



UNCONFIRMED MINUTES
OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE
COUNCIL CHAMBERS, YALGOO
ON FRIDAY, 14 DECEMBER 2018
COMMENCING AT 11.00 AM





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Agenda for the Ordinary Meeting of the Yalgoo Shire Council,
To be held in the Community Centre, Yalgoo
On Friday 14 December 2018, 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

President Cr Joanne Kanny declared the meeting open at 11.02 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 Tamisha Hodder
STAFF	Elisha Hodder, Executive Assistant
GUESTS	Nil
OBSERVERS	Dominic Carbone, Consultant Admin / Finance
LEAVE OF ABSENCE	Nil
APOLOGIES	Cr Robert Grinham Silvio Brenzi, Chief Executive Officer

3. DISCLOSURE OF INTERESTS

Disclosures of interest made before the Meeting.

Nil

ATTENDANCE: Elisha Hodder left the meeting at 11.05 am

ATTENDANCE: Elisha Hodder returned to the meeting at 11.06 am

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE AT THE ORDINARY COUNCIL MEETING DATED 30 NOVEMBER 2018.

4.1.1 Graham Bassell, question directed to the CEO Silvio Brenzi

Q. Why is it necessary to retain the 'Reckon' programme for enquiry purposes given the Ozone software package contains all the Reckon material, it having been migrated into the Ozone programme?

A. Response of the Chief Executive Officer

Prior years has not been transferred to Ozone all prior years data is held on the Reckon software, a limited licence will still be required in the future to allow the Shires' officers to make enquires in relation to past year transactions.

4.1.2 Graham Bassell, question directed to the CEO Silvio Brenzi

Q. Why is it that the minutes for the Shire Ordinary council meeting 26/10/18 are not uploaded onto the Shire web page, particularly since your previous response to a similar question on 26/9/18 was that 'CEO Silvio Brenzi response noted minutes and agendas to be updated'?

A. Response of the Chief Executive Officer

Staff have been instructed to upload the minutes.

4.1.3 Graham Bassell, question directed to the Shire President Joanne Kanny.

Q. Has a date been set for the Department of Local Government to now conduct a Probity Audit of the Shire? And if so, when is this happening?

A. Response of the Chief Executive Officer

The Shire volunteered to take part in the Department of Local Government Integrity Compliance Audit Programme in July 2018 all the information requested by the department has been supplied. The Shire has not received any feedback yet.

4.1.4 Graham Bassell, question to the CEO Silvio Brenzi.

Q. What was the total expenditure to financial consultants in the financial year ending 2018 – To Mr Dominic Carbone, To Mr Darren Long, To other Financial Consultant?

A Response of the Chief Executive Officer

An analysis of Account No. 14-05-01-2525 Consultancy for the 2017-18 financial year reveals the following payments were made,

<u>CONSULTANT</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
Dominic Carbone and Associates	\$75,250.00	Consultancy - Administration and Financial Support
MCG Architects	\$2,000.00	Consultancy - emergency services facility and recreation pavilion
Grant Empire	\$5,100.00	Consultancy – Funding application
Social Innovations Pty Ltd	\$1,100.00	Consultancy – Funding application
Burgess & Sons	\$9,930.00	Consultancy – Investigation
Hille Thompson & Delfos	\$1,450.00	Consultancy – Preparation of Drawings Yalgoo Rifle Club
Darren Long Consulting	\$11,500.00	Consultancy – Bank Reconciliations
WALGA	\$12,724.72	Consultancy – Workplace Investigation
Reilly & Co	\$2,710.72	Consultancy – Community Engagement
Records Archives Historian Management	\$6,380.00	Consultancy – Records Archives
Yalgoo Hotel Motel	\$2,204.84	Meals for consultants
Strategic Teams	\$4,000.00	Consultancy – Policy Manual Review
Total	\$134,350.28	

4.1.5 Graham Bassell, question directed to the CEO Silvio Brenzi

Q. Last month's list of payments indicate that you have paid your Finance Consultant Mr Dominic Carbone and Associates over \$17,000.00 for the month. And yet, you also paid a further \$6,655.00 to another finance consultant to reconcile the Shire's Municipal Fund. Why is the Shire contracting another consultant to reconcile the Shire's Municipal Bank Account when you already pay a financial consultant for such services?

A. Response of the Chief Executive Officer,

Bank reconciliations are performed by Shire Officers, Mr Carbone checks the reconciliations and assists with corrections.

The rates clerk/finance officer resigned in February 2018 and since then the Shire has not been able to find a suitable replacement. Mr Long has been engaged to fill the void.

4.1.6 Graham Basset, question directed to the CEO Silvio Brenzi

Q. The Shire has paid over \$17,000 to the financial consultant for one month's services (not including Mr Darren Long: \$6,655.00). If the financial consultant's services are to equate to such sum of money each month over a twelve month period, would it not be proper and lawful, for such services to be put to tender?

A. Response of the Chief Executive Officer,

On 14 September 2018 the Shire paid \$17,150 inclusive of GST for the provision of the following services.

- \$6,160 inclusive of GST for the month of July 2018 to review and reconcile accounts, preparation of Agendas, Reports and prepare monthly financial reports and CLGF return.
- \$10,945 inclusive of GST for the month of August 2018 end of financial year reconciliations, preparation of 2018-19 annual Budget, preparation of Agenda and reports.
- Tenders don't need to be called if the expenditure is below \$150,000 however quotations can be invited.

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

Date	Details	Attended with whom
3 December 2018	Attended the Meekatharra School of the Air Graduation – the Shire of Yalgoo had donated an award which was presented by President Cr Joanne Kanny	President Cr Joanne Kanny
11 December 2018	Attended a Special Council Meeting	President Cr Joanne Kanny Cr Gail Trenfield Cr Tamisha Hodder
11 December 2018	Attended the Yalgoo Primary School end of year Christmas concert and graduation and presented awards the Shire of Yalgoo had sponsored.	President Cr Joanne Kanny CEO Silvio Brenzi
11 December 2018	Yalgoo kids Christmas party hosted by the Shire of Yalgoo	President Cr Joanne Kanny
13 December 2018	Attended a 2 hr teleconference regarding wild dog funding	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 / COUNCIL DECISION

C2018-1201 Minutes of the Ordinary Meeting

That the Minutes of the Ordinary Council Meeting held on 30 November 2018 be confirmed.

Moved: Cr Percy Lawson

Seconded: Cr Tamisha Hodder

Motion put and carried: 5/0

8.2 SPECIAL COUNCIL MEETING

Background

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

Voting Requirements

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-1202 Minutes of the Special Meeting

That the Minutes of the Special Meeting of Council held on 11 December 2018 be confirmed.

Moved: Cr Gail Trenfield

Seconded: Cr Tamisha Hodder

Motion put and carried: 5/0

9. REPORTS 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).

Nil

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD

Nil

11.1 TECHNICAL SERVICES

11.1.1 Progress Report on the Capital Works Program 2018-19

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	9 December 2018
	Nil

Matter for Consideration

To receive the Progress Report on the 2018-2019 Capital Works Program.

Background

The Shire in adopting its 2018-2019 Annual Budget has allocated funds amounting to \$2,223,003 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 2018-2019 financial year are detailed be:

		2018-19 ANNUAL BUDGET	2018/19 NOVEMBER 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 November 2018
Governance					
000000-Admin Mobile Phones,laptop,Computers,Office Equip.	F & E	2,492	0	2,492	
000000- Motor Vehicle CEO	P & E	86,970	0	86,970	
000000- Motor Vehicle CGTS	P & E	64,794	0	64,794	
Law Order Public Safety					
000000-CCTV Yalgoo Townsite	F & E	9,000	0	9,000	
000000-CCTV Yalgoo Townsite - Conect to Yalgoo Police Station	F & E	4,000	0	4,000	
Housing					
000000-Staff Housing - Security	L & B	65,000	4,758	60,242	in progress
000000-Two Units 17 Shemrock Street	L & B	86,350	0	86,350	
Recreation and Culture					
000000 - Arts and Crafts Building	L & B	25,000	0	25,000	
000000-Power Supply Mens Shed and Rifle Club	L & B	15,000	0	15,000	
000000-Bollard Fence - Community Park	Recreation	8,000	968	7,032	in progress
000000- Community/School Oval Development	F & E	35,250	0	35,250	
000000- Community/School Oval Shared Use Development	Recreation	718,000	556,714	161,286	in progress

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

		2018-19 ANNUAL BUDGET	2018/19 NOVEMBER ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 30 November 2018
Transport					
000000- Machinery Shed Depot	L & B	7,393	6,230	1,163	completed minor saving
000000-Flood Control -Fuel Station	L & B	11,410	11,009	401	in progress
000000- Depot -Electric Boundary Fence and Gate	L & B	6,700	0	6,700	
000000- Water Cart Modifications	P & E	10,000	0	10,000	
000000- Motor Vehicle Foreman	P & E	68,722	0	68,722	
000000- Motor Vehicle Works Hilux	P & E	49,000	0	49,000	
000000- Generator 4.5kva	P & E	4,290	0	4,290	
000000- Generator 6.0kva with Fuel Tank	P & E	9,500	9,500	0	completed
000000- Transfer Pump	P & E	6,200	6,200	0	completed
000000- Paynes Find Airstrip Fence	Other	45,000	0	45,000	
000000-Paynes Find Beautification	Other	18,656	0	18,656	
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	544,968	0	544,968	
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ningham Road - Seal to width 4m	Roads	300,000	14,500	285,500	in progress
MUNICIPAL FUND					
000000- North Road - Crossing	Roads	10,000	0	10,000	

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

	2018-19 ANNUAL BUDGET	2018/19 NOVEMBER ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
	\$	YTD \$	\$	
By Program				
Economic Services				The CEO to provide a verbal update on the status of the capital projects as at 30 November 2018
000000-Caravan Park - Washing Machine and Dryer F & E	3,200	4,045	(845)	completed minor over expenditure
000000- Shelter and Seating Jokker Tunnel L & B	4,054	0	4,054	quotations received and deposit paid
000000- Shelter and Visitors Board at Railway Station L & B	4,054	0	4,054	quotations received and deposit paid
	2,223,003	613,924	1,609,079	

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-1203 Progress Report on the Capital Works Program 2018 - 2019

That Council receive the Progress Report on the Capital Works Program 2018 – 2019 as at 30 November 2018.

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried: 5/0

11.1.2 Technical Services Monthly Report 30 November 2018

Author:	Ray Pratt, Works Foreman
Interest Declared:	No interest to disclose
Date:	9 December 2018
Attachments	Nil

Matter for Consideration

That Council receives the Technical Services Monthly Report as at 30 November 2018.

Background

Nil

Statutory Environment

Nil

Statutory Implications

Nil

Consultation

Nil

Comment

1 ROAD CONSTRUCTION – CAPITAL

1.1 RRG Project Yalgoo – Ninghan Road

- Quotes are in and a decision will be made shortly on the successful supplier.

1.2 R2R Project Yalgoo – Morawa Road

- Quotes are in and a decision will be made shortly on the successful supplier.

2 ROAD MAINTENANCE - OPERATIONS

2.1 Planned Works

- Due to flooding on the Burnabinmah Road several areas have been re-sheeted and graded now all is completed.
- West Narndee road is planned for December to be graded
- Sandford River Crossing is having concrete repairs carried out on a failed section.

2.2 Dalgaranga Road

- The Dalgaranga road was graded to the Melangata road intersection which is now completed. Now grading the Pindathuna road.
- Intent is to complete the entire road.

2.3 Wagga – Muralgarra Road

- The Wagga Muralgarra road has been graded once again due to rain damage on the 10 November.

2.4 Ninghan Road

- The Station road into Ninghan Station has been graded once again due to rain along with repairs to floodways.

2.5 Paynes Find airstrip

- Due to heavy rain the Paynes find airstrip needed a grade.

2.6 Maranalgo Road

- Tidy up washout due to heavy rain.
-

3 OTHER INFRASTRUCTURE MAINTENANCE

3.1 Plant and Equipment

- Multi Tyre Cat roller has been repaired and back on the road.
- Bob the Mechanic spent a few days in Yalgoo services a majority of the Shire equipment.
- Water trailer was collected from Geraldton after it was refurbished.

3.2 Buildings

- On the 19 November Hallinan's serviced all Shire air-cons .

3.3 Town Street

- Nil

4 PARKS AND RESERVES

4.1 Art & Culture Centre

- Nil

4.2 Community Town Oval

- Oval is looking good with regular mowing and being fertilised.
- Lights installed and palms transplanted
- Pavilion was delivered on the 28 November 2018
- Power and water have been connected to the sports pavilion.
- Oval lights were erected and fitted.

- Dates sent to BBRF to have opening days approved by Ministers 15th, 22nd Feb or 29th March.

4.3 Community Park, Gibbons Street

- Nil

4.4 Community Park, Shamrock Street

- Nil

4.5 Water Park

- Shade sales have been breaking due to strong winds. Supplier is modifying to increase durability. To be installed prior to the 20th December.

4.6 Yalgoo Caravan Park

- New power points have been installed from the new dryer and washing machine.

5 INFRASTRUCTURE - CAPITAL

5.1 Rifle Range

- Rifle Range is progressing well, nothing has been done during November. Signage to be installed with flag poles remaining.

6 PRIVATE WORKS

6.1 Nil

7 PURCHASING

Nil

8 STAFF

8.1 Training & Licences Completed

- All Depot staff took part in the forklift course which was held on the 29 and 30th November 2018.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-1204 Technical Services Monthly Report 30 November 2018

That Council:

Receive the Technical Services report as at 30 November 2018.

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

Nil

11.3 FINANCE

11.3.1 Accounts for Payment November 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	9 December 2018
Attachments	Nil

Matter for Consideration

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

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1024*2019	Canine Control	02/11/2018	Consultancy Fees - Ranger Service October 2018	1,934.10
1034*2019	Communication Systems Geraldton	02/11/2018	UHF Radios	1,355.99
1044*2019	Rocke, David	02/11/2018	Cleaning of Paynes Find Community Centre	182.42
1059*2019	Trenfield, Gail	02/11/2018	Meeting Fees -October 2018	527.67
1066*2019	Geraldton Party Hire	02/11/2018	Marquee Hire for Emu Cup Festival	2,176.00
1085*2019	Kanny, Joanne	02/11/2018	Meeting Fees -October 2018	1,707.12
1158*2019	Grinham, Robert	02/11/2018	Meeting Fees -October 2018	1,492.60
1166*2019	BRENZI, Silvio	02/11/2018	Reimbursemt - Refreshments -Morning Tea for Council Meeting	44.97
1220*2019	PAYNE, GREGORY ARTHUR	02/11/2018	Meeting Fees -October 2018	784.27
1234*2019	DATACOM SOLUTIONS (AU) PTY LTD	02/11/2018	Consultancy Fees Expense Recovery - Steve Carter Datacom	2,663.65
1244*2019	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	02/11/2018	2018-2019 Council Corporate Membership	1,473.00
1277*2019	REILLY & CO	02/11/2018	Event Coordinaation for Emu Cup Festival	5,500.00
1309*2019	SHIRE OF YALGOO	02/11/2018	Payment of Rates for Assessment 1906	11,881.25
1311*2019	HODDER, TAMISHA	02/11/2018	Meeting Fees -October 2018	645.67
1313*2019	SMITH, PETER	02/11/2018	Coordination of the Murdoc Vet Program 2018	2,782.14
1405*2019	WAGGA WAGGA STATION	02/11/2018	Wild Dog Bounty Scheme	110.00
1436*2019	COERCO PTY LTD	02/11/2018	4000 ltr Septic Tank for Sports Oval	5,042.40
1442*2019	THE BLOCK MAKERS	02/11/2018	96 Blocks for Art Centre	1,795.20
1463*2019	SIMPSON, MARGARET	02/11/2018	Payment of Proceeds - Sale of Art	735.00
1476*2019	ART & SOUL BY THE SEA	02/11/2018	ART SUPPLIES	149.80
1478*2019	SIMPSON, PHYLLIS	02/11/2018	Refund - Dog Registration	25.00
1012*2019	Australian Taxation Office	05/11/2018	BAS - September 2018	28,917.00
1479*2019	TRIPLE J IMPORTS	05/11/2018	Wing Flags for Rifle Club	601.15
1009*2019	Austral Mercantile Collection Pty Ltd	09/11/2018	Debt Collection Fee	1,729.75
1011*2019	Australian Golden Outback	09/11/2018	Shire Editorial in 2019 Outback Holiday Planner	1,675.00
1015*2019	Beaurepaires	09/11/2018	YA 860 - TYRES	4,596.00
1018*2019	BOQ Asset Finance & Leasing Pty Ltd	09/11/2018	Photocopier Rental	329.50
1021*2019	Bunnings Building Supplies Pty Ltd	09/11/2018	1 PALLET OF RAPID SET CONCRETE: 60 BAGS	478.80
1028*2019	Civic Legal	09/11/2018	Legal Fees -Surveillance Devices Act Matter Claim for Compensation	12,708.30
1041*2019	Crowe's Electrical	09/11/2018	Electrical Repairs - Carpark renew faulty clock for security lights	209.00
1048*2019	Dominic Carbone & Associates	09/11/2018	Consultancy Fees - Administration and Finance	3,080.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1056*2019	Five Star Business Equipment & Comms	09/11/2018	Photocopier Maintenance	1,655.94
1067*2019	Geraldton Toyota	09/11/2018	Motor Vehicle Services	1,019.95
1073*2019	Great Northern Rural Services.	09/11/2018	Workshop Consumables - Gardening	109.45
1089*2019	K9 K10 ELECTRICAL WA	09/11/2018	Security Alarm Monitoring	170.32
1091*2019	Landgate	09/11/2018	Valuation Fees - Mining Tenements	39.00
1120*2019	Mulga Mail	09/11/2018	Advertising for the Emu Cup Festival	927.30
1132*2019	Out of the Box Community Events	09/11/2018	ACTIVITIES FOR EMU CUP FESTIVAL	7,961.25
1137*2019	PaynesFind Road House & Tavern	09/11/2018	Accommodation & Meals - Ray Winfield	1,988.50
1161*2019	S & H Cranes P/L	09/11/2018	Crane Hire	616.00
1174*2019	Sun City Plumbing	09/11/2018	Repairs -8 Henty St - blocked shower waste drains	121.00
1175*2019	Sun City Print	09/11/2018	2 x posters (Rifle Range Title)	120.00
1184*2019	Totally Workwear Geraldton	09/11/2018	Work Clothes - Andrew McSporran	42.55
1189*2019	Urbis Pty Ltd	09/11/2018	Planning Consultancy Fees - Finalisation to scheme amendment	548.24
1191*2019	Veolia Environmental Services	09/11/2018	Rubbish Collection Fees	9,200.57
1199*2019	WestCoast SeaFood	09/11/2018	Morning Tea for Council Meetings	66.00
1235*2019	ELLIS & SONS CONSTRUCTION	09/11/2018	Remove existing verandah posts and replace, Railway Station - repairs to Ablution Block, Carpark - install disabled hand rails, 18a Shamrock - remove & reinstall toilet cistern	3,878.60
1240*2019	Westrac Equipment Pty Ltd	09/11/2018	YA457: PARTS	875.67
1264*2019	PINPOINT CLEANING SOLUTIONS	09/11/2018	Cleaning of Shire Houses - 27 Stanley and 18a Shamrock	6,142.50
1280*2019	BP MECHANICAL MAINTENANCE	09/11/2018	YA457- Service & Repairs, YA453 - Service & Repaire, YA465: Service & Repairs, YA395 - Service & Repairs	2,241.16
1301*2019	MID WEST CONCERT SOUND & LIGHTING	09/11/2018	Sound Reinforcement for Emu Cup Festival	3,003.00
1308*2019	Gearing Butchers	09/11/2018	Animal Sterilisation Program	103.09
1315*2019	MDF SERVICES PTY LTD	09/11/2018	Repairs to Water Tanker	12,148.39
1357*2019	ARTISTRY SIGN MAKERS	09/11/2018	Final Payment for Signs	6,150.00
1381*2019	MURCHISON CLUB HOTEL	09/11/2018	Accommodation -Cr Jo Kanny	143.00
1389*2019	SHIRE OF PERENJORI	09/11/2018	Contributions - CESM Program	3,048.31
1405*2019	WAGGA WAGGA STATION	09/11/2018	Wild Dog Bounty Scheme	110.00
1437*2019	GERARD LIGHTING	09/11/2018	AS PER QUOTE# GLG-0183373-4-1 LIGHTING FOR SHIRE OFFICE	20,762.48
1473*2019	AUSSIE TREE SERVICE	09/11/2018	Tree Pruning	18,738.06
1480*2019	MIDWEST ABORIGINAL MEDIA ASSOCIATION	09/11/2018	Sponsorship Promoting Yalgoo Emu Cup Festival	220.00
1005*2019	AMPAC Debt Recovery (WA) Pty Ltd	16/11/2018	Debt Collection Fee	5.50

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1006*2019	Asphalt in a Bag	16/11/2018	PALLET OF ASPHALT	1,718.75
1016*2019	BOC Limited	16/11/2018	Container Service Charge	240.86
1018*2019	BOQ Asset Finance & Leasing Pty Ltd	16/11/2018	Photocopier Rental	329.50
1021*2019	Bunnings Building Supplies Pty Ltd	16/11/2018	GAS BOTTLE EXCHANGE & SUNDRY ITEMS FOR CARAVAN PARK AND CARAVAN PARK Concrete Rapid Set	736.98
1040*2019	Courier Australia	16/11/2018	Freight Charges - Asphalt Jason Sign Makers	1,809.77
1041*2019	Crowe's Electrical	16/11/2018	Electrical Works CHAPEL: REPAIR DAMAGED LIGHT & FITTINGS	3,976.42
1056*2019	Five Star Business Equipment & Comms	16/11/2018	Photocopier Maintenance	416.05
1067*2019	Geraldton Toyota	16/11/2018	100,000k Service Toyota Landcruiser YA-778	524.55
1084*2019	Jason Signmakers	16/11/2018	SIGNS AS PER QUOTE 116399	7,062.11
1093*2019	LGISWA	16/11/2018	Property Insurance	59,153.20
1101*2019	Marketforce	16/11/2018	Advertising - Approved Local Planning Scheme Amendment	353.69
1138*2019	Pemco Diesel Pty Ltd	16/11/2018	YA453 - PARTS FLASHER UNIT	165.00
1162*2019	Security & Keys	16/11/2018	Bi-lock Keys & Cylinders	479.66
1182*2019	ThinkWater Geraldton	16/11/2018	Reticulation - Poly Pipe, Joiner & Connectors	2,190.10
1184*2019	Totally Workwear Geraldton	16/11/2018	Work Clothes - Edward Bukelis - Ray Winfield - Andrew McSporrnan	978.57
1186*2019	Truck Centre(WA) Pty Ltd	16/11/2018	YA 795: SERVICE	1,360.91
1240*2019	Westrac Equipment Pty Ltd	16/11/2018	Repairs and Parts for YA890,YA457,YA424,YA860	6,427.29
1243*2019	WURTH	16/11/2018	SUNDRY ITEMS FOR WORKSHOP	613.56
1251*2019	Atyeo's Environmental Health Services PL	16/11/2018	Consultancy Fees - EHO	4,226.10
1264*2019	PINPOINT CLEANING SOLUTIONS	16/11/2018	Cleaning - Shire Buildings	2,145.00
1315*2019	MDF SERVICES PTY LTD	16/11/2018	YA 807 - Service & Repairs	3,744.60
1337*2019	HILLE, THOMPSON & DELFOS	16/11/2018	Consultancy Fees - Sports Complex - Setout Building & Carpark Location	2,299.00
1374*2019	MIDWEST TURF SUPPLIES	16/11/2018	Reticulation Works and Fertilise Oval	2,853.00
1474*2019	DEPENDABLE LAUNDRY SERVICE	16/11/2018	8.5KG TOP LOAD WASHING MACHINE CARAVAN PARK	4,449.50
1475*2019	OPUS MUSIC GERALDTON	16/11/2018	BEHRINGER SPEAKER MPA40BT-PRO	450.00
1481*2019	BRANDY HILL IRON PTY LTD	16/11/2018	2018/2019 Early Ratepayer Prize	1,000.00
1011*2019	Australian Golden Outback	26/11/2018	2018/2019 Membership Renewal	295.00
1024*2019	Canine Control	26/11/2018	Consultancy Fees - Ranger Service	967.05
1067*2019	Geraldton Toyota	26/11/2018	80,000km service	239.86
1121*2019	Mullewa Engineering Services	26/11/2018	Flag Pole Frames for Rifle Club	1,994.30

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1182*2019	ThinkWater Geraldton	26/11/2018	Retic Fillings Sports Oval	217.10
1184*2019	Totally Workwear Geraldton	26/11/2018	Patricia Carnamah - Work Uniform	205.26
1187*2019	Truckline Geraldton	26/11/2018	FREIGHT SUNDRY SUPPLIES FOR WORKSHOP	494.90
1203*2019	Westside Painting Service	26/11/2018	Staff Housing 6 Henty - Painting of internal walls	12,200.00
1225*2019	WALGA	26/11/2018	2019 Desk Pad Calendars	89.40
1240*2019	Westrac Equipment Pty Ltd	26/11/2018	Parts YA 807	1,054.46
1294*2019	DFES	26/11/2018	2018/2019 ESL Quarter 2 payments	6,223.80
1347*2019	GRANTS EMPIRE	26/11/2018	Grant Application -YALGOO CCTV EXPANSION and Emu Cup 2019 Funding Application	3,432.00
1372*2019	DARREN LONG CONSULTING	26/11/2018	Consultancy Fees - Financial	8,690.00
1443*2019	MODULAR WA	26/11/2018	Progress Claim - Sports Pavilion	196,597.16
1040*2019	Courier Australia	30/11/2018	Freight Charges - Winc	160.50
1048*2019	Dominic Carbone & Associates	30/11/2018	Consultancy Fees - Administration and Accounting	4,675.00
1064*2019	REFUEL AUSTRALIA	30/11/2018	October Fuel Charges 2018	23,689.14
1142*2019	PIVOTEL SATELLITE PTY LIMITED	30/11/2018	Satelite Phone Charges	704.00
1146*2019	Protector Fire Services	30/11/2018	Service to Fire Equipment	374.93
1182*2019	ThinkWater Geraldton	30/11/2018	Retiulation Fittings	85.35
1191*2019	Veolia Environmental Services	30/11/2018	Rubbish Collection fee	4,089.14
1195*2019	Water Corporation	30/11/2018	Water Use & Service Charge	340.71
1277*2019	REILLY & CO	30/11/2018	Yalgoo Emu Cup Festival Coordination	7,742.38
1364*2019	MIDWEST FIRE PROTECTION SERVICES & EYE SPY SECURITY	30/11/2018	Service to Fire Equipment	1,371.04
1376*2019	YALGOO COMMUNITY POST OFFICE	30/11/2018	February, March, April 2018 Postal Charges May, June, July 2018 Postal Charges August, September, October, November 2018 Postal Charges	2,428.20
1412*2019	PRATT, HELEN	30/11/2018	Payment of Proceeds - Sale of Art	22.50
1434*2019	MURCHISON EARTHMOVING & REHABILITATION PTY LTD	30/11/2018	Paynes Find - Clean Rubbish Tip	792.00
1443*2019	MODULAR WA	30/11/2018	Progress Claim for Sports Pavilion	180,848.16
1477*2019	LIBERTY METALCENTRE	30/11/2018	6mm steel round rod, 6mm plate as per QUOTE NO: 25	3,181.10
1478*2019	SIMPSON, PHYLLIS	30/11/2018	Payment of Proceeds - Sale of Art	6.00
1484*2019	DARNELL, KEN	30/11/2018	Wild Dog Bounty Scheme	110.00
TOTAL				772,513.19

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Accounts for Payment November 2018

That Council approve the list of accounts paid for the period 1 November 2018 to 30 November 2018 amounting to \$772,513.19 and the list be recorded in the Minutes.

Moved: Cr Gregory Payne Seconded: Cr Percy Lawson Motion put and carried:

Dominic Carbone explained on page 20, Gerard lighting invoice details should be corrected to read shire oval not shire office.

Cr Gail Trenfield enquired about the overall cost of the Emu Cup.

Dominic Carbone explained a report would be made available to detail the breakdown of all costs and revenues for the emu cup.

Cr Gregory Payne asked for the overall budget of the Emu Cup.

Dominic Carbone advised Cr Payne the Emu Cup budget amounted to \$102,000 expenditure and \$41,000 projected income.

President Cr Joanne Kanny requested an amendment be made to the recommendation to add a detailed report to be provided in relation to the EMU Cup.

Cr Gail Trenfield moved the amendment, it was then second by Cr Tamisha Hodder.

There being no further debate on the matter the amendment was carried 5/0.

AMENDMENT / COUNCIL DECISION

C2018-1205 Accounts for Payment November 2018

That Council

- 1. Approve the list of accounts paid for the period 1 November 2018 to 30 November 2018 amounting to \$772,513.19 and the list be recorded in the Minutes.**

- 2. A detailed report be provided in relation to the emu cup.**

Moved: Cr Gail Trenfield Seconded: Cr Tamisha Hodder Motion put and carried: 5/0

11.3.2 Investments as at 30 November 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	9 December 2018
Attachments	Nil

Matter for Consideration

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

SHIRE OF YALGOO INVESTMENTS AS AT 30 NOVEMBER 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	\$2,272,987.04
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,215.62
NAB	N/A	Term Deposit	89-977-1574	2 months 29 days	25.09.2018	24.12.2018	2.0%	\$63,104.26
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$51,955.88
TOTAL								\$2,429,262.80

RESERVE FUNDS								
NAB	N/A	Term Deposit	97-511-4454	2 months 29 days	25.09.2018	24.12.2018	2.0%	\$163,436.64
NAB	N/A	Term Deposit	89-972-5236	2 months 29 days	25.09.2018	24.12.2018	2.0%	\$453,673.53
NAB	N/A	Term Deposit	11-186-3992	2 months 29 days	25.09.2018	24.12.2018	1.75%	\$1,082,256.02
TOTAL								\$1,699,366.19

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 2018 TO 30 NOVEMBER 2018						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 30.11.2018	INVESTMENT TRANSFERS	CLOSING BALANCE 30.11.2018
86-538-7363	Ongoing	Variable	\$41,141.54	\$73.48	0	\$41,215.62
89-977-1574	24.12..2018	2.0%	\$62,683.84	\$420.42	0	\$63,104.26
24-831-4222	Ongoing	Variable	\$51,862.49	\$93.39	0	\$51,955.88
97-511-4454	24.12.2018	2.0%	\$162,347.79	\$1,088.85	0	\$163,436.64
89-972-5236	24.12.2018	2.0%	\$450,651.08	\$3,022.45	0	\$453,673.53
11-186-3992	24.12.2018	1.75%	\$1,075,045.84	\$7,210.18	0	\$1,082,256.02

Voting Requirements

Simple Majority

Dominic Carbone updated council on the investments held.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-1206 **Investments as at 30 November 2018**

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

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

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

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	9 December 2018
Attachments	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 30 November 2018; • Financial Activity Statement; ending 30 November 2018 • Summary of Current Assets and Current Liabilities as of 30 November 2018; • Statement of Current Financial Position as at 30 November 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

That the financial statement for the month of November were provided to members prior to the meeting, Mr Dominic Carbone made a presentation to council at the meeting.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-1207 R34 (1) Financial Activity Statement for the Period ended the 30 November 2018.

That Council:

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

Moved: Cr Gregory Payne

Seconded: Cr Gail Trenfield

Motion put and carried: 5/0

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 9 December 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	9 December 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	Review is currently underway. Consultant appointed.
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	Quotes have been received from preferred supplier. Local laws have been referred to two preferred suppliers for a quotation on 28 November 2018.

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
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.	<p>Works Foreman advised that the Shire cannot hold a prospect Licence. CEO to contact the Department of Mining and Petroleum to discuss the matter.</p> <p>Pastoral owner contacted and endorses the proposal. Appointment to be made with DMP</p>
	Paynes Find Planning Compliance Assessment	<p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to Clause 10.3 of the Shire of Yalgoo Local Planning Scheme No.2 approve the respective site plans for Lot 4317, Goodingnow Road, Paynes Find WA 6612 (PilRoc Retreat) and Lot 4234, Great Northern Highway, Paynes Find WA 6612 (Paynes Find Roadhouse & Tavern); 2. Advise the owners of the property that: <ol style="list-style-type: none"> i. Any future development upon the site that requires associated planning approval are to be determined and approved by the Council accordingly; ii. Approval of the respective site plans do not constitute approval for any applications which may be pending determination by Council, and do not guarantee future approvals on the site. iii. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development commencement and carrying out of the development 3. Provide the Compliance Assessment Report and a copy of this determination to the respective landowners. 	<p>Letter sent to the Minister, awaiting on signed documentation</p> <p>On going.</p>

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
		4. Seek confirmation from the landowners in relation to the recommended scheme amendments identified in the assessment reports prior to initiation.	
31 August 2018	Offer to purchase Lot 9 and 10 Henty Street	That Council Approve the CEO to make an offer at the Auction of Lot 9 and 10 Henty Street, due to unpaid rates, not exceeding the reserve set price.	No Bids were made as there were no attendees at the auction therefore, the reserve price could not be reached and was subsequently passed in. The two lots will now be transferred to the Shire in 12 months time.
26 October 2018	Shire of Yalgoo Tourism Advisory Committee	Council resolved to establish the Advisory Committee and appointed the CEO and Crs. Gail Trenfield and Tamisha Hodder	Council to Appoint up to two other members who have an interest in tourism on a local and or regional basis. Emails to be sent to appropriate community members inviting them to be members of the committee.
30 November 2018	Council meeting Dates for 2019	Council resolved to advertise the meeting dates accordingly.	The meeting dates were advertised on 14 December 2018
30 November 2018	Letter of Support	Council resolved to provide a letter of support to Remote Pilot Aircraft Australia.	The letter of support was sent.

Voting Requirements

Simple Majority

Cr Gail Trenfield enquired about the Shire of Yalgoo Tourism Advisory Committee community representative and whether any emails have been sent out to the appropriate people.

OFFICER RECOMMENDATION / COUNCIL DECISION

C2018-1208 Report on Matters Outstanding as at 9 December 2018

That Council:

Receives Report N^o 11.4.1 Report on Matters Outstanding as at 9 December 2018.

Moved: Cr Gail Trenfield

Seconded: Cr Tamisha Hodder

Motion put and carried: 5/0

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

12.1.1 A notice of motion received from Cr Gail Trenfield

Cr Gail Trenfield put forward a motion for the CEO to investigate options for the Councillors to purchase the Shire owned iPads.

President Cr Joanne Kanny requested that Cr Trenfields motion be seconded.

The motion was seconded by Cr Gregory Payne.

there being no debate on the matter the motion was put.

COUNCIL DECISION

C2018-1209 Councillors to purchase Shire owned iPads

That Council:

Authorises the CEO to investigate options for the Councillors to purchase the Shire owned iPads.

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried: 5/0

13. URGENT BUSINESS

13.1 Councillors raised concerns to the following issues listed below for the CEO to take on-board.

- Cr Gail Trenfield raised concerns to the missing shade sails at the Water Park and Shamrock St Children’s Park, as its getting hotter.

The CEO informs that the shade sails will be installed prior to the 20th December 2018.

- Cr Gail Trenfield asked why no bins are located at the Shamrock St park and whether rubbish bins be placed around the town.
- Cr Tamisha Hodder raised concerns to the daily maintenance of the waterpark and rage cage in relation to the rubbish and clogged drains, and spider webs around the playground.

13.2 Children’s Gifts Supplied by the Shire of Yalgoo

Cr Gail Trenfield advised a few children had missed out on gifts.

President Cr Joanne Kanny asked if council would like the CEO to investigate and prepare a report.

COUNCIL DECISION

C2018-1210 Children’s Gifts Supplied by the Shire of Yalgoo

That Council:

Request the CEO to prepare a report and a draft administration policy in relation to the Christmas gifts to the children residing in yalgoo.

Moved: Cr Gail Trenfield

Seconded: Cr Gregory Payne

Motion put and carried: 5/0

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

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 at the Council Chambers, Yalgoo on Thursday 31 January 2019 commencing at 10.00 am.

16. MEETING CLOSURE

There being no further business, the President declared the Ordinary meeting closed at 12.08 am

