AGENDA

FOR THE ORDINARY MEETING

OF COUNCIL

TO BE HELD IN

THE COUNCIL CHAMBERS, YALGOO

ON 23 FEBRUARY 2018

COMMENCING 10.00 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 23 FEBRUARY 2018 COMMENCING AT 10.00 AM.

Silvio Brenzi
Chief Executive Officer
## CONTENTS

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS ...........................................2
2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE ........................................2
3. DISCLOSURE OF INTERESTS ............................................................................................2
4. PUBLIC QUESTION TIME ..............................................................................................3
   4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE ......................................................3
   4.2 QUESTIONS WITHOUT NOTICE .............................................................................3
5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED ...........................................3
6. APPLICATIONS FOR LEAVE OF ABSENCE ...................................................................3
7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED .........................................3
   7.0 MEETINGS ATTENDED BY ELECTED MEMBERS ..................................................3
8. CONFIRMATION OF MINUTES .......................................................................................4
   8.1 ORDINARY COUNCIL MEETING ...........................................................................4
9. REPORTS OF COMMITTEE MEETINGS .........................................................................5
   9.0 Audit Committee Meeting held on 14 December 2017 .............................................5
10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/Other Matters .................5
    10.0 INFORMATION ITEMS .............................................................................................5
11. MATTERS FOR DECISION ............................................................................................5
    11.0 MATTERS BROUGHT FORWARD ..........................................................................5
    11.1 TECHNICAL SERVICES .........................................................................................6
    11.1.1 Progress Report on the Capital Works Program 2017-18 ......................................6
    11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH .........................12
    11.3 FINANCE .................................................................................................................12
    11.3.1 Accounts for Payment January 2018 ................................................................12
    11.3.2 Investments as at 31 January 2018 .................................................................20
    11.3.3 Financial Activity Statement for the Period ended the 31 December 2017 ..........23
    11.3.4 Financial Activity Statement for the Period ended the 31 January 2018 .............25
    11.4 ADMINISTRATION .................................................................................................27
    11.4.1 Report on Matters Outstanding as at 13 February 2018 ....................................27
    11.4.2 Report on Minutes of Electors Meeting 23 February 2018 ...............................30
    11.4.3 Banners in the Terrace 2018 ..............................................................................32
    11.4.4 Centacare Playgroup Programme ...................................................................34
    11.4.5 Approval for a Proposed WA Police Communications Facility at Wurarga ..........37
    11.4.6 Review of the Shires Administrative Policies ....................................................39
12. NOTICE OF MOTIONS ....................................................................................................50
13. URGENT BUSINESS .....................................................................................................50
14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED .......................................50
    14.0 STATUTORY ENVIRONMENT – MEETING CLOSED TO THE PUBLIC .................50
15. NEXT MEETING .............................................................................................................52
16. MEETING CLOSURE .......................................................................................................52
Agenda for the Ordinary Meeting of the Yalgoo Shire Council, to be held in the Council Chambers, Yalgoo on 23 February 2018, commencing at 10.00 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

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

4.2 QUESTIONS WITHOUT NOTICE

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.0 MEETINGS ATTENDED BY ELECTED MEMBERS

<table>
<thead>
<tr>
<th>Date</th>
<th>Details</th>
<th>Attended with whom</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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

Minutes of the Ordinary Meeting
That the Minutes of the Ordinary Council Meeting held on 25 January 2018 be confirmed subject to the following corrections;

1. Heading on each page be amended by deletion of Agenda and insertion of Minutes
2. Report No. 10.3.1 (Page 20) title of the Report be amended by deletion of ’November’ and insertion of ‘December’.
3. Report 10.3.2 (page 26) Title of the report be amended by the deletion of ’30 November’ and insertion of “31 December”, and
   On (page 27) under the heading “Comments” the date be amended from ‘30 November’ to 31 December. And
   On (page 28) “Officers Recommendation” be amended to read “Officers Recommendation / Council Decision: and date to be amended from 30 November to 31 December.

Moved: _______________________________ Seconded: _______________________________
Motion put and carried/lost
9. REPORTS OF COMMITTEE MEETINGS

9.0 Audit Committee Meeting held on 14 December 2017
No reports were considered by the Committee. Presiding and Deputy Presiding members were elected.

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).

11. MATTERS FOR DECISION

11.0 MATTERS BROUGHT FORWARD
11.1 TECHNICAL SERVICES

11.1.1 Progress Report on the Capital Works Program 2017-18

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date:</td>
<td>12 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Matter for Consideration**

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

**Background**

The Shire in adopting its 2017-2018 Annual Budget has allocated funds amounting to $3,213,634 for the purpose of acquiring capital assets and undertaking infrastructure works.

**Statutory Environment**

Nil

**Strategic Implications**

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

**Policy Implications**

Nil

**Financial Implications**

To deliver the Capital Works Program within the budgeted allocations.

**Consultation**

Nil

**Comment**

The Capital Works Projects for the 2017-2018 financial year are detailed be:
CAPITAL WORKS PROGRAMME 2017-18

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

<table>
<thead>
<tr>
<th>By Program</th>
<th>2017/18 ANNUAL BUDGET</th>
<th>2017/18 JULY-JAN ACTUAL</th>
<th>VARIANCE FAV (UNFAV)</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>000000-Refurbish Morning Tea/Public Meeting Room</td>
<td>F &amp; E</td>
<td>5,000</td>
<td>0</td>
<td>5,000</td>
</tr>
<tr>
<td>000000- Computus Shelving for Record Management</td>
<td>F &amp; E</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
</tr>
<tr>
<td>000000- Admin Mobile Phones,laptop,Computers,Office Equip.</td>
<td>F &amp; E</td>
<td>5,000</td>
<td>0</td>
<td>5,000</td>
</tr>
<tr>
<td>000000- Council Chamber -Table</td>
<td>F &amp; E</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
</tr>
<tr>
<td>000000- Admin Centre - Garden Reticulation</td>
<td>L &amp; B</td>
<td>7,000</td>
<td>0</td>
<td>7,000</td>
</tr>
<tr>
<td>000000- Admin Centre -Records Fit Coolroom Panels to Sea Container</td>
<td>L &amp; B</td>
<td>16,800</td>
<td>0</td>
<td>16,800</td>
</tr>
<tr>
<td>000000- Motor Vehicle CEO</td>
<td>P &amp; E</td>
<td>86,030</td>
<td>89,370</td>
<td>(3,340)</td>
</tr>
<tr>
<td>000000- Motor Vehicle CGTS</td>
<td>P &amp; E</td>
<td>66,485</td>
<td>0</td>
<td>66,485</td>
</tr>
</tbody>
</table>
### 2017/18 ANNUAL BUDGET | 2017/18 JULY-JAN ACTUAL | VARIANCE (UNFAV) | COMMENTS
--- | --- | --- | ---
| $ | $ | $ |

#### Law Order  Public Safety

000000-CCTV Yalgoo Townsite  F & E  60,248  0  60,248

- Complete, still awaiting D.E.C approval at school site

#### Housing

000000-Staff Housing - Security  L & B  65,000  0  65,000

000000-Two Units 17 Shemrock Street  L & B  300,000  0  300,000

#### Recreation and Culture

000000 - Furn. & Equip - Art Centre  F & E  15,430  14,984  446

000000 - Furn. & Equip - Day Care Centre  F & E  15,596  4,768  10,828

000000 - Furn. & Equip - Community Hall  F & E  0  7,936  (7,936)

000000 - Arts and Crafts Building  L & B  40,488  65,614  (25,126)

- Matter for Budget review to complete landscaping

000000-Payne Find Complex - External Painting  L & B  19,000  17,246  1,754

- CEO to provide comment at the meeting

000000-Payne Find Complex - Internal Painting  L & B  8,000  0  8,000

- Complete

000000-Community and Youth Centre CLGF 2012-13 Unspent - Shade Sails  L & B  44,222  32,064  12,158

- Complete – Unspent grant refunded

000000 - Community Hall - Air Conditioner  L & B  10,500  0  10,500

- Order placed from quotations

000000-Ride on Mower  P & E  25,000  25,850  (850)

- Complete

000000- Community/School Oval Shared Use Development  Recreation  937,000  244,997  692,003

- CEO to provide comment at the meeting

The CEO to provide a verbal update on the status of the capital projects as at 31 January 2018
### Transport

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Budget</th>
<th>Actual</th>
<th>Variance</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>000000- Machinery Shed Depot L &amp; B</td>
<td>135,000</td>
<td>12,600</td>
<td>122,400</td>
<td>Complete – lights to be installed with remaining funds</td>
</tr>
<tr>
<td>000000- Flood Control - Fuel Station L &amp; B</td>
<td>27,300</td>
<td>11,962</td>
<td>15,338</td>
<td>Pumping system purchased, drainage channel quoted &amp; ordered</td>
</tr>
<tr>
<td>000000- Depot - Electric Boundary Fence and Gate L &amp; B</td>
<td>25,000</td>
<td>0</td>
<td>25,000</td>
<td>Project not commenced</td>
</tr>
<tr>
<td>000000- Catapillar Wheel Loader 950M P &amp; E</td>
<td>314,350</td>
<td>315,154</td>
<td>(804)</td>
<td>Complete</td>
</tr>
<tr>
<td>000000- Paynes Find Airstrip Fence Other</td>
<td>45,000</td>
<td>0</td>
<td>45,000</td>
<td>Project not commenced</td>
</tr>
<tr>
<td>000000- Solar Lights Paynes Find Other</td>
<td>12,000</td>
<td>50,581</td>
<td>(38,581)</td>
<td>Complete</td>
</tr>
<tr>
<td>000000- Paynes Find Beautification Other</td>
<td>18,658</td>
<td>224</td>
<td>18,434</td>
<td>Project not commenced allocation to be checked</td>
</tr>
</tbody>
</table>

### ROADS TO RECOVERY GRANTS

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Roads</th>
<th>Budget</th>
<th>Actual</th>
<th>Variance</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>000000- Yalgoo/Morawa Road - Widen to 7m</td>
<td>530,119</td>
<td>13,000</td>
<td>517,119</td>
<td>Quotations received, Quadrio to commence late February-March</td>
<td></td>
</tr>
</tbody>
</table>

### RRG SPECIAL GRANT RD WORKS

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Roads</th>
<th>Budget</th>
<th>Actual</th>
<th>Variance</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>000000- Yalgoo/Ninghan Road - Seal to width 4m SLK48.8 to SLK 36.6</td>
<td>293,500</td>
<td>0</td>
<td>293,500</td>
<td>Quotations received, Quadrio to commence late February-March</td>
<td></td>
</tr>
</tbody>
</table>
The following assets and works are budgeted to be acquired or undertaken during the year:

<table>
<thead>
<tr>
<th>By Program</th>
<th>2017/18 ANNUAL BUDGET</th>
<th>2017/18 JULY-JAN ACTUAL</th>
<th>VARIANCE FAV (UNFAV)</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transport</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MUNICIPAL FUND</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Road - Crossing Roads</td>
<td>10,000</td>
<td>0</td>
<td>10,000</td>
<td>Project not commenced</td>
</tr>
<tr>
<td><strong>Economic Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caravan Park - Sealing of Parking Bays and Driveways L &amp; B</td>
<td>22,000</td>
<td>0</td>
<td>22,000</td>
<td>Quadrio to complete with other road projects Yalgoo Morawa &amp; Yalgoo Ninghan Roads</td>
</tr>
<tr>
<td>Storage and POS Facility - Caravan Park L &amp; B</td>
<td>18,800</td>
<td>18,120</td>
<td>680</td>
<td>Complete</td>
</tr>
<tr>
<td>Shelter and Seating Jokker Tunnel L &amp; B</td>
<td>4,054</td>
<td>0</td>
<td>4,054</td>
<td>Quotes for signage being sought</td>
</tr>
<tr>
<td>Shelter and Visitors Board at Railway Station L &amp; B</td>
<td>4,054</td>
<td>0</td>
<td>4,054</td>
<td>Quotes for signage being sought</td>
</tr>
<tr>
<td><strong>Other Property and Services</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mens Shed Upgrade L &amp; B</td>
<td>15,000</td>
<td>35,216</td>
<td>(20,216)</td>
<td>Complete</td>
</tr>
</tbody>
</table>

The CEO to provide a verbal update on the status of the capital projects as at 31 January 2018.

Total: $3,213,634 | YTD: $963,486 | VARIANCE: $2,250,148
Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Progress Report on the Capital Works Program 2017 - 2018


Moved: Seconded: Motion put and carried/lost
11.2 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH

Nil

11.3 FINANCE

11.3.1 Accounts for Payment January 2018

<table>
<thead>
<tr>
<th>Author</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date</td>
<td>12 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Nil</td>
</tr>
</tbody>
</table>

Matter for Consideration

Council approve the Accounts for Payment list for the period 1 January 2018 to 31 January 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 January 2018 to 31 January 2018 are as follows:
<table>
<thead>
<tr>
<th>ID</th>
<th>Creditor's Name</th>
<th>Cheque Date</th>
<th>Invoice Details</th>
<th>Total Amount $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Australian Taxation Office</td>
<td>19/01/2018</td>
<td>Activity Statement Lodgement Late Penalty</td>
<td>420.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>BOQ Asset Finance &amp; Leasing Pty Ltd</td>
<td>19/01/2018</td>
<td>Copier Leasing</td>
<td>659.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Civic Legal</td>
<td>19/01/2018</td>
<td>Native Title Matter Replacement Road Access &amp; Public Benefit Agreement Revocery of Rates from Living Cities Development G Advice on federal Court Class Action Notice Review on Rates Exemption</td>
<td>16,198.05</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Cook’s Tours Pty Ltd</td>
<td>19/01/2018</td>
<td>ADVERTISING AMAZING NORTH 37TH EDITION 1/4 PAGE</td>
<td>590.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Courier Australia</td>
<td>19/01/2018</td>
<td>Freight Charges Freight</td>
<td>113.58</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Crowe’s Electrical</td>
<td>19/01/2018</td>
<td>74 Weekes Street - Relocate cable &amp; fit new retic</td>
<td>97.17</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Rocke, David</td>
<td>19/01/2018</td>
<td>Clean Community Centre for RFDS clinic, Paynes Find</td>
<td>337.50</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Dominic Carbone &amp; Associates</td>
<td>19/01/2018</td>
<td>Consultancy Service</td>
<td>5,280.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>REFUEL AUSTRALIA</td>
<td>19/01/2018</td>
<td>December 2017 Fuel Charges</td>
<td>11,795.47</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Geraldton Toyota</td>
<td>19/01/2018</td>
<td>70,000km service 70,000km service YA840: 60,000km service YA778: 70,000km service</td>
<td>2,015.55</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Hallinan Refrigeration &amp; Airconditioning</td>
<td>19/01/2018</td>
<td>service to air cons</td>
<td>7,364.90</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Hill, Judith</td>
<td>19/01/2018</td>
<td>Verification of public notice Ad from Market Force</td>
<td>5.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Landgate</td>
<td>19/01/2018</td>
<td>Valuations chargeable Mining Tenements Chargeable</td>
<td>103.85</td>
</tr>
<tr>
<td>_ID</td>
<td>Creditor's Name</td>
<td>Cheque Date</td>
<td>Invoice Details</td>
<td>Total Amount $</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------------------</td>
<td>-------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td></td>
<td>Marketforce</td>
<td>19/01/2018</td>
<td>Notice Pursuant to Schedule 6.3 Public Notice - Council Meeting Dates 2018 Public Notice - Arts &amp; Cultural Committee</td>
<td>1,010.42</td>
</tr>
<tr>
<td></td>
<td>McIntosh &amp; Son</td>
<td>19/01/2018</td>
<td>YA395: Parts</td>
<td>1,008.66</td>
</tr>
<tr>
<td></td>
<td>Protector Fire Services</td>
<td>19/01/2018</td>
<td>service to fire equipment</td>
<td>374.93</td>
</tr>
<tr>
<td></td>
<td>Pratt, Ray</td>
<td>19/01/2018</td>
<td>correction to GST</td>
<td>21.50</td>
</tr>
<tr>
<td></td>
<td>RSM Bird Cameron</td>
<td>19/01/2018</td>
<td>Final Audit visit for year ended 30 June 2017</td>
<td>21,455.56</td>
</tr>
<tr>
<td></td>
<td>S &amp; H Cranes P/L</td>
<td>19/01/2018</td>
<td>Crane Hire</td>
<td>495.00</td>
</tr>
<tr>
<td></td>
<td>W &amp; E Rowe Contractors</td>
<td>19/01/2018</td>
<td>Dozer work Morawa Road: gravel Stockpiling</td>
<td>7,722.00</td>
</tr>
<tr>
<td></td>
<td>Western Independent Foods</td>
<td>19/01/2018</td>
<td>Caravan Park Units - UHT Milk</td>
<td>16.88</td>
</tr>
<tr>
<td></td>
<td>Atyeo’s Environmental Health Services PL</td>
<td>19/01/2018</td>
<td>EHO Duties</td>
<td>3,647.20</td>
</tr>
<tr>
<td></td>
<td>MURRAY RIVER NORTH PTY LTD</td>
<td>19/01/2018</td>
<td>Final Practical Completion: Release of Bank Guarantee</td>
<td>9,196.08</td>
</tr>
<tr>
<td></td>
<td>LGRCEU</td>
<td>19/01/2018</td>
<td>Monthly Payroll Deduction: December 2017</td>
<td>41.00</td>
</tr>
<tr>
<td></td>
<td>HOLCIM</td>
<td>19/01/2018</td>
<td>20mm premix concrete</td>
<td>1,988.01</td>
</tr>
<tr>
<td></td>
<td>BP MECHANICAL MAINTENANCE</td>
<td>19/01/2018</td>
<td>YA465: service &amp; repairs YA395: service &amp; repairs YA465: service &amp; repairs YA807: service &amp; repairs YA1622: service &amp; repairs YA1614: service &amp; repairs YA1643: service &amp; repairs YA1613: service &amp; repairs YA479: service &amp; repairs</td>
<td>3,866.95</td>
</tr>
<tr>
<td>_ID</td>
<td>Creditor's Name</td>
<td>Cheque Date</td>
<td>Invoice Details</td>
<td>Total Amount $</td>
</tr>
<tr>
<td>----------</td>
<td>-------------------------------------------</td>
<td>-------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>MID WEST CONCERT SOUND &amp; LIGHTING</td>
<td>19/01/2018</td>
<td>supply service for event at Yalggo Sports Ground</td>
<td>1,567.50</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>SHIRE OF YALGO</td>
<td>19/01/2018</td>
<td>Monthly Payroll Deduction: December 2017</td>
<td>1,100.00</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>FITZ GERALD STRATEGIES</td>
<td>19/01/2018</td>
<td>ESO Recruitment</td>
<td>7,903.16</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>SUN CITY BATTERIES</td>
<td>19/01/2018</td>
<td>Yalgoo Town Site Entrance lighting as per quote 01 2 MOWER BATTERIES</td>
<td>12,934.35</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>ARTISTRY SIGN MAKERS</td>
<td>19/01/2018</td>
<td>damaged main power pole</td>
<td>2,662.75</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>MIDWEST FIRE PROTECTION SERVICES &amp; EYE SPY SECURITY</td>
<td>19/01/2018</td>
<td>SERVICE TO FIRE EQUIPMENT</td>
<td>1,918.95</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Target</td>
<td>23/01/2018</td>
<td>toys for the childrens christmas function</td>
<td>2,197.90</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>ALTO METALS LIMITED</td>
<td>23/01/2018</td>
<td>TENEMENT DEATH 24.11.17 Rates Refund</td>
<td>215.64</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>ACCENT RESOURCES NL</td>
<td>23/01/2018</td>
<td>Tenement Death Rates refund</td>
<td>556.89</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>BACOME PTY LTD</td>
<td>23/01/2018</td>
<td>OVER PAYMENT ON RATES</td>
<td>357.93</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>AMPAC Debt Recovery (WA) Pty Ltd</td>
<td>24/01/2018</td>
<td>Debt Recovery</td>
<td>7.70</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Australian Taxation Office</td>
<td>24/01/2018</td>
<td>Activity Statement Penalty</td>
<td>420.00</td>
</tr>
<tr>
<td>_ID</td>
<td>Creditor's Name</td>
<td>Cheque Date</td>
<td>Invoice Details</td>
<td>Total Amount $</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------</td>
<td>-------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>BOC Limited</td>
<td>24/01/2018</td>
<td>Oxygen indust G size Dissolved Acetylene D size Di</td>
<td>105.73</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Bunnings Building Supplies Pty Ltd</td>
<td>24/01/2018</td>
<td>Hortico Mulch Retic Fittings, replacement tools</td>
<td>413.84</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Courier Australia</td>
<td>24/01/2018</td>
<td>Freight Charges: Winc</td>
<td>223.45</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Crowe's Electrical</td>
<td>24/01/2018</td>
<td>Railway Station: Car Charging Point</td>
<td>988.11</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Five Star Business Equipment &amp; Comms</td>
<td>24/01/2018</td>
<td>Copier Reading</td>
<td>328.36</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Geraldton Toyota</td>
<td>24/01/2018</td>
<td>YA805 30,000km Services Ceo vehicle: 10,000km service</td>
<td>897.34</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Marketforce</td>
<td>24/01/2018</td>
<td>Local Gov Tender: Yalgoo Multi Purpose Sports Comp</td>
<td>1,077.96</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Midwest Pest Management</td>
<td>24/01/2018</td>
<td>Pest Management Treatment to Shire Buildings &amp; Sta</td>
<td>3,113.00</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Minjar Gold Pty Ltd</td>
<td>24/01/2018</td>
<td>Tenement Death</td>
<td>411.63</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>PaynesFind Road House &amp; Tavern</td>
<td>24/01/2018</td>
<td>Accommodation &amp; Meals: Ray Winfield Accommodation &amp; Meals: Ray Winfield</td>
<td>768.00</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>Grinham, Robert</td>
<td>24/01/2018</td>
<td>Travel Allowance: Invitation by Minister to attend</td>
<td>326.73</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>S &amp; H Cranes P/L</td>
<td>24/01/2018</td>
<td>Crane Hire</td>
<td>247.50</td>
</tr>
<tr>
<td>Bill Pmt - Cheque</td>
<td>St John Ambulance WA</td>
<td>24/01/2018</td>
<td>BATTERY FOR AED HS1, 2 SETS OF PADS</td>
<td>453.00</td>
</tr>
<tr>
<td>ID</td>
<td>Creditor's Name</td>
<td>Cheque Date</td>
<td>Invoice Details</td>
<td>Total Amount $</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------</td>
<td>-------------</td>
<td>----------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>WINC AUSTRALIA PTY LIMITED</td>
<td>24/01/2018</td>
<td>Office Stationery Supplies Diary (2) Office Stationery Supplies</td>
<td>771.67</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Veolia Environmental Services</td>
<td>24/01/2018</td>
<td>Service Collection Fee</td>
<td>5,007.42</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>Westrac Equipment Pty Ltd</td>
<td>24/01/2018</td>
<td>Oil and 5x tiger teeth for Backhoe</td>
<td>2,274.06</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>TYREPOWER GERALDTON</td>
<td>24/01/2018</td>
<td>YA805: New Tyres</td>
<td>1,624.07</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>PINPOINT CLEANING SOLUTIONS</td>
<td>24/01/2018</td>
<td>Monthly clean of Shire Buildings</td>
<td>2,145.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>WBS GROUP PTY LTD</td>
<td>24/01/2018</td>
<td>Claim 2: Depot Machinery Shed</td>
<td>53,130.00</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>AUS RECORD</td>
<td>24/01/2018</td>
<td>SKU: LSA.5-SET. HALF SIZE: A-Z LABELS FULL SET</td>
<td>39.60</td>
</tr>
<tr>
<td>Bill Pmt -Cheque</td>
<td>PATIENCE SANDLANDS</td>
<td>24/01/2018</td>
<td>20m Mulch</td>
<td>1,100.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$203,138.49</strong></td>
</tr>
</tbody>
</table>
Voting Requirements
Simple Majority

OFFICER RECOMMENDATION

Accounts for Payment January 2018

That Council approve the list of accounts paid for the period 1 January 2018 to 31 January 2018 amounting to $203,138.49 and the list be recorded in the Minutes.

Moved: Seconded: Motion put and carried/lost
11.3.2 Investments as at 31 January 2018

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date:</td>
<td>13 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Matter for Consideration**

That Council receive the Investment Report as at 31 January 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) prescribe circumstances in which a local government is required to invest money held by it; and

(c) provide for the application of investment earnings; and

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

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

Strategic Implications
Nil

Consultation
Nil

Comment
The worksheet below details the investments held by the Shire as at 31 January 2018.

<table>
<thead>
<tr>
<th>INSTITUTIONS</th>
<th>SHORT TERM RATING</th>
<th>INVESTMENT TYPE</th>
<th>ACCOUNT Nº</th>
<th>TERM</th>
<th>DATE OF TRANSACTION</th>
<th>DATE OF MATURITY</th>
<th>INTEREST RATE</th>
<th>PRINCIPAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>MUNICIPAL FUND</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NAB</td>
<td>N/A</td>
<td>Operating a/c</td>
<td>50-832-4520</td>
<td>Ongoing</td>
<td>N/A</td>
<td>N/A</td>
<td>Variable</td>
<td>$1,536,231.74</td>
</tr>
<tr>
<td>NAB</td>
<td>N/A</td>
<td>Cash Maximiser</td>
<td>86-538-7363</td>
<td>Ongoing</td>
<td>N/A</td>
<td>N/A</td>
<td>Variable</td>
<td>$41,057.70</td>
</tr>
<tr>
<td>NAB</td>
<td>N/A</td>
<td>Term Deposit</td>
<td>89-977-1574</td>
<td>3 month 1 day</td>
<td>28.12.2017</td>
<td>29.03.2018</td>
<td>2.00%</td>
<td>$62,007.49</td>
</tr>
<tr>
<td>NAB</td>
<td>N/A</td>
<td>Short Term Investment</td>
<td>24-831-4222</td>
<td>Ongoing</td>
<td>N/A</td>
<td>N/A</td>
<td>Variable</td>
<td>$51,756.79</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,691,053.72</td>
</tr>
</tbody>
</table>

| RESERVE FUNDS | | | | | | | | |
| NAB | N/A | Term Deposit | 97-511-4454 | 3 months | 28.12.2017 | 28.03.2018 | 2.00% | $160,596.11 |
| NAB | N/A | Term Deposit | 89-972-5236 | 3 months | 28.12.2017 | 28.03.2018 | 2.00% | $445,788.73 |
| NAB | N/A | Term Deposit | 11-186-3992 | 3 months | 28.12.2017 | 28.03.2018 | 1.75% | $1,063,446.55 |
| TOTAL | | | | | | | | $1,669,831.39 |

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

| INVESTMENT REGISTER | | | | | | | |
| 01 JULY 2017 TO 31 January 2018 | | | | | | | |
| NATIONAL AUSTRALIA BANK | | | | | | | |
| ACCOUNT Nº | DATE OF MATURITY | INTEREST RATE | OPENING BALANCE | INTEREST EARNED TO 31.01.2018 | INVESTMENT TRANSFERS | CLOSING BALANCE 31.01.2018 |
| 86-538-7363 | Ongoing | Variable | $40,929.28 | $128.42 | 0 | $41,057.70 |
| 89-977-1574 | 29.03.2018 | 2.00% | $61,392.89 | $614.60 | 0 | $62,007.49 |
| 24-831-4222 | Ongoing | Variable | $51,594.90 | $161.89 | 0 | $51,756.79 |
| 97-511-4454 | 28.03.2018 | 2.00% | $158,650.69 | $1,945.42 | 0 | $160,596.11 |
| 89-972-5236 | 28.03.2018 | 2.00% | $440,410.14 | $5,378.59 | 0 | $445,788.73 |
| 11-186-3992 | 28.03.2018 | 1.75% | $1,050,564.24 | $12,882.31 | 0 | $1,063,446.55 |
Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Investments as at 31 January 2018

That the Investment Report as at 31 January 2018 be received.

Moved: ____________________  Seconded: ____________________  Motion put and carried/lost
11.3.3 Financial Activity Statement for the Period ended the 31 December 2017

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date:</td>
<td>13 February 2018</td>
</tr>
<tr>
<td>Attachments (Green Cover) Pages 1 - 37</td>
<td></td>
</tr>
<tr>
<td>- Statement of Comprehensive Income ending the 31 December 2018;</td>
<td></td>
</tr>
<tr>
<td>- Financial Activity Statement; ending 31 December 2017</td>
<td></td>
</tr>
<tr>
<td>- Summary of Current Assets and Current Liabilities as of 31 December 2017;</td>
<td></td>
</tr>
<tr>
<td>- Statement of Current Financial Position as at 31 December 2017;</td>
<td></td>
</tr>
<tr>
<td>- Detailed worksheets;</td>
<td></td>
</tr>
<tr>
<td>- Other Supplementary Financial Reports:</td>
<td></td>
</tr>
<tr>
<td>- Reserve Funds;</td>
<td></td>
</tr>
<tr>
<td>- Loan Funds;</td>
<td></td>
</tr>
<tr>
<td>- Trust Fund</td>
<td></td>
</tr>
</tbody>
</table>

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


That Council:

Adopts the Financial Activity Statement for the period ended 31 December 2017.

Motion put and carried/lost
11.3.4 Financial Activity Statement for the Period ended the 31 January 2018

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date:</td>
<td>13 February 2018</td>
</tr>
<tr>
<td>Attachments (Green Cover) Pages 1 - 37</td>
<td></td>
</tr>
<tr>
<td>- Statement of Comprehensive Income ending the 31 January 2018</td>
<td></td>
</tr>
<tr>
<td>- Financial Activity Statement; ending 1 January 2018</td>
<td></td>
</tr>
<tr>
<td>- Summary of Current Assets and Current Liabilities as of 31 January 2018;</td>
<td></td>
</tr>
<tr>
<td>- Statement of Current Financial Position as at 31 January 2018;</td>
<td></td>
</tr>
<tr>
<td>- Detailed worksheets;</td>
<td></td>
</tr>
<tr>
<td>- Other Supplementary Financial Reports:</td>
<td></td>
</tr>
<tr>
<td>- Reserve Funds;</td>
<td></td>
</tr>
<tr>
<td>- Loan Funds;</td>
<td></td>
</tr>
<tr>
<td>- Trust Fund</td>
<td></td>
</tr>
</tbody>
</table>

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:

(2) 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 31 January 2018

That Council:

Adopts the Financial Activity Statement for the period ended 31 January 2018.

Moved: Seconded: Motion put and carried/lost
11.4  ADMINISTRATION

11.4.1  Report on Matters Outstanding as at 13 February 2018

Author: Dominic Carbone
Interest Declared: No interest to disclose
Date: 13 February 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

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>ITEM REFERENCE</th>
<th>RESOLUTION</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 Aug 16</td>
<td>Establishment of an Emergency Services Training Centre in Yalgoo.</td>
<td>That Council engage the services of a suitable consultant to undertake a review of the Business Case for the construction of a Volunteer Emergency Services Training and Operations Centre/VESTOC in Yalgoo</td>
<td>CEO is about to set a timeframe for an architect to come out to Yalgoo. Architect has supplied 1 quote obtaining another.</td>
</tr>
<tr>
<td>31 Mar 17</td>
<td>Under-taking a Review of the Shire of Yalgoo Policies</td>
<td>That the CEO under-take a review of the Shire Policies over the next three months</td>
<td>Currently under review. Report for Consideration on this Agenda.</td>
</tr>
<tr>
<td>28 July 2017</td>
<td>Review of Local Laws</td>
<td>Council authorised the CEO to implement a review of Local Laws</td>
<td>Currently under review</td>
</tr>
<tr>
<td>25 Aug 2017</td>
<td>Termination of Centacare Playgroup Programme</td>
<td>Council to continue to provide the service for a period up to 6 months and a further report to be presented to Council in relation to the ongoing delivery of the Playgroup Programme and its funding.</td>
<td>Report for consideration on this Agenda.</td>
</tr>
<tr>
<td>MEETING DATE</td>
<td>ITEM REFERENCE</td>
<td>RESOLUTION</td>
<td>CURRENT STATUS</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------</td>
<td>------------</td>
<td>----------------</td>
</tr>
<tr>
<td>27 Oct 2017</td>
<td>Application for a prospecting licence</td>
<td>Council authorises the CEO to locate a suitable prospecting area close to the Yalgoo townsite and make application to the Mining Registrar for registration under section 19 of the Mining Act.</td>
<td>Letter was sent on the 17 November 2017. Awaiting a response from the Mining Registrar.</td>
</tr>
<tr>
<td>25 January 2018</td>
<td>Lot 4317 Goodingnow Road Paynes Find – Install a Telstra Mobile Phone base station facility</td>
<td>That Council Approve the application for development dated 8 December 2017 for the installation of the Telecommunications tower and supporting infrastructure located at Lot 4317 Goodingnow Road, Paynes Find WA 6612, subject to the following conditions: 1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plans; 2. Any variations from the above shall require additional approval to be received from Council; 3. The development approved is to be substantially commenced within a period of 2 years after the date of determination. Should development not substantially commence before the expiration, approval would no longer apply and additional approvals will be required; 4. This approval does not constitute a building permit. A building permit is to be obtained prior to the commencement of any building works; and Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.</td>
<td>The applicant advised of Council decision</td>
</tr>
</tbody>
</table>
MATTERS OUTSTANDING

<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>ITEM REFERENCE</th>
<th>RESOLUTION</th>
<th>CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 January 2018</td>
<td>Proposed Amendment No.2 to Local Planning Scheme No.2</td>
<td>That Council Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), resolve to adopt Scheme Amendment No.2 to Town Planning Scheme No.2 for the purpose of advertising: 1. Reclassify Lot 65 (No. 42) Gibbons Street and Lot 66 (No.44) Gibbons Street, Yalgoo from ‘Public Purposes’ to ‘Residential (R10)’ as indicated on the Scheme Amendment Map. 2. Forward Scheme Amendment No.1 to: a. The Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act 2005. b. The Western Australian Planning Commission for information. 3. As per Regulation 47 of the Planning and Development (Local Planning Scheme) Regulations 2015, subject to no objections being received from the EPA, advertise the amendment for public comment for a period of 42 days to the satisfaction of the Chief Executive Officer.</td>
<td>Consultant Planner Urbis have been instructed to action part 2 &amp; 3 of the resolution</td>
</tr>
</tbody>
</table>

Voting Requirements
Simple Majority

OFFICER RECOMMENDATION
Report on Matters Outstanding as at 13 February 2018
That Council:
Moved: Seconded: Motion put and carried/lost
11.4.2 Report on Minutes of Electors Meeting 23 February 2018

Report to be finalised once the Electors meeting is held 23 February 2018

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 25 January 2018 resolved in part that the Annual Electors Meeting to be held at Yalgoo at 9.00 am on Friday 23 February 2018.

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 23 February 2018

That Council:

Receive the Minutes of the Electors Meeting held at Yalgoo on 23 February 2018.

Moved: Seconded: Motion put and carried/lost
11.4.3 Banners in the Terrace 2018

<table>
<thead>
<tr>
<th>Author</th>
<th>Silvio Brenzi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date</td>
<td>08 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Previous Entry’s</td>
</tr>
</tbody>
</table>

**Matter for Consideration**

That Council consider the options for submitting an entry for ‘Banners in the Terrace’ for 2018.

**Background**

Each year during WALGA week in Perth, the City of Perth supports local governments in permitting a competition known as ‘Banners in the Terrace’. This includes local governments from Western Australia to enter artistic designs that represent their community in different ways. Different categories are available to be selected and the Shire of Yalgoo has submitted and entry for the last 6 years. To date we have not been successful in winning a category but have received many commendation’s for the submission.

**Statutory Environment**

Nil

**Financial Implications**

Costs are covered from a dedicated account E132031 with an allocation of $3,500.00. This covers materials, postage and other associated costs of the project.

**Consultation**

Community Development Officer
Shire President. Cr Joanne Kanny

**Comment**

The annual Banners in the Terrace competition is a highlight of the WA Local Government Convention, with the colourful entries being displayed along St Georges Terrace and Adelaide Terrace. As one of the State’s largest single community arts projects, this event is widely acknowledged as being one of the most colourful and vibrant displays throughout the year, and the ongoing support provided by the City of Perth is appreciated for this very popular and special exhibition.

There are only 60 poles available in 2018, therefore the below planning timeline below should be followed to increase the opportunity for having an entry accepted.

**2018 Entry Schedule**

<table>
<thead>
<tr>
<th>Entry reservation form submission:</th>
<th>Thursday, 22 March</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banner design emailed to the City of Perth</td>
<td>Friday, 27 April</td>
</tr>
<tr>
<td>Banner delivery to WALGA:</td>
<td>Friday, 20 June</td>
</tr>
<tr>
<td>Display in the Terraces:</td>
<td>Sunday, 22 July – Saturday, 4 August</td>
</tr>
<tr>
<td>Announcement of Winners:</td>
<td>Thursday, 2 August at the Convention</td>
</tr>
</tbody>
</table>
Below is the list of categories that are available to submit an entry into. It would be anticipated that the selected category be communicated to shire residents for their involvement and consultation in content and form. This community involvement would be enhanced with the ongoing support through the process by elected members.

1. Junior Primary School
2. Upper Primary School
3. Secondary School
4. Community Group
5. Professional / Digital

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Banners in the Terrace

That Council:

Nominates category........................................ for this year’s entry into Banners in the Terrace Competition.

Moved: ........................................ Seconded: ........................................ Motion put and carried/lost
11.4.4 Centacare Playgroup Programme

<table>
<thead>
<tr>
<th>Author</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date</td>
<td>13 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Memorandum of Understanding</td>
</tr>
<tr>
<td></td>
<td>Job Description - Centacare</td>
</tr>
</tbody>
</table>

**Matter for Consideration**

That Council give consideration as to whether to continue to provide a Playgroup Programme previously provided by Centacare.

**Background**

Council at its Ordinary Meeting held on 25 August 2017 adopted the following resolution;

“ That Council

1. Continue to provide the Playgroup Programme for a period of up to 6 months and engage the services of the current programme co-ordinated for the purpose

2. A further report be presented to Council in relation to the ongoing delivery of the Playgroup Programme and its funding”

The Centacare Playgroup Programme was terminated on the 1 September 2017 by the Centacare Family Services and since then the service has been provided by the Shire in house.

Previously the Shire sponsored the service provided by Centacare by making an annual contribution of $32,400 per annum plus provision of another vehicle on a shared basis and internal support.

A Sum of $100,000 has been allocated in the 2017-18 Annual Budget to fund the service.

**Statutory Environment**

Nil

**Financial Implications**

Additional funds to be provided by the Shire to continue the service.

**Consultation**

Nil

**Comment**

A Memorandum of understanding (MOU) was entered between Centacare Geraldton and the Shire of Yalgoo 27 February 2013. The main components of the MOU are summarised below.

1. The Shire to make an annual cash contribution to Centacare.

2. Subject to (1) above the contribution shall compose of 60% of the Community Benefit component made to the Shire by MMG Golden Grove (MMG) amounting to $32,400 (60% of $54,000)

3. The Shire to provide the following in-kind contributions
   - Office space, consumables and utilities at the Shire Hall.
   - Vehicle maintenance and operations
- Accommodation for Centacare Staff
- Use of Shire facilities such as the Shire Hall and Community Bus
- Contribution to activity expenses such as excursion costs, entry fees etc.

4. Centacare to source funding from a range of government bodies and agencies.

5. Centacare to employ suitable person/s to co-ordinate the programme and complementary activities.

6. Centrecare to provide professional and technical support services

7. Centacare to provide a monthly summary report of outcomes of the Centacare project.

The annual estimated revenue and expenses of providing the service is detailed below.

<table>
<thead>
<tr>
<th>Description</th>
<th>Annual Estimate</th>
<th>Actual To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary</td>
<td>$69,200</td>
<td>$36,123</td>
</tr>
<tr>
<td>Superannuation</td>
<td>$6,574</td>
<td>$3,045</td>
</tr>
<tr>
<td>Insurance</td>
<td>$1000</td>
<td>0</td>
</tr>
<tr>
<td>Utility Cost</td>
<td>$500</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle expenses</td>
<td>$500</td>
<td>0</td>
</tr>
<tr>
<td>Activities and Out of Pocket Expenses</td>
<td>$500</td>
<td>0</td>
</tr>
<tr>
<td>Community Bus Expenses</td>
<td>$700</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL ESTIMATED COST PER ANNUM</strong></td>
<td><strong>$87,974</strong></td>
<td><strong>$39,168</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Benefit fund</td>
<td>$32,400</td>
<td>$32,400</td>
</tr>
</tbody>
</table>

| **ESTIMATED ANNUAL SHORTFALL**       | **$55,574**     | **6,768**      |

In order to offset the above mentioned short fall the Shire has engaged the services of Grants Empire to prepare a funding application / proposal. Grants Empire have informed the Shire that it’s currently preparing the funding application and plans to lodge it with the funding provider by the end of the month. A copy of the Co-ordinators job description prepared by Centacare is attached for elected members information, this job description to be amended accordingly to meet the Shire’s requirements in due course.

It is recommended that Council give consideration to continue to provide it’s children and schooling program on the basis that a funding application is currently being prepared and that $100,000 allocated in the 2017-18 Annual Budget is sufficient to meet the costs beyond the end of this financial year.

It’s proposed that a further report be presented to Council in relation to the ongoing delivery of the program and it’s funding once the outcome of the Shire’s funding application is known.

**Voting Requirements**

Simple Majority
OFFICER RECOMMENDATION
Centacare Playgroup Programme

That Council:

1. Continue to provide the children and schooling program up to the end of the financial year or once the outcome of the funding application is known.

2. A further report be presented to Council in relation to the ongoing delivery of the program.

Moved:  Seconded:  Motion put and carried/lost
11.4.5 Approval for a Proposed WA Police Communications Facility at Wurarga

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date:</td>
<td>16 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Matter for Consideration**

That Council grant planning approval for the proposed WA Police Communication Facility at Wurarga.

**Background**

The Department of Planning, lands and Heritage reserved the land within Lot 368 on Plan 43526 (Reserve 53130) for the purpose of a “Communication Facility”, reserved under a management order of the Minister for Police. This was finalised on the 15 January 2018.

**Statutory Environment**

*Local Planning Scheme No2*

Clause 10.3 Determination of Applications

In determining an application for planning approval the Local Government may –

A) Grant its approval with or without conditions or

B) Refuse to grant its approval

**Consultation**

Mr Adam Wood Planning Consultant URBIS

**Comment**

A request has been received from the WA Police via Inspector Tim Zappa from the Communications Infrastructure Program Office, for Council planning approval for the proposed Communications facility at Wurarga.

The WA Police wish to increase police voice radio coverage along the Geraldton/Mt Magnet Road and in so doing require additional repeater and link tower sites spaced along and adjacent to the road. The Police intend to use existing Telco Communications, sites along the road but require one at Wurarga where there isn’t one. The WA Police intend to install a .60 meter tower, micro-ware dished and antennae, comms hut and equipment and solar power ray on their site.

The matter was referred to the Shire’s Consultant Planner URBIS for advice. URBIS advice is as follows.

"The Land is not zoned under the Shire of Yalgoo Local Planning Scheme N02.

As the site is unzoned within the Shire of Yalgoo Local Government Area, the following process is recommended to the Council:

1. The application is able to be dealt with as a discretionary approval under the general provisions of the Shire – Under Clause 11.3 of LPS 2, the CEO is able to determine an application pursuant to Clause 10.3 of the Scheme. This would expedite the process for WA Police (WAPol) in acquiring Planning Approval. **This is the recommended option.**

2. Alternatively an application could be lodged to Council for its full determination.

3. Given that the land is un-zoned, it is recommended that the portion of land which has been reserved be re-zoned via a Scheme Amendment to ensure the Scheme reflects the reservation. This process is able to be progressed in parallel to the application assessment (but doesn’t hole up approval). **This is recommended to be undertaken by WAPol.**
It should be noted that we also investigated the potential for the development to be considered ‘Public Works’ which would mean the works would be exempt from requiring planning approval. Notwithstanding, the proposed works did not constitute being defined as such and therefore, as a result, planning approval is required to be sought.

Upon receipt of development consent the acquisition of a building permit would still apply:

- Under part 10, section 124 of the *Building Act 2011* The State is also considered to be a Permit Authority capable is issuing their own building permit. A copy of the issued permit should be provided to the local government for information and record purposes.
- Notwithstanding under section 124 (3) – the Minister must inform each local government affected by a decision under subsection 2(a) of the effect of the decision in relation to the local government. That is, if the Minister does not wish for the State to be the permit authority for this development, they must notify the Shire of such decision.
- As a result under Section 6(3) of the *Building Act 2011* – Should the State not wish to be issuing authority and have notified the local government of such, the permit authority for the building or incidental structure is, or is proposed to be located.

In consideration of the above points and in summary, it would be recommended that the CEO of the Shire of Yalgoo consider determining the application for a WAPol Communications Facility under Delegated Authority. Additionally it is recommended that the WA Police simultaneously commence and application for the re-zoning of the allocated reserve via a Scheme Amendment.

Following the approval of the development order, the State is able to issue their own Building Permit at their choosing, or alternatively can seek to lodge a building application through the Shire.

Whilst the Consultant Planner states that the CEO of the Shire of Yalgoo can determine the application for the communication facility, it is considered more appropriate that the matter be considered by the Council.

Council is requested to give consideration to the following:

1. Grant planning approval for the proposed WA Police Communication facility at Wurarga on land vested to the minister for Police being lot 368 on plan 43526 (Reserve 53130) for the purpose of a “Communication Facility”

2. The WA Police be advised to commence an application for the re-zoning of the allocated reserve via a Scheme Amendment in order to ensure that the Planning Scheme No.2 reflects on reservation.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION**

**Approval for a Proposed WA Police Communications Facility at Wurarga**

That Council:

1. Grant planning approval for the proposed WA Police Communication Facility at Wurarga on land vested to the minister for Police, being lot 368 on plan 43526 (Reserve 53130) for the purpose of a “Communication Facility”

2. Advise WA Police to commence an application for the rezoning of the allocated reserve via a Scheme Amendment in order to insure that the Shire of Yalgoo local planning scheme No2 reflects the reservation.

Moved: ___________________________ Seconded: ___________________________ Motion put and carried/lost
11.4.6 Review of the Shires Administrative Policies

<table>
<thead>
<tr>
<th>Author:</th>
<th>Dominic Carbone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Declared:</td>
<td>No interest to disclose</td>
</tr>
<tr>
<td>Date:</td>
<td>16 February 2018</td>
</tr>
<tr>
<td>Attachments</td>
<td>Current Shire Policies 10.1 to 10.4</td>
</tr>
</tbody>
</table>

Matter for Consideration
That Council give consideration to adopting the changes to the policies as detailed in the report from the consultant and adopt a Bullying Policy.

Background
Council at its Ordinary Meeting held on 31 March 2017 adopted the following resolution.

"That the CEO undertake a review of the Shire’s Policies over the next three months"

Statutory Environment
Policy Manual
Review of Policies
There is no required timetable for the policy review, however; it is suggested that it should be done regularly to ensure that policies are relevant, current and understood.

To maintain the Policy Manual up to date, it should be reviewed at least once a year, and a report made to Council on matters needing amendments or inclusion.

Consultation
Mr Sean Fletcher. Consultant

Comment
The Consultant has undertaken a review of some of the Shire’s Policies, which are detailed below, together with comments and recommendations.
<table>
<thead>
<tr>
<th>Policy No</th>
<th>Title</th>
<th>Statutory Ref</th>
<th>Comment</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1</td>
<td>Occupational Safety and Health</td>
<td>Occupational Safety &amp; Health (OSH) Act 1984</td>
<td>No changes required</td>
<td>1. No change required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>OSH Regulations 1996</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.2</td>
<td>Policy Schedule 10.2 - Employee Health and Safety</td>
<td>Occupational Safety &amp; Health (OSH) Act 1984</td>
<td><strong>Key Changes Required</strong>&lt;br&gt;It would be appropriate to replace the first part of Policy Schedule 10.2 with a statement that is more modern regarding the responsibilities of the employer and employee and captures the intent of the appropriate legislation and codes of practice:&lt;br&gt;This policy outlines the Shire of Yalgoo’s commitment to continuously improve the occupational safety and health standards within the workplace, to continuously improve the occupational safety and health management systems and to reduce hazards and subsequent incidents in the workplace.&lt;br&gt;The Shire of Yalgoo is committed to managing occupational safety and health, including the development and implementation of an Occupational Safety and Health Management system that complies with or exceeds legislative requirements.&lt;br&gt;The Policy of the Shire of Yalgoo is to ensure that every employee works in an environment where every effort is made to prevent accidents, injury and disruption to employees' health from foreseeable work hazards.&lt;br&gt;The employer acknowledges a duty of care to:  &lt;ul&gt;&lt;li&gt;Provide and maintaining a safe working environment.&lt;/li&gt;&lt;li&gt;Providing adequate training, instruction and supervision to enable employees to perform their work safely and effectively.&lt;/li&gt;&lt;li&gt;Investigating all actual and potentially injurious occurrences in order to identify and control the cause to reduce the level of risk in the workplace&lt;/li&gt;&lt;li&gt;Comply with AS/NZS 4801-2001 Occupational Health and Safety Management Systems audit requirements.&lt;/li&gt;&lt;li&gt;Compliance with current Occupational Safety and Health Act 1984, and&lt;/li&gt;&lt;/ul&gt;</td>
<td>1. That Policy Schedule 10.2 is updated to reflect the comments regarding a more modern approach to OSH.&lt;br&gt;2. That the broader definition of what an employee is included in the policy statement i.e. volunteer worker, consultant and contractor.&lt;br&gt;3. A copy of the proposed revised policy is attached to this advisory note.</td>
</tr>
</tbody>
</table>
the Occupational Safety and Health Regulations 1996, relevant
Australian Standards including AS/NZS ISO 31000, 2009 and relevant
Approved Codes of Practice

- Engage and consult stakeholders and representatives in matters
  regarding occupational safety and health in the workplace.

Employees have a duty of care to

- Working with care for their own safety and that of other employees,
  contractors, volunteers and public who may be affected by their acts
  or omissions;
- Reporting hazards, accidents, incidents and near misses to their Line
  Manager;
- Co-operating positively in the fulfilment of the obligations placed on
  their employer;
- Assisting in the reporting and investigation of any accidents with the
  objective of introducing and reviewing controls to prevent re-
  occurrence.

A safe and efficient place of work is our goal, and we must all be committed by
working together to reach this outcome.

This statement recognises ongoing improvement and
prevents certain statements in the current policy becoming irrelevant.

It would be prudent to include in the policy statement the
definition of an employee similar to that to be included in
Policy 1.1 Code of Conduct i.e. employee to include
volunteers, consultants and contractors.

The Safety Guidelines to Contractors should be updated to
reflect the need to provide further clarification regarding
the need to keep the safety checklist ad safety agreement.
Contractors also are responsible for their own PPE that
meets the Shire’s requirements.

Civic Legal Advice
The inclusion of updated comments regarding drugs and
alcohol is appropriate.
| 10.3 | Policy Schedule 10.3 – Sexual Harassment | Equal Opportunity Act 1984 | In the main the current version of this policy is in line with the legislated requirements. However, it may be of benefit to include a statement along the following lines: • Other acts or behaviours that may amount to an offence of sexual assault under relevant criminal legislation. Many organisations have inserted this clause into their policies. Example (b): Subtle or explicit demands for sexual activities or molestation may cover this matter. |
| 10.4 | Fitness for Work Policy Schedule 10.4(a) | Occupational Safety & Health (OSH) Act 1984 | Comments provided in Advisory Note 1 |
| 10.5 | New Policy 10.5 – Bullying | Occupational Safety & Health (OSH) Act 1984 | The Shire has requested a new policy regarding bullying to help address a gap recently identified as a result of the recent Work Safe Inspection. The proposed policy is based on the document: “Dealing with Workplace Bullying – A Worker’s Guide” developed by Safe Work Australia (May 2016) in conjunction with Work Safe WA and the other equivalent safety instrumentalities in each Australian state and territory. |
In particular the matters addressed in the policy include:

<table>
<thead>
<tr>
<th>Act/Regulation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. What is workplace bullying?</td>
<td></td>
</tr>
<tr>
<td>2. Relevant legislation.</td>
<td></td>
</tr>
<tr>
<td>3. What is not workplace bullying? This includes</td>
<td></td>
</tr>
<tr>
<td>comments regarding what is reasonable management</td>
<td></td>
</tr>
<tr>
<td>action and where unlawful discrimination and sexual</td>
<td></td>
</tr>
<tr>
<td>harassment are separate matters.</td>
<td></td>
</tr>
<tr>
<td>4. How can workplace bullying occur?</td>
<td></td>
</tr>
<tr>
<td>5. The impact of workplace bullying.</td>
<td></td>
</tr>
<tr>
<td>6. How to deal with bullying.</td>
<td></td>
</tr>
</tbody>
</table>

**Legend**


LG(A)R 1996 = Local Government (Administration) Regulations 1996

LG(RoC)R 2007 = Local Government (Rules of Conduct) Regulations 2007


**Advisory Note Prepared By:**

Sean Fletcher
Principal Consultant

Strategic Teams

11/09/18
A copy of the current policies being reviewed are attached for elected members information.

A new policy has been prepared for Council consideration as detailed below

### 10.5 Bullying Policy

**Introduction**

Workplace bullying can adversely affect the psychological and physical health of a person. Workplace bullying is a psychological hazard that has the potential to harm a person, and it also creates a psychological risk as there is a possibility that a person may be harmed if exposed to it. If effective control measures are put in place to address and resolve workplace issues early, a workplace can minimise the risk of workplace bullying and prevent it from becoming acceptable behaviour in the workplace.

**Objective**

To help determine if workplace bullying is occurring and how to prevent and deal with it.

**History**

- **Adopted**: 20 February 2018
- **Former Policy**: N/A
- **Amended / confirmed**: N/A

**Policy Statement**

The following Policy Schedule 10.5 – Bullying Policy is adopted and forms part of this Statement.

---

**COMMENT**

Everyone at the workplace has a work health and safety duty and can help to prevent workplace bullying. Under OSH laws, while at work, workers must take reasonable care that their behaviour does not adversely affect the health and safety of other persons. Workers must also comply, so far as is reasonably practicable, with any reasonable instruction given by the person conducting the business or undertaking (PCBU) and co-operate with reasonable policies and procedures of the PCBU that the worker has been notified of, such as a workplace bullying policy.

Workplace bullying may breach the following laws:

- *Occupational Health and Safety Act 1984 (the OSH Act)*;
- *Workers’ Compensation and Injury Management Act 1981*;
- *Equal Opportunity Act 1984 (WA)*;
- *Fair Work Act 2009 (Cth)*;
- *Industrial Relations Act 1979 (WA)*.

This policy is based on the above legislation and the “Dealing with Workplace Bullying – A Worker’s Guide” developed by Safe Work Australia (May 2016) in conjunction with WorkSafe WA and the other equivalent safety instrumentalities in each Australian state and territory. The CEO will make this document available to all employees.
Policy Schedule 10.5 – Bullying Policy

1. **What is workplace bullying?**

Workplace bullying can be described as repeated and unreasonable or inappropriate behaviour directed at a worker, or group of workers, that creates a risk to health and safety.

For employees, there is no one piece of legislation prohibiting workplace bullying. Rather, the nature of the bullying behaviour and the effect it has on the employee will determine which law might have been breached and the best course of action to take. For example, workplace bullying may breach the following laws:

- *Occupational Health and Safety Act 1984 (the OSH Act)*;
- *Workers’ Compensation and Injury Management Act 1981*;
- *Equal Opportunity Act 1984 (WA)*;
- *Fair Work Act 2009 (Cth)*;
- *Industrial Relations Act 1979 (WA)*.

1.1 **Repeated behaviour**

Generally, the bullying must be persistent for it to be considered ‘repeated behaviour’. It does not matter what form the bullying takes as long as the employee can establish a pattern of bullying.

However, this does not mean that a single incident of workplace bullying should be ignored. The Shire has an obligation to ensure the health, safety and welfare of employees and any other person at the workplace. Employees should report all cases of workplace bullying to their employer.

Physical and sexual assault are criminal matters and should be referred to the police as soon as possible.

1.2 **Unreasonable or inappropriate behaviour**

There is no specific definition of ‘unreasonable or inappropriate behaviour’. The behaviour which is not allowed is behaviour that a reasonable person, looking at all the circumstances, would consider unwarranted. Some examples of bullying behaviour are given in Section 2.

1.3 **Risk to health and safety**

Bullying has a negative effect on the health and safety of employees and others at the workplace. This presents a hazard in the workplace and is unlawful under the OSH Act.

Under the OSH Act, an employer has a duty to provide and maintain a working environment in which employees are not exposed to hazards. Large penalties may be issued against employers who fail to observe the provisions of the OSH Act. Employees also have obligations under the OSH Act to work in a safe manner and not to endanger themselves or others.

2. **Some examples of workplace bullying**

Workplace bullying can be verbal abuse or physical violence, but it may also take more subtle forms, such as via emails or telephone text messages. It can be carried out by an individual or by a group. For example, group bullying can occur where a number of workers together carry out bullying behaviour against a manager or supervisor.

Workplace bullying can occur between workers and other workers, managers, supervisors, customers or clients, students, volunteers, contractors or visitors.

Obvious examples of workplace bullying include:
- abusive, insulting or offensive language;
- actual or threatened physical attacks;
- language or behaviour that causes fear or humiliation or which demeans another person;
- teasing or frequently making someone the target of practical jokes;
- constant and unjustified threats of dismissal;
- inappropriate remarks about a person’s lifestyle or family; or
- interfering with a person’s belongings or work equipment.

Sometimes the bullying is not so obvious. However the following behaviour can also be workplace bullying:
- withholding information or isolating a person in a way that prevents them from fulfilling their work duties;
- unreasonably overloading a person with work;
- making a person do work that is unrelated to their job or beyond their skill level; or
- treating a person unfairly in relation to their entitlements, such as leave or reasonable training.

3. What is NOT workplace bullying?

Not all conduct in the workplace will amount to bullying. It is important to remember that an employer is allowed to direct and control the manner in which employees complete their work, so long as it is reasonable. For example, if the employer gives an employee feedback about work performance, it should be assessed objectively and it should be communicated appropriately.

Examples of behaviour that, if carried out reasonably, is not bullying include:

- setting reasonable work standards and deadlines;
- performance management processes;
- allocating work to a specific employee;
- not selecting an employee for promotion;
- constructive professional feedback;
- transferring an employee, where reasonable;
- informing an employee about substandard work performance;
- warning an employee about inappropriate behaviour; or
- implementing organisational changes.

Unreasonable behaviour may involve unlawful discrimination or sexual harassment which in isolation is not bullying. The matters regarding sexual harassment are dealt with further under policy 10.3. Discrimination on the basis of a protected trait in employment may be unlawful under antidiscrimination, equal employment opportunity, workplace relations and human rights laws.

Differences of opinion and disagreements are generally not workplace bullying. People can have differences and disagreements in the workplace without engaging in repeated, unreasonable behaviour that creates a risk to health and safety. However, in some cases, conflict that is not managed may escalate to the point where it becomes workplace bullying.

4. What are the effects of bullying?

Individual reactions to bullying may vary, but potential health effects of bullying include:
- distress, anxiety, panic attacks or sleep disturbance;
- physical illness, for example muscular tension, headaches, fatigue and digestive problems;
- reduced work performance, concentration and decision making ability;
- loss of self-esteem and self-confidence;
• feelings of isolation;
• deteriorating relationships with colleagues, family and friends;
• depression, and
• thoughts of suicide.

Complaints/Grievance Procedure

Step 1: Diarise all incidents of workplace bullying

WorkSafe – the WA government authority that handles workplace health and safety – will usually only investigate allegations of workplace bullying if written records have been kept.

Although it may have been an upsetting experience, it is a good idea for an employee to keep detailed written notes if they have experience workplace bullying. Keeping a written record can help to show that the bullying behaviour took place, and that it was repeated.

Specifically, the employee should note:
• the date of the conversation or incident of bullying;
• what time the incident took place;
• who was involved;
• what happened – what the dispute was about; and
• what was said – the actual conversation.

Step 2: Verbally notify the bully and your employer about their inappropriate conduct

Once a written record of the bullying incident has been made, the employee should tell the bully that their conduct is inappropriate and must stop. This is an important step because, sometimes, the bully may not realise that their behaviour is offensive.

If the bully is a co-worker (rather than the employer) the employee should also notify their employer of the bullying behaviour. The employee should then wait to see if the employer takes steps to address the problem. If the bullying stops, there may not need to be any further action.

The employee should also make written records about these conversations.

Step 3: Notify the shire in writing about the workplace bullying

If the bullying continues or if your employer does not take any steps in response to resolve the complaint, the employee should notify the employer about the bullying in writing. Your written records will help demonstrate specific incidents, rather than merely alleging general bullying conduct. Your letter should also make specific references to any verbal conversations you had with the bully directly to try and resolve the problem.

Notifying the employer in writing will be written proof of the employee’s attempts to resolve the dispute. The employee should keep copies of all correspondence. It is important that an employee keep dated copies of all correspondence which they send and receive. If the bullying cannot be resolved through discussions, the correspondence will be useful to give other parties a summary of what happened. It also demonstrates the employee’s efforts to resolve the problem and will assist them if they decide to pursue further action against the Shire.

Step 4: If attempts at negotiation fail, an employee can get further advice about other legal options

A few of the more common legal options and protections an employee might have are mentioned are as follows:
Bullying under the Equal Opportunity Act 1984 (WA)

If the nature of the bullying or inappropriate behaviour involves discrimination on one or more of the following grounds, an employee might be able to make a discrimination claim against your employer:

- sex, marital status or pregnancy;
- gender history;
- family responsibility or family status;
- sexual orientation;
- race;
- religious or political conviction;
- impairment; or
- age.

The Equal Opportunity Commission of Western Australia (EOC) handles claims of discrimination based on these grounds. A claim for discrimination with the EOC can only be made on one of the grounds listed above.

Workers’ compensation

Workers’ compensation protects injured workers by providing for loss of earning capacity, payment of medical expenses and vocational rehabilitation to assist employees to remain in or return to work. Anxiety or stress as a result of workplace bullying can sometimes be considered an illness or injury for the purposes of workers’ compensation claims.

Forced resignation: “constructive dismissal”

There are some legal claims that an employee can only make if they have been dismissed from employment. Usually if an employee resigns, they will not be eligible to bring a claim which requires them to have been dismissed.

But sometimes, the employer’s actions might leave an employee feeling like they have no other choice but to resign. In these situations, it is likely a court will say that a forced resignation was a dismissal which means that the employee will be eligible to make those claims. In these situations, the resignation is called a “constructive dismissal”. In some cases, workplace bullying can make an employee feel like you have no other choice but to resign. It is strongly suggested that the employee seeks legal advice in this instance.

– End of Schedule

Council is requested to give consideration to the comments and recommendations made by the consultant and the reviewed policies be amended accordingly. Council is also required to give consideration to adopting Policy No. 10.5 Bullying Policy with or without amendment.

It is proposed that policies be reviewed in groups and presented to council for consideration over the coming months.
Voting Requirements
Simple Majority

OFFICER RECOMMENDATION
Review of the Shires Administrative Policies

That Council

1. Approve the changes to the Following Policies as detailed in the report:
   10.2 - Employee Health and Safety
   10.3 - Sexual Harassment
   10.4 - Fitness to Work
   And the policies be amended accordingly

2. Adopt Policy No. 10.5 Bullying Policy as Detailed in the Report.

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 in the Council Chambers Shire of Yalgoo 23 March 2018 commencing at 11.00 am.

16. **MEETING CLOSURE**

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