



AGENDA  
FOR THE ORDINARY MEETING  
OF COUNCIL  
TO BE HELD IN  
THE COUNCIL CHAMBERS, YALGOO  
ON FRIDAY, 22 MARCH 2019  
COMMENCING 11.00 AM



# SHIRE OF YALGOO

## NOTICE OF ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE YALGOO COUNCIL CHAMBERS, YALGOO ON FRIDAY, 22 MARCH 2019 COMMENCING AT 11.00 AM.

**Silvio Brenzi**

Chief Executive Officer



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Agenda for the Ordinary Meeting of the Yalgoo Shire Council,  
To be held in the Community Centre, Yalgoo  
On Friday 22 March 2019 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**

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

MEMBERS

STAFF

GUESTS

OBSERVERS

LEAVE OF  
ABSENCE

APOLOGIES

## **3. DISCLOSURE OF INTERESTS**

Disclosures of interest made before the Meeting.

## **4. PUBLIC QUESTION TIME**

### **4.0 QUESTIONS TAKEN ON NOTICE AT THE ORDINARY COUNCIL MEETING HELD 22 FEBRUARY 2019**

#### **4.1.1 Neil Grinham's question directed to President Cr Joanne Kanny**

**Q. Did you receive a gift from Consultant and Events organiser Jodi Reilly to attend a beauty makeover of sorts in November after the Melbourne Cup day races in Geraldton.**

**If so did you declare this gift on the Yalgoo Shires gift register?**

**A. President Cr Joanne Kanny provided the following response.  
A competition was entered. A group of people were awarded and taken, of which I was a member of the group. No personal individual gift was received.**

#### **4.1.2 Neil Grinham's question directed to President Cr Joanne Kanny**

**Q. As per the Administrations Regulations your Annual report should contain an explanation for any modifications to the Strategic Community Plan within the financial year.**

**Referring to the cancellation of the Family Support Officer and programs.  
The loss of the Community Development Officer and programs.  
The engagement of a new process for replacing the above.**

**Yalgoo has gone from daily support with programs to add hock events and programs throughout the year.**

**The children are the ones missing out.**

**This I can believe has a roll on effect to all other critical Shire Strategic Plans and should have been explained to the whole community of Yalgoo Shire under the Administration Regulations in the annual report.**

**Can u tell us why this has not been included?**

**A. President Cr Joanne Kanny provided the following response.  
Reference is made to the Local Government (Administration) Regulations 1996 1. Regulation 19 (ca) and 19 (c) no modifications to the Strategic Plan were made and nor was consideration given by the Council.**

#### 4.1.3 Graham Bassell's question directed to CEO Silvio Brenzi

**Q. Why did Mr Dominic Carbone, the Shire financial Consultant, prepare item 11.4.4 (Review of Council Policies) for the Yalgoo Shire Council Meeting Agenda on 22/2/19 and not yourself, given that you were directed on 31/3/17 to review the Shire Policies?**

A. Chief Executive Officer Silvio Brenzi provided the following response.  
Reference is made to section 5.41 of the Local Government Act 1995 which details the functions of the CEO in particular part (b) and (c) just because the resolution states that the CEO undertake the task it does not need to be performed by the CEO just as long as the task is performed.

#### 4.1.4 Graham Bassell's question directed to CEO Silvio Brenzi

**Q. In the Yalgoo Shire Council Minutes on 31/3/17 at 12.1 Council made the following direction to you – “ That the Chief Executive Officer undertake a review of the Shire Policies over the next three months”. A perusal of the Shire Council Meeting Minutes over the ensuing period reveals little action on the Council's Direction.**

**Why has it taken until the Shire Council Meeting of 22/2/19: Agenda Item 11.4.4 [a period of 22 months] for recommendations to be made to Council on the shape of the re-vamped Shire Policy Manual[s]?**

**NB: The recommendations set out the policy manual structures and are not recommendations of actual policies.**

A. Chief Executive Officer Silvio Brenzi provided the following response.  
The task required the engagement of suitable consultants, consultants have been engaged and the review is now progressing.

#### 4.1.5 Graham Bassell's question directed to President Cr Joanne Kanny

**Q. As a member of Yalgoo Shire Council on 31/3/17, you were a party to the Council's direction to CEO Brenzi: “That the Chief Executive Officer undertake a review of the Shire Policies over the next three months”**

**Why have you [now as Shire President] allowed the Council direction to the CEO linger without constructive action for 22 months?**

A. President Cr Joanne Kanny provided the following response.  
The task required the engagement of suitable consultants, this is now complete and the review is now progressing.

### 4.1 QUESTIONS TAKEN ON NOTICE

### 4.2 QUESTIONS TAKEN WITHOUT NOTICE



## **8. CONFIRMATION OF MINUTES**

### **8.0 ORDINARY COUNCIL MEETING**

#### **Background**

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

#### **Voting Requirements**

Simple majority

#### **OFFICER RECOMMENDATION**

##### **Minutes of the Ordinary Meeting**

**That the Minutes of the Ordinary Council Meeting held on 22 February 2019 be confirmed as a true and correct record of proceedings.**

**Moved:**

**Seconded:**

**Motion put and carried / lost**



## 9. REPORTS OF COMMITTEE MEETINGS

### 9.1 Audit Committee Meeting held 22 March 2019

#### 9.1.1 Report on Compliance Audit Return 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 March 2019
Attachments :	2018 Compliance Audit Return

#### Matter for Consideration

That the Committee give consideration to the Compliance Audit Return 2018 and recommend to Council that the Compliance Audit Return be adopted and certified by the President and Chief Executive Officer and a copy to be forwarded to the Department of Local Government Sport and Culture Industries by 31<sup>st</sup> March 2019.

#### Background

Regulation 14 and 15 of the Local Government (Audit) Regulations 1996 requires that the Council carry out a Compliance Audit for the period 1<sup>st</sup> January to the 31<sup>st</sup> December in each year and be submitted to the Executive Director by the 31<sup>st</sup> March of the following year.

#### Statutory Environment

##### *Local Government Act 1995*

##### 7.13. Regulations as to audits

- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —
  - (i) of a financial nature or not; or
  - (ii) under this Act or another written law.

##### Local Government (Audit) Regulations 1996

##### 14. Compliance audits by local governments

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

15. Compliance audit return, certified copy of etc. to be given to Executive Director

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —

(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c);  
and

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

(2) In this regulation —

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

(a) the mayor or president; and

(b) the CEO.

**Business Implications**

Nil

**Consultation**

Nil

**Comment**

The Shire of Yalgoo is required to carry out an Annual Compliance Audit for the period 1<sup>st</sup> January 2018 to 31<sup>st</sup> of December 2018. The Compliance Return for 2018 has been completed online on the Department of Local Government Sport and Culture Industries website and is attached for consideration.

The Compliance Return is to be adopted by Council and certified by the President and the Chief Executive Officer along with a copy of the relevant section of the Minutes be forwarded to the Director General by the 31st March 2019.

**Voting Requirements**

Simple Majority

**COMMITTEE RECOMMENDATION**

**Report on Compliance Audit Return 2018**

**That Council adopts the 2018 Compliance Audit Return be adopted and certified by the President and Chief Executive Officer and forwarded to the Department of Local Government along with the relevant section of the Minutes.**

**Moved:**

**Seconded:**

**Motion put and carried/lost:**

### 9.1.2 Report on 2018-19 Annual Budget Review

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 March 2019
Attachments :	Statement of Financial Activities , Statement of Surplus/ Deficit, Statement of Closing Funds, Budget Analysis Worksheets

#### Matter for Consideration

That council review the 2018-19 Annual Budget Review

#### Background

Regulation 33A of the Local Government Act (Financial Management) Regulations 1996 requires that a Local Government between 1<sup>st</sup> February and 31<sup>st</sup> March in each year carry out a review of its Annual Budget for that year. A copy of the review and the determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

Council adopted a 10% or \$10,000.00 variance or whatever is the greater for the reporting of material variances identified in the annual budget review

#### Statutory Environment

##### 33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
  - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government’s financial position as at the date of the review; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

##### 6.8. Expenditure from municipal fund not included in annual budget

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

- (1a) In subsection (1) —
  - additional purpose means a purpose for which no expenditure

estimate is included in the local government’s annual budget.

- (2) Where expenditure has been incurred by a local government —
  - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
  - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

**Business Implications**

Nil

**Consultation**

Dominic Carbone

**Comment**

A review of the Shire’s 2018-19 Annual Budget has been undertaken in accordance with the Financial Management Regulations and the following worksheets have been prepared;

Statement of Financial Activities	(refer attachments)
Statement of Surplus/ Defecate	(refer attachments)
Statement of Closing Funds	(refer attachments)
Budget analysis Worksheets	(refer attachments)

The review of the 2018-19 Annual Budget revealed:

- 1) An increase in operating revenue amounting to \$226,492 comprising of:

REVENUE

Increase in rates levied	\$99,993
Decrease in intermin rating	(\$32,526)
Increase in financial assistance grants	\$83,696
Increase in FESA grant received	\$7,000
Increase in caravan park fees and charges	\$20,000
Decrease in private works charges	(\$3,950)
Increase in commission vehicle licencing	\$2,000
Increase in workers compensation reimbursements	\$60,000
Decrease other minor variances	(\$9,721)
	\$226,492

- 2) An increase in operating expenditure amounting to \$100,345 comprising of:

EXPENDITURE

Increase in debt collection costs	(\$4,000)
Increase in rates refunds	(\$12,500)
Increase in members meeting fees	(\$7,708)
Decrease in Members travel claims	\$8,000
Decrease in Members conference expenses	\$7,000
Decrease in election expenses	\$10,000
Increase in EHO consulting	(\$3,000)

Decrease in staff housing insurance expenses	\$3,516
Decrease in staff housing utilities	\$15,000
Decrease in EHO consulting - Planning	\$4,000
Decrease in public conveniences maintenance	\$4,962
Decrease in community bus expenses	\$2,800
Decrease in community park maintenance	\$3,358
Decrease in shamrock park maintenance	\$8,625
Decrease in railway station building and ground maintenance	\$17,914
Increase in paynes find complex maintenance	(\$2,733)
Increase in water park maintenance	(\$4,618)
Increase in chapel maintenance	(\$2,110)
Increase in art centre operations and maintenance	(\$9,153)
Increase in town street maintenance	(\$20,000)
Increase in signs repairs and replacements	(\$12,434)
Increase in rural road maintenance	(\$150,000)
Decrease in caravan park operations	\$7,413
Decrease in emu cup event	\$22,527
Decrease in banners in the terrace	\$3,500
Decrease in private works expenses	\$3,950
Decrease other minor variances	\$5,346
	<u>(\$100,345)</u>
3) Gain or loss on sale of assets:	
Decrease in proceeds from sale of assets	<u>(\$12,706)</u>
Increase in net loss on sale of assets	<u>(\$12,706)</u>
4) Furniture and Equipment	
Additional expenditure- replace washing machine and dryer	<u>(\$3,040)</u>
	<u>(\$3,040)</u>
5) Land and Buildings	
Savings- machinery shed depot	\$1,163
Savings -flood control fuel station	\$401
	<u>\$1,564</u>
6) Plant and Equipment	
Over expenditure - CEO vehicle	(\$5,487)
Savings - Admin vehicle	\$5,662
Over expenditure - works foreman vehicle	(\$8,001)
	<u>(\$7,826)</u>
7) Roads Infrastructure	
	<u>\$0</u>
8) Infrastructure Recreation Facilities	

	<u>\$0</u>
9) Infrastructure Other	
	<u>\$0</u>
10) Reserve Funds	
	<u>\$0</u>
10) Book Value Of Assets Sold Written Back	
	<u>\$0</u>
11) Surplus Brought Forward	
Minor Variance	<u>\$380</u>
Net Estimated Variance (Surplus)	<u><u>\$104,519</u></u>

Council is requested to authorise the following expenditure in accordance with Section 6.8 of the Local Government Act 1995.

- Air conditioner Replacement – Administration Building \$15,000
- Road safety Audit – Paynes Find – Thundelarra Road \$7,715
- Car Trailer \$14,000
- Yalgoo Races Contribution \$10,000

Council is requested to give consideration to and adopt the Annual Budget Review

**Voting Requirements**

Absolute Majority



## **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:	14 February 2019
	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:



**CAPITAL WORKS PROGRAMME 2018-19**

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

		<b>2018-19 ANNUAL BUDGET</b>	<b>2018/19 FEBRUARY ACTUAL</b>	<b>VARIANCE FAV (UNFAV)</b>	<b>COMMENTS</b>
		<b>\$</b>	<b>YTD \$</b>	<b>\$</b>	
<b><u>By Program</u></b>					
<b>Governance</b>					
000000-Admin Mobile Phones,laptop,Computers,Office Equip.	F & E	2,492	0	2,492	The CEO to provide a verbal update on the status of the capital projects as at 31 February 2019
000000- Motor Vehicle CEO	P & E	86,970	92,456	(5,486)	
000000- Motor Vehicle CGTS	P & E	64,794	59,132	5,662	
<b>Law Order Public Safety</b>					
000000-CCTV Yalgoo Townsite	F & E	9,000	0	9,000	completed minor over expenditure completed minor savings
000000-CCTV Yalgoo Townsite - Conect to Yalgoo Police Station	F & E	4,000	0	4,000	
<b>Housing</b>					
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	
<b>Recreation and Culture</b>					
000000 - Arts and Crafts Building	L & B	25,000	0	25,000	in progress
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	
000000- Community/School Oval Development	F & E	35,250	0	35,250	in progress
000000- Community/School Oval Shared Use Development	Recreation	718,000	672,876	45,124	

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

		2018-19 ANNUAL BUDGET	2018/19 FEBRUARY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<b>By Program</b>					The CEO to provide a verbal update on the status of the capital projects as at 31 February 2019
<b>Transport</b>					
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	completed minor saving
000000- Depot -Electric Boundary Fence and Gate	L & B	6,700	6,700	0	completed
000000- Water Cart Modifications	P & E	10,000	0	10,000	
000000- Motor Vehicle Foreman	P & E	68,722	76,723	(8,001)	completed minor over expenditure
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	
<b>ROADS TO RECOVERY GRANTS</b>					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	544,968	300,000	244,968	in progress
<b>RRG SPECIAL GRANT RD WORKS</b>					
000000- Yalgoo/Ningham Road - Seal to width 4m	Roads	300,000	194,500	105,500	in progress
<b>MUNICIPAL FUND</b>					
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:

		<b>2018-19 ANNUAL BUDGET</b>	<b>2018/19 FEBRUARY ACTUAL</b>	<b>VARIANCE FAV (UNFAV)</b>	<b>COMMENTS</b>
		<b>\$</b>	<b>YTD \$</b>	<b>\$</b>	
<b><u>By Program</u></b>					The CEO to provide a verbal update on the status of the capital projects as at 31 February 2019
<b>Economic Services</b>					
000000-Caravan Park - Washing Machine and Dryer	F & E	3,200	6,240	(3,040)	completed over expenditure quotations received and deposit paid
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
		<b>2,223,003</b>	<b>1,447,292</b>	<b>775,711</b>	

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Progress Report on the Capital Works Program 2018 - 2019**

**That Council receive the Progress Report on the Capital Works Program 2018 – 2019 as at 28 February 2019.**

**Moved:**

**Seconded:**

**Motion put and carried/lost:**

### 11.1.2 Technical Services Monthly Report 28 February 2019

Author:	Ray Pratt, Works Foreman
Interest Declared:	No interest to disclose
Date:	18 March 2019
Attachments	Nil

#### Matter for Consideration

That Council receives the Technical Services Monthly Report as at 28 February 2018.

#### Background

Nil

#### Statutory Environment

Nil

#### Statutory Implications

Nil

#### Consultation

Nil

#### Comment

##### 1 ROAD CONSTRUCTION – CAPITAL

##### 1.1 RRG Project Yalgoo – Ninghan Road

- Rowe's Contactors will be carrying out the RRG Project expecting to commence work at the beginning of March taking 1-2 weeks to complete.
- Earthworks / Sealing works to commence on the 18 March 2019.

##### 1.2 R2R Project Yalgoo – Morawa Road

- Rowe's Contactors commenced work around the 18<sup>th</sup> February 2019
- Earthworks / Sealing works to commence on the 18 March 2019.

Once earthworks are completed to the Yalgoo- Ninghan and Yalgoo-Morawa road sealing of both roads will then be organised commence on the 18 March 2019.

## **2 ROAD MAINTENANCE - OPERATIONS**

### **2.1 Works During February**

- Shoulder work had been done to the Yalgoo Ninghan road from 90km down to the Mt Magnet Road.
- A 45km Maintenance grade was conducted from the Great Northern Highway through to the start of the bitumen along the Yalgoo Ninghan road.
- Road works were conducted during February along the Yalgoo Ninghan Road verges including watering and rolling of the road.
- Cleared vegetation from the verges of the Mt Gibson Road.
- The Yalgoo North Road had been graded from Yalgoo to the Dalgaranga Road, and 10km along the Dalgaranga Road.

## **3 OTHER INFRASTRUCTURE MAINTENANCE**

### **3.1 Plant and Equipment**

- UD truck was sent to Geraldton for repairs.
- John Deer Grader was sent to Perth due to multiple issues with its turbo and engine.
- Fire Tender YA778 was returned after DFES had refurbished all safety equipment.

### **3.2 Buildings**

- Nil

### **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.
- Cleared dead trees from around the oval.
- 3 road trains of mulch supplied by City of Greater Geraldton collected to be spread on bare earth at pavilion.

### **4.3 Community Park, Gibbons Street**

- Bollard fencing as per capital program commencing on the 19 March 2019.

#### **4.4 Community Park, Shamrock Street**

- Irrigation repairs

#### **4.5 Water Park**

- Geraldton Pool and Spa attended on the 19<sup>th</sup> February conducted a services to the waterpark for Staff training.

#### **4.6 Yalgoo Caravan Park**

- Nil

### **5 INFRASTRUCTURE - CAPITAL**

#### **5.1 Rifle Range**

- Complete. Awaiting inspection by WARA representative.

### **6 PRIVATE WORKS**

- Water cart hire commencing 18 March 2019

### **7 PURCHASING**

- Orders placed for the following
  - Works vehicle
  - CCTV extension, and
  - Locking System to community hall

### **8 STAFF**

#### **8.1 Training & Licences Completed**

- All staff participated in a Drug and Alcohol test on the 20 February 2019
- ASU Union visited and spoken with staff regarding the services.

### **Voting Requirements**

Simple Majority

### **OFFICER RECOMMENDATION**

#### **Technical Services Monthly Report 28 February 2019**

**That Council:**

**Receive the Technical Services report as at 28 February 2019.**

**Moved:**

**Seconded:**

**Motion put and carried/lost:**

## 11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

### 11.3 FINANCE

#### 11.3.1 Accounts for Payment February 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 2019
Attachments	Nil

#### Matter for Consideration

Council approve the Accounts for Payment list for the period 1 February 2019 to 28 February 2019 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 February 2019 to 28 February 2019 are as follows:

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1176*2019	TARGET AUSTRALIA PTY LTD	7/02/2019	ART & CRAFT SUPPLIES & TOYS	270.00
REFUND*2019	TRIUMVATE MINING PTY LTD	7/02/2019	Rates Refund M2018-11 Area Reduction \$1,675	196.35
REFUND*2019	MORGANTI, ROMANO NATALE	7/02/2019	Rates Refund M2018-11 Tenement Death	333.36
REFUND*2019	GINDALBIE METALS LTD	7/02/2019	Rates Refund A1854 Tenement Death M2018/12	174.90
REFUND*2019	CHALLA RESOURCES PTY LTD	7/02/2019	Rates Refund A2016 Tenement Death M2019-1	151.89
1005*2019	AMPAC Debt Recovery (WA) Pty Ltd	13/02/2019	Debt Collection Fees	16.50
1015*2019	Beaurepaires	13/02/2019	TYRES FOR YA807, YA465, YA479	3,056.93
1016*2019	BOC Limited	13/02/2019	Cylinder Rental	122.42
1021*2019	Bunnings Building Supplies Pty Ltd	13/02/2019	SUNDRY SUPPLIES FOR CARAVAN PARK, DEPOT & STAFF Housing	247.97
1028*2019	Civic Legal	13/02/2019	Legal Fees Native Title Matter and Initial Review of Local Laws	18,087.30
1044*2019	Rocke, David	13/02/2019	Replace Light to airstrip and Cleaning of Paynes Find Complex	420.00
1051*2019	Elite Electrical Contracting Pty Ltd	13/02/2019	Installation of set top box, dish & aerial point	5,204.05
1064*2019	REFUEL AUSTRALIA	13/02/2019	January Fuel Charges	19,210.64
1066*2019	Geraldton Party Hire	13/02/2019	Water Slide Hire for Australia Day	2,450.00
1067*2019	Geraldton Toyota	13/02/2019	YA 800 VEHICLE SERVICE - 50,000lm service, YA840: 100,000 KM SERVICE, Ceo Vehicle: 10,000km Service	1,290.88
1073*2019	Great Northern Rural Services.	13/02/2019	SPORTS OVAL: FENCE MATERIALS	408.17
1085*2019	Kanny, Joanne	13/02/2019	Council Meeting Fees 31 January 2019	1,682.87
1091*2019	Landgate	13/02/2019	Valuations Mining Tenements	39.00
1101*2019	Marketforce	13/02/2019	Advertising -Request for Quotation - Community Services -Town Maintenance	684.31

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1113*2019	Mingenew Community Resource Centre	13/02/2019	Advertising Yalgoo Emu Festival	61.60
1125*2019	Murdoch University	13/02/2019	Veterinary Service	1,275.00
1137*2019	PaynesFind Road House & Tavern	13/02/2019	Fuel 7.51 LTRS ULP - PAYNESFIND	12.62
1139*2019	Lawson, PERCY (SENIOR)	13/02/2019	Council Meeting Fees January 2019	527.67
1144*2019	Pool & Spa Mart	13/02/2019	WATER PARK - ELECTRIC MOTOR PUMP	673.75
1158*2019	Grinham, Robert	13/02/2019	Council Meeting Fees January 2019	1,948.04
1171*2019	WINC AUSTRALIA PTY LIMITED	13/02/2019	Printer & Toner Cartridge for Caravan Park	296.41
1184*2019	Totally Workwear Geraldton	13/02/2019	WORK CLOTHING - SHIRTS AS PER QUOTE 000100008263	756.89
1187*2019	Truckline Geraldton	13/02/2019	YA1643 - BRAKE PARTS, YA 1643 - PARTS	898.30
1188*2019	Uniform Fashions	13/02/2019	Elisha Hodder - Uniforms 18/19	237.00
1191*2019	Veolia Environmental Services	13/02/2019	Rubbish Service Collection Fee	4,089.14
1220*2019	PAYNE, GREGORY ARTHUR	13/02/2019	Council Meeting Fees January 2019	1,116.56
1225*2019	WALGA	13/02/2019	Staff Training Gay Dennison - Rates in Local Government	1,134.00
1234*2019	DATAKOM SOLUTIONS (AU) PTY LTD	13/02/2019	Financial Software -Ozone Annual Licence	55,000.00
1264*2019	PINPOINT CLEANING SOLUTIONS	13/02/2019	Monthly Clean of Shire Buildings	2,430.00
1277*2019	REILLY & CO	13/02/2019	January School Holiday Program	496.42
1311*2019	HODDER, TAMISHA	13/02/2019	Council Meeting Fees January 2019	527.67
1339*2019	SUN CITY BATTERIES	13/02/2019	BATTERY FOR BBQ AT CARAVAN PARK	50.04
1372*2019	DARREN LONG CONSULTING	13/02/2019	Consultancy Fees - Prepare audit information for auditors, Attend to Audit queries, provide Audit information	11,000.00

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1374*2019	MIDWEST TURF SUPPLIES	13/02/2019	Purchase of materials -As per Quote 6411 & 6412 install & supply Retic & SUPPLY 2 PALLETS OF FERTILISER FOR SPORTS COMPLEX, RAISE SPRINKLERS TO SPORTS OVAL	34,970.65
1393*2019	EXTERIA STREET AND PARK OUTFITTERS	13/02/2019	As per quote: EXTQ8535 - Double Gas BBQ	12,144.00
1405*2019	WAGGA WAGGA STATION	13/02/2019	Wild Dog Bounty	110.00
1418*2019	INCITE SECURITY	13/02/2019	Depot: Monitoring Service Fee	147.00
1474*2019	DEPENDABLE LAUNDRY SERVICE	13/02/2019	as per quote 20187136 caravan park washing machine	2,414.50
1476*2019	ART & SOUL BY THE SEA	13/02/2019	Art centre - Art Supplies for Activities	204.48
1497*2019	STATE LAW PUBLISHER	13/02/2019	Advertising - Shire of Yalgoo Local Planning Scheme No.2 - Amendment	103.95
1499*2019	DJ REV	13/02/2019	School Holiday Program - Dance Workshop	260.00
1504*2019	STATEWIDE BEARINGS	13/02/2019	YA 465: PARTS - BELT	49.50
1505*2019	TYREPOWER LIMITED	13/02/2019	YA 778 - TYRES YA 840 - TYRES	2,271.82
1015*2019	Beaurepairs	20/02/2019	TYRES FOR YA807, YA465, YA479	3,056.93
1018*2019	BOQ Asset Finance & Leasing Pty Ltd	20/02/2019	Photocopier Rental	329.50
1040*2019	Courier Australia	20/02/2019	Library Freight Charges	164.24
1048*2019	Dominic Carbone & Associates	20/02/2019	Consultancy Service - Accounting and Administration	3,080.00
1056*2019	Five Star Business Equipment & Comms	20/02/2019	Photocopier maintenance	511.63
1067*2019	Geraldton Toyota	20/02/2019	Purchase of vehicle -As per Quote#20885 - New Prado	65,487.44
1171*2019	WINC AUSTRALIA PTY LIMITED	20/02/2019	Stationery - Dymo Labels	110.92
1186*2019	Truck Centre(WA) Pty Ltd	20/02/2019	YA795 - SERVICE & REPAIRS	909.48

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1187*2019	Truckline Geraldton	20/02/2019	YA 1613 - Break Shoes & Seals YA 1613 - Break Shoes & Seals	619.82
1197*2019	WBHO Civil Pty Ltd	20/02/2019	Staff Training Workscrew - Licence to Operate Fork	4,667.00
1240*2019	Westrac Equipment Pty Ltd	20/02/2019	205 LTRS DRUM OIL YA 860, PARTS AS PER QUOTE 03Q024344 YA 457: PARTS AS PER QUOTE 03Q024860	3,746.00
1280*2019	BP MECHANICAL MAINTENANCE	20/02/2019	YA329 - Service & Repairs YA499 - Service & Repairs YA844 - Service & Repairs YA453 - Service & Repairs YA1611 - Service & Repairs YA807 - Service & Repairs YA457 - Service & Repairs YA1613 - Service & Repairs YA479 - Service & Repairs YA1613 - Service & Repairs	10,515.90
1370*2019	OCLC (UK) LTD	20/02/2019	Library Software -Amlib Annual Maintenance Fee	1,556.64
1372*2019	DARREN LONG CONSULTING	20/02/2019	Consultancy fees -July & August Bank Reconcilliation	2,255.00
1412*2019	PRATT, HELEN	20/02/2019	Hardware for Caravan Park	34.90
1458*2019	ROWE CONTRACTORS	20/02/2019	Road Works As pre Quote# 001a - R2R Yalgoo Morawa Rd	264,000.00
1502*2019	TURBOTECH	20/02/2019	YA 465 - PARTS	3,924.00
1059*2019	Trenfield, Gail	22/02/2019	Council Meeting Fees 22 February 2019	819.34
1085*2019	Kanny, Joanne	22/02/2019	Council Meeting Fees 22 February 2019	1,682.87
1139*2019	Lawson, PERCY (SENIOR)	22/02/2019	Council Meeting Fees 22 February 2019	527.67
1158*2019	Grinham, Robert	22/02/2019	Council Meeting Fees 22 February 2019	745.49
1220*2019	PAYNE, GREGORY ARTHUR	22/02/2019	Council Meeting Fee 14 December 2018 Council Meeting Fees 22 February 2019	1,619.26
1311*2019	HODDER, TAMISHA	22/02/2019	Council Meeting Fees 22 February 2019	963.32
1507*2019	DECKERT, STEVEN JOHN	22/02/2019	Travel Costs for Acting CEO	431.56
<b>TOTAL</b>				<b>561,013.46</b>

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Accounts for Payment February 2019**

**That Council approve the list of accounts paid for the period 1 February 2019 to 28 February 2019 amounting to \$561,013.46 and the list be recorded in the Minutes.**

**Moved:**

**Seconded:**

**Motion put and carried / lost**

### 11.3.2 Investments as at 28 February 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 2019
Attachments	Nil

#### Matter for Consideration

That Council receive the Investment Report as at 28 February 2019.

#### 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 28 February 2019.

SHIRE OF YALGOO CASH HOLDINGS AS AT 28 FEBRUARY 2019								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N <sup>o</sup>	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$1,701,947.94
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,256.27
NAB	N/A	Term Deposit	89-977-1574	3 months 1 day	24.12.2018	25.03.2019	2.7%	\$63,515.04
NAB	N/A	Short Term Investment	24-831-4222	Ongoing	N/A	N/A	Variable	\$52,007.13
<b>TOTAL</b>								<b>\$1,858,726.38</b>

RESERVE FUNDS								
NAB	N/A	Term Deposit	97-511-4454	3 months 1 day	24.12.2018	25.03.2019	2.70%	\$164,500.55
NAB	N/A	Term Deposit	89-972-5236	3 months 1 day	24.12.2018	25.03.2019	2.70%	\$456,626.75
NAB	N/A	Term Deposit	11-186-3992	3 months 1 day	24.12.2018	25.03.2019	2.70%	\$1,089,301.05
<b>TOTAL</b>								<b>\$1,710,428.35</b>

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

INVESTMENT REGISTER						
01 JULY 2018 TO 28 FEBRUARY 2019						
NATIONAL AUSTRALIA BANK						
ACCOUNT N <sup>o</sup>	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 28.02.2019	INVESTMENT TRANSFERS	CLOSING BALANCE 28.02.2019
86-538-7363	Ongoing	Variable	\$41,141.54	\$114.73	0	\$41,256.27
89-977-1574	25.03.2019	2.7%	\$62,683.84	\$831.20	0	\$63,515.04
24-831-4222	Ongoing	Variable	\$51,862.49	\$144.64	0	\$52,007.13
97-511-4454	25.03.2019	2.7%	\$162,347.79	\$2,152.76	0	\$164,500.55
89-972-5236	25.03.2019	2.7%	\$450,651.08	\$5,975.67	0	\$456,626.75
11-186-3992	25.03.2019	2.7%	\$1,075,045.84	\$14,255.21	0	\$1,089,301.05



**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Investments as at 28 February 2019**

**That the Investment Report as at 28 February 2019 be received.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

### 11.3.3 Financial Activity Statement for the Period ended the 28 February 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 2019
Attachments	<ul style="list-style-type: none"> <li>• Statement of Comprehensive Income ending the 28 February 2019;</li> <li>• Financial Activity Statement; ending 28 February 2019</li> <li>• Summary of Current Assets and Current Liabilities as of 28 February 2019;</li> <li>• Statement of Current Financial Position as at 28 February 2019;</li> <li>• Detailed worksheets;</li> <li>• Other Supplementary Financial Reports: <ul style="list-style-type: none"> <li>○ Reserve Funds;</li> <li>○ Loan Funds;</li> <li>○ Trust Fund</li> </ul> </li> </ul>

### MONTHLY FINANCIAL REPORT TO BE PROVIDED TO MEMBERS PRIOR TO OR AT THE MEETING

#### Matter for Consideration

Adoption of the Monthly Financial Statements.

#### Background

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed.

#### 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

## **OFFICER RECOMMENDATION**

**R34 (1) Financial Activity Statement for the Period ended the 28 February 2019.**

**That Council:**

**Adopts the Financial Activity Statement for the period ended 28 February 2019.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

## 11.4 ADMINISTRATION

### 11.4.1 Report on Matters Outstanding as at 15 March 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 2019
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 undertaken on the 22 February 2019 as to whether policies are to be deleted or incorporated into the Management policies/Procedure Manual or the HR Employee Manual
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	Third quote received

<b>MATTERS OUTSTANDING</b>			
<b>MEETING DATE</b>	<b>ITEM REFERENCE</b>	<b>RESOLUTION</b>	<b>CURRENT STATUS</b>
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.	Confirmation received from the Department of Mining and Petroleum advising that a lease can be held by the Shire.  Paperwork is being completed
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	A public submission has been received and will be presented at this meeting, still waiting on DBCA on the involvement
31 January 2019	House Safety of Lot 220, 82 Piesse Street Yalgoo	That Council Requests the CEO to investigate the safety of the house owned by Timothy Simpson and Gloria Merry at lot 220, 82 Piesse Street, Yalgoo.	EHO has planned an inspection for the March visit, a comprehensive report and recommendation be provided to the CEO
31 January 2019	Sponsorship opportunities for Core Stadium	That Council Authorises the CEO to investigate further sponsorship opportunities with local businesses for Core Stadium.	Ongoing / Complete
23 February 2019	Administrative Policy – Christmas Gifts for Children residing in Yalgoo	The Consultants LG People and Culture Workforce and Management Services to prepare draft Policy.	LG People have been advised of Councils decision from February. Work will now commence on drafts.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Report on Matters Outstanding as at 15 March 2019**

**That Council:**

**Receives Report N<sup>o</sup> 11.4.1 Report on Matters Outstanding as at 15 March 2019.**

**Moved:**

**Seconded:**

**Motion put and carried / lost**

### 11.4.2 Report on Minutes of Electors Meeting 22 February 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 2019
Attachments	Minutes of the Annual Electors’ Meeting held 22 February 2019

#### Matter for Consideration

To receive the minutes of the Electors Meeting and give consideration to all decisions made at the Elector’s Meeting.

#### Background

Council at its Ordinary Council Meeting held on 31 January 2019 resolved in part that the Annual Electors Meeting to be held at Yalgoo at 9.30 am on Friday 22 February 2019.

#### Statutory Environment

Local Government Act 1995

#### 5.33. Decisions made at electors’ meetings

- (1) All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable –
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose,

Whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

#### Financials Implications

Nil

#### Business Implications

Nil

#### Consultation

Nil

#### Comment

No decisions were made at the meeting

#### Voting Requirements

Simple Majority

**OFFICER RECOMMENDATION**

**Report on Minutes of Electors Meeting 22 February 2019**

**That Council:**

**Receive the Minutes of the Electors Meeting held at Yalgoo on 22 February 2019.**

**Moved:**

**Second:**

**Motion put and carried/lost:**

### 11.4.3 Report on Financial Assistance – Yalgoo Jockey Club Inc

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	15 March 2019
Attachments	Letter for the Jockey Club Inc

#### Matter for Consideration

That Council give consideration to providing assistance to be provided to the Yalgoo and Districts Jockey Club Inc to conduct an Annual Race Meeting/Community Event.

#### Background

The Shire of Yalgoo has been a major sponsor of the Annual Yalgoo Jockey Club Race Meeting and has provided resources for the maintenance of the Railway Station, the racing premises and surrounds.

#### Statutory Environment

Nil

#### Financial Implications

In-kind contribution

- Use of Shire machinery including Grader, Water Cart, Loader, Truck and generator;
- Provision of security fencing for the bar area and accommodation trailer.
- Provision of Rubbish bins; and
- Shire Staff to operate the plant
- Cash contribution for sponsorship of the event.

#### Consultation

Nil

#### Comment

A letter was received from the Yalgoo and Districts Jockey Club requesting sponsorship for the Race Meeting to be held on Saturday 27 April 2019. The Shire has allocated the \$10,000 in its 2018-19 Annual Budget Review to provide financial assistance for the event.

The Club has requested the following assistance.

- 1 Provision of a Grader and driver to grade the race track prior to race day.
- 2 Fencing for the bar area and around the accommodation trailer.
3. A generator to run the accommodation trailer
4. Provision of additional bins

Although not requested the Shire also provides the following assistance

- 1 provision of the water cart if requested and to be on standby for race day depending on the rainfalls and stewards recommendation.
2. provision of a loader and truck including driver if required to cart dirt.



3. Provision of the Loader to be on standby on race day in case of the disposal of an animal.
4. The Shire to assist with security fencing, rubbish bins and removal

Should Shire plant be required as stated above the club be requested to liaise with the Works Foreman Mr Ray Pratt and the Chief Executive Officer Silvio Brenzi..

Council is requested to give consideration to providing the following assistance to the Yalgoo and Districts Jockey Club Inc.

**In-kind contribution**

- Use of Shire machinery including Grader, Water Cart, Loader & Truck if required
- Provision of security fencing
- Provision of Rubbish bins; and
- Provision of a generator
- Cash contribution as determined by the Council.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Report on Yalgoo and Districts Jockey Club Inc**

**That Council inform the Yalgoo and Districts Jockey Club Inc that the following assistance will be provided subject to the race meeting going ahead:**

- **The Grader to be made available prior to the Race Meeting on the 27th April 2019;**
- **The Water Cart to be on standby for Race Day depending on the rainfall that month and the Stewards recommendation on Race Day;**
- **The Loader and Truck to be made available prior to race day to cart dirt to areas that may have been blown off over time if required;**
- **The Loader to be on standby on Race day in case of the disposal of an animal;**
- **Shire to provide Security Fencing, Rubbish Bins and Removal; and**
- **A financial contribution to the Yalgoo Jockey Club amounting to \$.10,000 on the condition that if the race meeting does not go ahead this contribution is to be refunded to the Shire.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

#### 11.4.4 Report on Yalgoo and Paynes Find Landfill Site

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 March 2019
Attachments	Report on the Yalgoo Landfill Site Report on the Paynes Find Landfill Site Checklist Yalgoo Landfill Site

#### Matter for Consideration

That Council give consideration to the report of Environmental Health Officer in relation to the Yalgoo and Paynes Find Landfill Sites

#### Background

The Shire has two landfill sites in Yalgoo and the other in Paynes Find.

Yalgoo landfill site was registered as a landfill site in 2005 and the shire is required to manage the site in accordance with the provisions as detailed in the Environmental Protection (Rural Landfill) Regulations 2002 and is located on Crown Reserve 6936 lot 189 Yalgoo-Morawa Road Yalgoo. There is no defined Reserve within the Shire for the disposal of rubbish and refuse.

- Paynes Find Landfill Site, the Shire has a Management Order over Reserve (R40170) for the purpose of disposal of rubbish and refuse.

#### Statutory Environment

- Environmental Protection Regulation 1987
- Environmental Protection (Rural Landfill) Regulations 2002

#### Strategic Implications

Waste Management

#### Financial Implications

Additional expenditure required to relocate and carryout improvements to the facilities.

#### Consultation

Council's Environmental Health Officer / Building Surveyor Mr W. Atyeo.

#### Comment

The Shire's EHO has undertaken an inspection of the landfill sites and has prepared the reports and checklist attached to this report.

#### Yalgoo Landfill Site

The report details the following comments / recommendations.

##### 1. Current Location

The current location is ideal and has excellent access. It is obviously an established and acceptable location, even though it is not on a reserve designated as Rubbish Disposal Site. This is something that management will need to look at in the future to determine whether or not the land needs to be converted to a Reserve with the appropriate use designated. At the same time the size of this Reserve needs to be assessed.

With a few changes to the layout and management of the issues I would feel that the lifespan of the facility could be in excess of 15 to 20 years.

## **2. Signage**

Improved signage and improved designated waste stream tipping faces is highly recommended. There is a need for management to have a plan drawn up of the facility that indicates specific areas for specific waste streams disposal. For example Greenwaste, Metals (including cars, fridges, etc), Asbestos, General Waste.

Signage needs to stipulate what waste is not permitted to be disposed of at the landfill, as well as the details required by legislation. Also, each designated area needs to be clearly defined and signed.

## **3. Skip Bins**

If the use of skip bins is to be continued, then access to them that is safe and easily utilised by the customer needs to be revamped and clearly sign posted. It would be a real waste of resources to not utilise the concrete bund area and the skip bins as was envisaged at their inception.

My personal preference would be to fully utilise the skip bins and to restrict or stop tipping at the area that is being used at the moment. People are dumping waste all over the open area and Council employees are required to push the waste up and bury it. If the skip bins are fully utilised, then all is contained within the bins and it is transported offsite by the contractor.

With a good plan and controls in place to restrict areas, the lifetime of this landfill site could be significantly extended. Restricting areas with direction fencing could enhance the utilisation of this site.

## **4. Animal pit and Asbestos disposal Pit**

Both these pits need to be within a secure fence so that people wishing to use them must contact the Shire prior to disposal to ensure recording of data and also ensure that the asbestos is handled as required by legislation and codes of practice.

The current asbestos pit needs to be managed better and the exposed asbestos covered as required.

Council needs to consider appropriate charges to be included in their annual schedule of fees and charges for the disposal of asbestos at the landfill site which would be linked to Demolition Permits issued by the Shire.

## **5. Tyre Disposal**

Used tyres need to be declared as unacceptable (prohibited) waste that is permitted to be disposed of at the Yalgoo Landfill Site.

The tyres that are evident at the site at the moment need to be taken from the disposal sites and buried in accordance with the relevant legislation. Tyres are declared as Controlled Waste by the Department.

Any tyres that are deposited on the site into the future need to be removed immediately and buried as above.

## **6. Site Clean-up**

All windblown waste needs to be taken from the fences and surrounding and adjacent areas and returned and buried at the tipping face.

Council management needs to determine what will happen with the existing piles of pushed-up rubbish inside and out of the fenced area.

The greenwaste needs to be either buried or handled in accordance with Regulation 13 as stated in my inspection checklist (attached).

Clean-up all tip faces to remove all plastic drums (crush and bury) from the tipping area, all exposed other wastes and cover them to tidy them up. This needs considerable action taken to contain and renovate this area.

## **7. Clear Area – West of Tipping Area**

This is a clear area west of the western face of the tipping area. This is ideal for future trenches or other designated areas. This needs to be incorporated into the plan to be drawn-up.

## **8. Fencing**

This is essential and required by Regulation 7 of the Environmental Protection (Rural Landfill) Regulations 2002. It needs to be stock proof and fauna proof as stated, but this is hard to fully comply with as the landfill site is unmanned and open all year round, with no gate.

A good fence would also restrict the windblown waste from escaping the area into the adjacent bush. If this fence is to be for stopping stock and fauna into the site, then the Shire will need to consider seriously the inclusion of fencing around the tipping face/skip bins to capture the windblown waste.

## **Paynes Find Landfill Site**

The report details the following comments.

1. Legally the Shire needs to relocate its facility if it intends to retain the status quo. This will mean
  - a. A new trench is required even if leaving things as they are now,
  - b. Need to relocate the current fencing to the designated Reserve R 40170,
  - c. Refurbish the current site and return it to natural state.
  - d. New signage to indicate that no tyres are accepted at the facility.
2. If Council intends to offer an alternative proposal:
  - a. Consult with stakeholders and discuss the options, realising there are legislative concerns in regards to the actual parcel of land to be utilised and whether or not the stakeholders are agreeable to paying relevant fees for the service.
  - b. If a skip bin system is considered then:
    - i. Rehabilitate the existing site and remove all fencing and tyres from the site.
    - ii. What are the costs involved?
    - iii. Where to locate the skip bin. At the roadhouse or adjacent to it?
    - iv. Do we utilise Shire staff to take it to Yalgoo and utilise Veolia's normal services? Or
    - v. Have Veolia pick it up from Paynes Find?

- vi. How often the skip bin will be emptied and who will notify the CEO that it is required to be emptied?

If the landfill site is to continue to operate in Paynes Find the following options are recommended by the EHO.

- Cover the existing trench.
- Remove and bury all tyres stored at the site. (Cost of transport and burying the tyres) Or dig a trench and bury the tyres in the designated site.
- Remove the existing fencing and place it on the correct boundaries of the designated rubbish disposal site, or within the designated reserve as required.
- Rehabilitate the site that now is being used for rubbish disposal.
- Improved signage so that tyres are excluded, along with oils and contaminated containers.

It is recommended that Council request the Chief Executive Officer to prepare a report for Council consideration detailing the schedule works required to be undertaken to bring the sites into compliance alternative methods of disposal and related costs to allow Council to determine future budget allocations based on the report of the EHO.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Report on Yalgoo and Paynes Find Landfill Site**

**That Council**

- 1. Request the Chief Executive Officer to prepare a report detailing the schedule of works required to be undertaken to bring the Yalgoo and Paynes Find Landfill sites in compliance, alternative methods of disposal and related costs.**
- 2. Request that the Yalgoo and Paynes Find Landfill sites be cleaned up and windblown waste be removed from fences and surrounding areas.**

**Moved:**

**Seconded:**

**Motion put and carried/lost**

**12. NOTICE OF MOTIONS**

**12.1 PREVIOUS NOTICE RECEIVED**

**13. URGENT BUSINESS**

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

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

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

The following legislative extracts were downloaded from [www.auslii.edu.au](http://www.auslii.edu.au) on 8 November 2010.

#### Local Government Act 1995

##### s5.23. Meetings generally open to the public

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971 ; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

##### s5.92 Access to information by council, committee members

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

**s5.93. Improper use of information**

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

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

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

**s6. Use of information**

- (1) In this regulation —
  - closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
  - confidential document means a document marked by the CEO to clearly show that the information in the document is not to be disclosed;
  - non-confidential document means a document that is not a confidential document.
- (2) A person who is a council member must not disclose —
  - (a) information that the council member derived from a confidential document; or
  - (b) information that the council member acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subregulation (2) does not prevent a person who is a council member from disclosing information —
  - (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

**15. NEXT MEETING**

The next Ordinary Meeting of Council is due to be held at the Council Chambers, Yalgoo on Friday 26 April 2019 commencing at 10.00 am.

**16. MEETING CLOSURE**

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