3,340)	Complete
000000- Motor Vehicle CGTS	P & E	66,485	0	66,485	Matter for deferred to Replace in 2018-19

			2017/18 ANNUAL BUDGET	2017/18 JULY- APRIL ACTUAL	VARIANC E FAV (UNFAV)	COMMENTS
			\$	YTD \$	\$	
<u>By Program</u>						
The CEO to provide a verbal update on the status of the capital projects as at 30 April 2018						
Law Order Public Safety						
000000-CCTV Yalgoo Townsite	F & E		60,248	57,369	2,879	Complete Still waiting on DEC Approval at the School Site
Housing						
000000-Staff Housing - Security	L & B		65,000	0	65,000	Project commenced
000000-Two Units 17 Shamrock Street	L & B		300,000	0	300,000	Project not commenced deferred to 2018-19
Recreation and Culture						
000000 - Furn. & Equip - Art Centre	F & E		15,430	14,894	536	Complete
000000 - Furn. & Equip - Day Care Centre	F & E		15,596	4,768	10,828	Completed
000000 - Furn. & Equip - Community Hall	F & E		0	7,936	(7,936)	Complete
000000 - Arts and Crafts Building	L & B		40,488	76,267	(35,779)	Commencing 6/6/2018
000000-Power Supply Men's Shed and Rifle Club	L & B		19,000	17,260	1,740	Complete
000000-Payne Find Complex - External Painting	L & B		8,000	7,364	636	Complete
000000-Payne Find Complex - Internal Painting	L & B		4,000	3,800	200	Complete Balance to Purchase Blinds
000000 -Community and Youth Centre CLGF 2012-13 Unspent - Shade Sails	L & B		44,222	32,064	12,158	Completed Unspent portion of grant refunded \$12,158

		2017/18 ANNUAL BUDGET	2017/18 JULY- APRIL ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					The CEO to provide a verbal update on the status of the capital projects as at 30 April 2018
000000 - Community Hall - Air Conditioner	L & B	10,500	9,351	1,149	Complete
000000-Ride on Mower	P & E	25,000	25,850	(850)	Complete
000000- Community/School Oval Shared Use Development	Recreation	937,000	561,622	375,378	In Progress
Transport					
000000- Machinery Shed Depot	L & B	135,000	127,607	7,393	Complete - lights to be installed
000000-Flood Control -Fuel Station	L & B	27,300	15,889	11,411	Pumping System Purchased, Drainage Channel Quoted and Ordered
000000- Depot -Electric Boundary Fence and Gate	L & B	25,000	0	25,000	Completed
000000- Caterpillar Wheel Loader 950M	P & E	314,350	315,154	(804)	Complete
000000- Paynes Find Airstrip Fence	Other	45,000	0	45,000	Project not commenced
000000-Solar Lights Paynes Find	Other	12,000	50,580	(38,580)	Complete
000000-Paynes Find Beautification	Other	18,658	223	18,435	Project not commenced allocation to be checked
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	530,119	513,000	17,119	Complete
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ninghan Road - Seal to width 4m SLK48.8 to SLK 36.6	Roads	293,500	22,203	271,297	Seal Works 28/5/18

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

		2017/18 ANNUAL BUDGET	2017/18 JULY- APRIL ACTUAL	VARIANC E FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					
Transport					
MUNICIPAL FUND					
000000- North Road - Crossing	Roads	10,000	0	10,000	Project not commenced
Economic Services					
000000-Caravan Park - Sealing of Parking Bays and Driveways	L & B	22,000	22,000	-	Complete
000000 - Storage and POS Facility - Caravan Park	L & B	18,800	18,120	680	Complete
000000- Shelter and Seating Jokker Tunnel	L & B	4,054	0	4,054	Quotations being Sought for Signage
000000- Shelter and Visitors Board at Railway Station	L & B	4,054	0	4,054	Quotations being Sought for Signage
Other Property and Services					
000000-Mens Shed Upgrade	L & B	15,000	35,216	(20,216)	Complete
		3,213,634	2,051,936	1,161,698	

The CEO to provide a verbal update on the status of the capital projects as at 30 April 2018

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

C2018-0507 Progress Report on the Capital Works Program 2017 - 2018

That Council receive the Progress Report on the Capital Works Program 2017 – 2018 as at April 2018.

Moved: Cr Gregory Payne

Seconded: Cr Tamisha Hodder

Motion put and carried: 6/0

11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

Nil

11.3 FINANCE

11.3.1 Accounts for Payment April 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 May 2018
Attachments	Nil

Matter for Consideration

Council approve the Accounts for Payment list for the period 1 April 2018 to 30 April 2018 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 April 2018 to 30 April 2018 are as follows:

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1000*2018	AFGRI Equipment Australia Pty Ltd	13/04/2018	YA-465 John Deere 770 Grader - New Alternator & Repairs	4,566.29
1005*2018	AMPAC Debt Recovery (WA) Pty Ltd	13/04/2018	Debt Collection Expenses	11.55
1015*2018	Beaurepaires	13/04/2018	YA-795 / UD NISSAN 3x NEW TRUCK TYRES (MICHELIN) YA-1613 SEMI SIDE TIPPER 1X NEW TYRE YA-465 2X JOHN DEER GRADER TYRE REPAIRS	2,514.43
1018*2018	BOQ Asset Finance & Leasing Pty Ltd	13/04/2018	Photo Copier Leasing fees	329.50
1028*2018	Civic Legal	13/04/2018	Legal Expenses -breach of road access & public benefit agreement, claim for return of Regional Road Funding Grant, review of Rates Exemption and Vandalism & Damage to Historic Convent Chapel	21,366.40
1041*2018	Crowe's Electrical	13/04/2018	18d Shamrock: Repairs to Lights	133.79
1044*2018	Rocke, David	13/04/2018	Clean Community Centre for RFDS Clinic	317.50
1048*2018	Dominic Carbone & Associates	13/04/2018	Consultancy Service - Administration and Financial	11,220.00
1064*2018	REFUEL AUSTRALIA	13/04/2018	March Fuel Purchase	15,006.68
1067*2018	Geraldton Toyota	13/04/2018	YA-778 Toyota Landcruiser 90,000 / Service YA-840 Toyota Hilux 70,000 Service Ceo Vehicle: Replace Fuel Filter	1,175.74
1073*2018	Great Northern Rural Services.	13/04/2018	Hardware -Tapping Saddle 90mm x 50mm Metric Poly SS Bolts,	147.70
1077*2018	Hitachi Construction Machinery(Australia)	13/04/2018	Repairs -John Deere Grader YA-465 x2 Intercooler Hoses	304.16
1089*2018	K9 Electrical	13/04/2018	Security Alarm Monitoring	168.76
1091*2018	Landgate	13/04/2018	Mining Tenements Valuations	38.35

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1121*2018	Mullewa Engineering Services	13/04/2018	Art Centre: Fabricate & Fit sign frame	1,863.62
1160*2018	RSM Bird Cameron	13/04/2018	Various Audit Reports	1,519.65
1182*2018	ThinkWater Geraldton	13/04/2018	Retic fittings for Sports Oval	4,834.60
1189*2018	Urbis Pty Ltd	13/04/2018	Shire of Yalgoo Town Planning Services Paynes Find Tavern & Pilroc Retreat Compliance and Rezoning of Lots 65-66 Gibbons St	8,804.81
1200*2018	Western Independent Foods	13/04/2018	Caravan Park Units:Food Supplies	17.71
1203*2018	Westside Painting Service	13/04/2018	Paint outside of documents room	1,305.70
1225*2018	WALGA	13/04/2018	Short Course Booking - Rates In Local Government: Short Course Booking - Rates in Local Government: Robert Grinham: Serving on Council Tamisha Hodder: Serving on Council Percy Lawson: Serving on Council Tamisha Hodder: Understanding Financial Reports	1,334.00
1240*2018	Westrac Equipment Pty Ltd	13/04/2018	YA457: Parts	741.73
1243*2018	WURTH	13/04/2018	Workshop Consumables - Hacksaw, Silastic, Spray	296.37
1321*2018	QUEEN OF THE MURCHISON B&B	13/04/2018	Accommodation for Cr Gail Trenfield & Cr Joanne Kanny	209.00
1339*2018	SUN CITY BATTERIES	13/04/2018	Multimeter for Depot Workshop Lights for Trailer YA-1667 x2 Batteries for Landcruiser YA-778	979.50
1372*2018	DARREN LONG CONSULTING	13/04/2018	Consultancy Services - Prepare bank reconciliations	4,290.00
1391*2018	REDI HIRE SOLUTIONS	13/04/2018	Genset Hire	329.16
1398*2018	YALGOO DISTRICTS JOCKEY CLUB	13/04/2018	Council Donation for the 2018 Jockey Club	10,000.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1399*2018	STRATEGIC TEAMS	13/04/2018	Policy Manual Review	4,400.00
1400*2018	MRAC	13/04/2018	SAT matter DR 206/2017	2,611.81
1130*2018	Novus Autoglass Midwest	20/04/2018	Repairs for YALGOOCEO motor vehicle	93.50
1174*2018	Sun City Plumbing	20/04/2018	18d Shamrock: Repairs to Leaking Hot Water Valve R/Way Station: Plumbing Repairs Blocked Toilet at Community Park	554.40
1239*2018	OCEAN CENTRE HOTEL	20/04/2018	Accomodation & Meals - Cr Percy Lawson 11th - 13th April	444.00
1374*2018	MIDWEST TURF SUPPLIES	20/04/2018	SUPPLY & INSTALL AUTOMATIC RETICULATION SYSTEM PLUS Supply of turf to oval	82,654.00
1378*2018	DATACOM SYSTEMS WA	20/04/2018	As per quote# BE254989v1 - New CEO Computer	2,759.26
1392*2018	QUADRIO EARTHMOVING PTY LTD	20/04/2018	Caravan Park: Seal Access Road	24,200.00
1403*2018	MIDWEST GROUP OF AFFILIATED AG SOCIETIES	20/04/2018	2018 MID WEST DISTRICT DISPLAY	150.00
1404*2018	HOLLAND, BRITT	20/04/2018	National Police Certificate	52.60
1009*2018	Austral Mercantile Collection Pty Ltd	30/04/2018	Debt Collection Fees	1,638.29
1024*2018	Canine Control	30/04/2018	Ranger Service 13 April 2018	949.03
1040*2018	Courier Australia	30/04/2018	Asphalt A B Frontline State Library State Library	1,230.39
1041*2018	Crowe's Electrical	30/04/2018	27 Stanley: Renew Faulty Fan, Fit sensor light to Rage Cage: Repaire to Lights	1,180.81
1059*2018	Trenfield, Gail	30/04/2018	Council meeting Fee: 27.4.18 and allowances	645.67

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1085*2018	Kanny, Joanne	30/04/2018	Council Meeting Fee: 27.4.18, Cue: 24.4.18,allowances	1,800.87
1091*2018	Landgate	30/04/2018	Rural UV General Revaluation 2017/2018	613.14
1138*2018	Pemco Diesel Pty Ltd	30/04/2018	YA1000: Replace Broken Windscreen & Replace 2 Flat Isuzu Truck SERVICE - YA-453	3,520.12
1139*2018	Lawson, PERCY (SENIOR)	30/04/2018	Council meeting Fee: 27.4.17, Meeting Fee: 5.4.18 and allowances	1,061.51
1144*2018	Pool & Spa Mart	30/04/2018	SUPATUF 200 PUMP 2.0HP	1,082.00
1158*2018	Grinham, Robert	30/04/2018	Council Meeting Fee: 27.4.18, Communications Allowances	1,269.43
1174*2018	Sun City Plumbing	30/04/2018	8 Henty St - Blocked Drains C/Park Units Room 6: Water Pressure	506.22
1220*2018	PAYNE, GREGORY ARTHUR	30/04/2018	Council meeting Fee: 27.4.18 Communications Allowances	809.63
1277*2018	REILLY & CO	30/04/2018	Anzac Day Service Coordination	5,314.36
1311*2018	HODDER, TAMISHA	30/04/2018	Council Meeting Fee: 27.4.18, Travel Allowance	1,299.11
1396*2018	IBIS STYLES GERALDTON HOTEL	30/04/2018	Accommodation & Meals - Tamisha Hodder 11 April	689.00
1405*2018	WAGGA WAGGA STATION	30/04/2018	Wild Dog Bounty Scheme Claim	110.00
1406*2018	EGAN, RYAN	30/04/2018	PAYROLL DEDUCTION REIMBURSEMENT	1,230.00
1407*2018	MIDWEST TECHNOLOGIES	30/04/2018	Manufacture and Supply 100A SMSB	2,750.00
Total				239,445.85

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

C2018-0508 Accounts for Payment April 2018

That Council approve the list of accounts paid for the period 1 April 2018 to 30 April 2018 amounting to \$239,445.85 and the list be recorded in the Minutes.

Moved: Cr Robert Grinham

Seconded: Cr Percy Lawson

Motion put and carried: 6/0

11.3.2 Investments as at 30 April 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 May 2018
Attachments	Nil

Matter for Consideration

That Council receive the Investment Report as at 30 April 2018.

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 30 April 2018.

SHIRE OF YALGOO INVESTMENTS AS AT 30 APRIL 2018								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N ^o	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
MUNICIPAL FUND								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$695,531.94
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,107.76
NAB	N/A	Term Deposit	89-977-1574	2 months 1 day	27.04.2018	28.06.2018	1.75%	\$62,470.11
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,819.90
TOTAL								\$850,929.71

RESERVE FUNDS								
NAB	N/A	Term Deposit	97-511-4454	2 months 1 day	27.04.2018	28.06.2018	1.75%	\$161,794.24
NAB	N/A	Term Deposit	89-972-5236	2 months 1 day	27.04.2018	28.06.2018	1.75%	\$449,114.52
NAB	N/A	Term Deposit	11-186-3992	2 months 1 day	27.04.2018	28.06.2018	1.75%	\$1,071,380.34
TOTAL								\$1,682,289.10

TRUST								
NAB	N/A	Trust a/c	50-832-4559	Ongoing	N/A	N/A	Variable	\$21,738.51
TOTAL								\$21,738.51

INVESTMENT REGISTER						
01 JULY 2017 TO 30 APRIL 2018						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 30.04.2018	INVESTMENT TRANSFERS	CLOSING BALANCE 30.04.2018
86-538-7363	Ongoing	Variable	\$40,929.28	\$178.48	0	\$41,107.76
89-977-1574	28.06.2018	1.75%	\$61,392.89	\$1,077.22	0	\$63,470.11
24-831-4222	Ongoing	Variable	\$51,594.90	\$225.00	0	\$51,819.90
97-511-4454	28.06.2018	1.75%	\$158,650.69	\$3,143.55	0	\$161,794.24
89-972-5236	28.06.2018	1.75%	\$440,410.14	\$8,704.38	0	\$449,114.52
11-186-3992	28.06.2018	1.75%	\$1,050,564.24	\$20,816.10	0	\$1,071,380.34

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

C2018-0509 Investments as at 30 April 2018

That the Investment Report as at 30 April 2018 be received.

Moved: Cr Gregory Payne

Seconded: Cr Percy Lawson

Motion put and carried: 6/0

11.3.3 Financial Activity Statement for the Period ended the 30 April 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	20 April 2018
Attachments	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 30 April 2018; • Financial Activity Statement; ending 30 April 2018 • Summary of Current Assets and Current Liabilities as of 30 April 2018; • Statement of Current Financial Position as at 30 April 2018; • Detailed worksheets; • Other Supplementary Financial Reports: <ul style="list-style-type: none"> ○ Reserve Funds; ○ Loan Funds; ○ Trust Fund

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

2.4 Material Variance

Financial Implications

The Financial Activity Statements reflect the financial situation of the Shire as at year to date.

Consultation

Nil

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 column.

Voting Requirements

Simple Majority

ATTENDANCE: CEO Silvio Brenzi left chambers at 11.35

ATTENDANCE: CEO Silvio Brenzi returned to chambers at 11.37 am

OFFICER RECOMMENDATION

C2018-0510 **R34 (1) Financial Activity Statement for the Period ended the 30 April 2018.**

That Council:

Adopts the Financial Activity Statement for the period ended 30 April 2018.

Moved: Cr Gregory Payne

Seconded: Cr Tamisha Hodder

Motion put and carried: 6/0

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 19 May 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	19 May 2018
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
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	Funds to be allocated in the Draft 18/19 annual budget.
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	Funds to be allocated in the Draft 18/19 annual budget
23 March 2018	Application for a prospecting licence	Council authorises the CEO to locate a suitable prospecting area close to the Yalgoo town site and make application to the Mining Registrar for registration.	Application to be lodged

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
25 January 2018	Proposed Amendment No.2 to Local Planning Scheme No.2	<p>That Council Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), resolve to adopt Scheme Amendment No.2 to Town Planning Scheme No.2 for the purpose of advertising:</p> <p>by:</p> <ol style="list-style-type: none"> 1. Reclassify Lot 65 (No. 42) Gibbons Street and Lot 66 (No.44) Gibbons Street, Yalgoo from ‘Public Purposes’ to ‘Residential (R10)’ as indicated on the Scheme Amendment Map. 2. Forward Scheme Amendment No.1 to: <ol style="list-style-type: none"> a. The Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the <i>Planning and Development Act 2005</i>. b. The Western Australian Planning Commission for information. 3. As per Regulation 47 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>, subject to no objections being received from the EPA, advertise the amendment for public comment for a period of 42 days to the satisfaction of the Chief Executive Officer. 	Consultant Planner Urbis have been instructed to action part 2 & 3 of the resolution
23 March 2018	Bi Monthly Community Development Officer Program	Report for January – February 2018 not prepared to Council for Consideration	Report to be completed when Community Development Officer returns from leave.
23 March 2018	Add CCTV system at the Yalgoo Police Station professional use	That the CEO provide a report for consideration at the meeting held on 27 April 2018 to determine the cost requirements to add the CCTV system to the Yalgoo Police Station for professional use.	\$3,500 be incorporated in the 2018-19 Draft Annual Budget.

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
27 April 2018	Agreement Design and Construction of Multi-purpose Sports Facility	The Council authorised the affixing of the common seal and authorised the CEO and President to sign the agreement.	The documents and contracts have been signed.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

C2018-0511 Report on Matters Outstanding as at 19 May 2018

That Council:

Receives Report N^o 11.4.1 Report on Matters Outstanding as at 19 May 2018.

Moved: Cr Robert Grinham

Seconded: Cr Tamisha Hodder

Motion put and carried: 6/0

11.4.2 Report on Fees and Allowances for Elected Members

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	20 May 2018
Attachments	<ul style="list-style-type: none"> - Western Australia Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members. - Travel Expenses Reimbursements Local Government (WA) 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 2018-19.

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 10th April 2018, reviewed the fees and allowances for elected members to apply from 1st July 2018.

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 2018. 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 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 2018 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			\$25 or actual which-
ICT Expenses	\$500	\$3,500	\$3,500

Statutory Environment

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

SAT Determination 10 April 2018

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 2017-2018 financial year has adopted the maximum fees for Meeting fees for Councillors, President, and Committee these maximum fees have not changed in the 10 April 2018 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 2018 and such allowances to be incorporated in the 2018-19 draft annual budget.

Voting Requirements

Simple Majority

CEO Silvio Brenzi explained the report and advised Council.

OFFICER RECOMMENDATION

C2018-0512 Report on Fees and 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	\$ 10,500.00
Deputy President allowance (25% of the Presidents allowance)	\$ 2,625.00
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 2018-19 Annual Budget.

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 6/0

11.4.3 Report on Review of Delegations

Author:	Silvio Brenzi
Interest Declared:	No interest to disclose
Date:	20 May 2018
Attachments	- Reviewed Register of Delegations

Matter for Consideration

That Council review the obligations to the Chief Executive Officer and employee.

Background

The Delegations were last reviewed on 26 May 2017. Council is required to review the Delegation at least once every year.

Statutory Environment

Local Government Act 1995

Section 5.46 (2)

At least once every financial year, delegations under this Division are to be reviewed by the delegator.

Strategic Implications

Maintaining proper governance and administration of local government.

Consultation

Nil

Comment

As previously mentioned Council last reviewed Delegations on 26 May 2017 however it's required to undertake the task at least once every financial year.

A review of the Delegations has been undertaken and amended accordingly in line with legislative amendments and change in position of officers and employees.

The delegations are summarised below:

Delegation No.	Delegation	Amendments
2.1	Use of Common Seal.	No Change
2.2	Tenders.	No Change
2.3	Disposal of Assets	No Change
2.4	Creditor Payment	No Change
2.5	Investment of Surplus Funds	No Change
2.6	Write-off of minor outstanding accounts.	No Change
2.7	Planning consent	No Change
2.8	Appointment of authorised officers	No Change

Delegation No.	Delegation	Amendments
2.9	Firefighting – Emergency plant hire	No Change
3.1	Alteration to Restricted and Prohibited burning periods.	No Change
3.2	Environmental Health Officer.	No Change
3.3	Delegations under food act 2008 to the Environmental Health Officer.	No Change
3.4	Building Control	No Change
4.1	Employment and Management of staff	No Change
5	Appointment of authority officer	No Change
6.1	Media Releases.	No Change

Delegation Register attached for Elected Members Information.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION

C2018-0513 Report on Review of Delegations

That Council:

- 1) Adopt the Delegations contained in the Register of Delegations attached to this report;**
- 2) Subject to (1) above inform in writing of delegations conferred to the CEO pursuant to Section 5.42 of the Local Government Act 1995; and**
- 3) Subject to (2) above to inform in writing delegations conferred to Shire employees pursuant to Section 5.44 of the Local Government Act 1995.**

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 6/0

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

Nil

13. URGENT BUSINESS

13.1 Request to Relinquish Management Orders to Geraldton Alternative Settlement Agreement

The Chief Executive Officer informed the meeting that he had received an email dated 14 May 2018 from the Department of Planning, Lands and Heritage requesting the Shire relinquish its management orders of the 9 parcels of land. Reserve 39961 (Race track), R21865 (20 Brooking St, Yalgoo), R3227 (42 Campbell St Yalgoo), R33166 (48 Henty St Yalgoo), Lot 20 & 14 (Badja Woolshed Rd), R42986 (11 Gibbons St Yalgoo), R37933 (33 Henty St Yalgoo), R29476 (21 Stanley St Yalgoo . Shire Depot)

COUNCIL DECISION

C2018-0514 Request to Relinquish Management Orders to Geraldton Alternative Settlement Agreement

That Council inform the Shires solicitors as follows;

1. That the shire wishes to retain the sole management of the following reserves

Reserve 39961 Race Track

Reserve 21865 20 Brooking Street, Yalgoo

Reserve 3227 42 Campbell Street Yalgoo

Reserve 33166 48 Henty Street Yalgoo

Reserve 34324 Lots 20 and 14 Badja Woolshed Rd

Reserve 42986 11 Gibbons Street Yalgoo

Reserve 37933 33 Henty Street Yalgoo

Reserve 29476 21 Stanley Street Yalgoo

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 6/0

13.1 Community Survey

Cr Gail Trenfield informed the Council a Community meeting a survey should be conducted to gather comments from members of the community as to what they would like to see happen in Yalgoo prior to the annual budget & Community Strategic Plan.

COUNCIL DECISION

C2018-0515 Community Survey

That Council

Authorise the CEO to arrange a consultant to conduct a community survey to gain information from residents prior to the annual budget workshop.

Moved: Cr Gail Trenfield

Seconded: Cr Robert Grinham

Motion put and carried: 6/0

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC

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

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

Local Government Act 1995

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 Shire of Yalgoo 29 June 2018 commencing at 11.00 am.

16. MEETING CLOSURE

There being no further business, the President declared the Ordinary meeting closed at 12.26 pm

DECLARATION

These minutes were confirmed at the Ordinary Council Meeting held on the _____.

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

