



AGENDA
FOR THE ORDINARY MEETING
OF COUNCIL
TO BE HELD IN
THE COUNCIL CHAMBERS, YALGOO
ON FRIDAY, 22 FEBRUARY 2019
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 FRIDAY, 22 FEBRUARY 2019 COMMENCING AT 10.00 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 February 2019 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.

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 31 January 2019 be confirmed.

Moved:

Seconded:

Motion put and carried / lost

9. REPORTS OF COMMITTEE MEETINGS

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 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:

		2018-19 ANNUAL BUDGET	2018/19 JANUARY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
<u>By Program</u>					
Governance					
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 January 2019 completed minor over expenditure
000000- Motor Vehicle CEO	P & E	86,970	92,456	(5,486)	
000000- Motor Vehicle CGTS	P & E	64,794	0	64,794	
Law Order Public Safety					
000000-CCTV Yalgoo Townsite	F & E	9,000	0	9,000	
000000-CCTV Yalgoo Townsite - Conect to Yalgoo Police Station	F & E	4,000	0	4,000	
Housing					
000000-Staff Housing - Security	L & B	65,000	4,758	60,242	in progress
000000-Two Units 17 Shemrock Street	L & B	86,350	0	86,350	
Recreation and Culture					
000000 - Arts and Crafts Building	L & B	25,000	0	25,000	
000000-Power Supply Mens Shed and Rifle Club	L & B	15,000	0	15,000	
000000-Bollard Fence - Community Park	Recreation	8,000	968	7,032	in progress
000000- Community/School Oval Development	F & E	35,250	0	35,250	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 JANUARY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
		\$	YTD \$	\$	
By Program					The CEO to provide a verbal update on the status of the capital projects as at 31 January 2019
Transport					
000000- Machinery Shed Depot	L & B	7,393	6,230	1,163	completed minor saving
000000-Flood Control -Fuel Station	L & B	11,410	11,009	401	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	0	68,722	
000000- Motor Vehicle Works Hilux	P & E	49,000	0	49,000	
000000- Generator 4.5kva	P & E	4,290	0	4,290	
000000- Generator 6.0kva with Fuel Tank	P & E	9,500	9,500	0	completed
000000- Transfer Pump	P & E	6,200	6,200	0	completed
000000- Paynes Find Airstrip Fence	Other	45,000	0	45,000	
000000-Paynes Find Beautification	Other	18,656	0	18,656	
ROADS TO RECOVERY GRANTS					
000000- Yalgoo/Morawa Road - Widen to 7m	Roads	544,968	150,000	394,968	in progress
RRG SPECIAL GRANT RD WORKS					
000000- Yalgoo/Ningham Road - Seal to width 4m	Roads	300,000	104,500	195,500	in progress
MUNICIPAL FUND					
000000- North Road - Crossing	Roads	10,000	0	10,000	

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

	2018-19 ANNUAL BUDGET	2018/19 JANUARY ACTUAL	VARIANCE FAV (UNFAV)	COMMENTS
	\$	YTD \$	\$	
By Program				
Economic Services				The CEO to provide a verbal update on the status of the capital projects as at 31 January 2019
000000-Caravan Park - Washing Machine and Dryer F & E	3,200	6,240	(3,040)	completed over expenditure
000000- Shelter and Seating Jokker Tunnel L & B	4,054	0	4,054	quotations received and deposit paid
000000- Shelter and Visitors Board at Railway Station L & B	4,054	0	4,054	quotations received and deposit paid
	2,223,003	1,071,437	1,151,566	

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 31 January 2019.

Moved:

Seconded:

Motion put and carried/lost:

11.1.2 Technical Services Monthly Report 31 January 2019

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

Matter for Consideration

That Council receives the Technical Services Monthly Report as at 31 January 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.

1.2 R2R Project Yalgoo – Morawa Road

- Rowe's Contactors has mobilised and started worked.
- Rowe's Contactors will be carrying out the R2R Project expecting to commence work on the 4 February 2019 which will take 3-4 weeks to complete.

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

2 ROAD MAINTENANCE - OPERATIONS

2.1 Works During January

- 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.

3 OTHER INFRASTRUCTURE MAINTENANCE

3.1 Plant and Equipment

- New foreman's vehicle has been purchased.
- Plates were swapped between the Fire Tender YA1000 and the Foreman Vehicle YA778.
- YA840 had recived it 100,000km
- Mechanic has serviced multiple pieces of plant and equipment.

3.2 Buildings

- Locks have been replaced at the Caravan Park Units all had been worn-out.
- Midwest Turf Supply repaired the reticulation at 48 Gibbons Street.

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.
- Midwest Turf came out and installed the reticulation and roll on lawn to pavilion area.

4.3 Community Park, Gibbons Street

- Nil

4.4 Community Park, Shamrock Street

- Nil

4.5 Water Park

- Nil, all is in good order – Geraldton Spa is attending the week of the 18th February for Staff inductions / training.

4.6 Yalgoo Caravan Park

- Nil

5 INFRASTRUCTURE - CAPITAL

5.1 Rifle Rage

- Complete. Awaiting inspection by WARA representative.

6 PRIVATE WORKS

6.1 Nil

7 PURCHASING

- 2nd New washing machine was purchased for the caravan park as previous new one was damaged on arrival.
- Foreman's old vehicle was delivered to Pickles Auctions to be sold round the 16th January 2019.

8 STAFF

8.1 Training & Licences Completed

- Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Technical Services Monthly Report 31 January 2019

That Council:

Receive the Technical Services report as at 31 January 2019.

Moved:

Seconded:

Motion put and carried/lost:

11.2 DEVELOPMENT PLANNING AND ENVIRONMENTAL HEALTH

11.3 FINANCE

11.3.1 Accounts for Payment January 2018

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 February 2019
Attachments	Nil

Matter for Consideration

Council approve the Accounts for Payment list for the period 1 January 2019 to 31 January 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 January 2019 to 31 January 2019 are as follows:

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1005*2019	AMPAC Debt Recovery (WA) Pty Ltd	4/01/2019	Debt Recovery Fees	33.00
1028*2019	Civic Legal	4/01/2019	Legal Fees - Recovery of Rates from Living Cities Development	2,626.80
1174*2019	Sun City Plumbing	4/01/2019	Repairs & Maintenance Community Hall - Kitchen sink unblock,Dishwash, Yalgoo Art Centre - Faulty HWS & Removal of Intern	517.00
1191*2019	Veolia Environmental Services	4/01/2019	Rubbish Service Collection Fee	5,111.43
1245*2019	TYREPOWER GERALDTON	4/01/2019	Tyres YA778: 1 BF GOODRICH TYRE 265/17	374.96
1385*2019	HODDER, MICHELLE	4/01/2019	Alcohol Bond Refund	1,000.00
1423*2019	EVENT ART TENTS - EMMALINE JAMES	4/01/2019	Activity Expenses	352.92
1488*2019	BLACKWOODS	4/01/2019	SINGLE KEY PAD LOCKS FOR RIFLE RANGE	174.75
1492*2019	MCPAHON MINING TITLE SERVICE PTY LTD	4/01/2019	Rates Refund - part payment	8,975.45
1493*2019	COWLEY, TERRY	4/01/2019	Wild Dog Bounty	660.00
1016*2019	BOC Limited	11/01/2019	Cylinder Service Charge	122.42
1044*2019	Rocke, David	11/01/2019	Clean Paynes Find Community Centre for RFDS Clinic	210.00
1048*2019	Dominic Carbone & Associates	11/01/2019	Consultancy Service - Accounting and Administration	3,905.00
1056*2019	Five Star Business Equipment & Comms	11/01/2019	Photocopier Service Fee	480.97
1064*2019	REFUEL AUSTRALIA	11/01/2019	December 2018 Fuel Charges	11,967.24
1089*2019	K9 K10 ELECTRICAL WA	11/01/2019	Administration Building - Security Alarm Monitoring	167.20
1091*2019	Landgate	11/01/2019	Valuations Mining Tenements	39.00
1101*2019	Marketforce	11/01/2019	Advertising - Special Meeting held on 11 December 2018, Advertising - 2019 Meeting Dates	544.73
1104*2019	McIntosh & Son	11/01/2019	Parts YA 493: AS PER QUOTE 366630	384.23
1108*2019	Midwest Chemical & Paper	11/01/2019	Cleaning Supplies for Caravan Park, Cleaning Supplies for Various Shire Buildings	573.78
1153*2019	Pratt, Ray	11/01/2019	Sundry Items for Caravan Park	363.10
1174*2019	Sun City Plumbing	11/01/2019	Caravan Park - Faulty Sink Mixer Tap, 19b Stanley - Supply & Install Hot Water System ,3 Gibbons - Solar Pipework Replacement	3,359.20
1175*2019	Sun City Print	11/01/2019	Business Cards & Receipt Books for Art Centre	465.00
1186*2019	Truck Centre(WA) Pty Ltd	11/01/2019	Repairs YA795 - Front Panel Damage	17,087.68
1240*2019	Westrac Equipment Pty Ltd	11/01/2019	OIL FOR DEPOT	1,168.50
1418*2019	INCITE SECURITY	11/01/2019	DEPOT ACCESS CONTROL SYSTEM	7,517.00
1137*2019	Paynes Find Road House & Tavern	18/01/2019	Fuel for Community Centre Paynes Find	10.00
1166*2019	BRENZI, Silvio	18/01/2019	Emu Cup Festival 2018	32.49
1277*2019	REILLY & CO	18/01/2019	Yalgoo Emu Cup 2018 Yalgoo School Holiday Program Costs	2,631.77
1394*2019	CS LEGAL	18/01/2019	Legal Fees Sale - Lots 9 & 10 Henty St	990.00
1458*2019	ROWE CONTRACTORS	18/01/2019	Road Works - R2R Morawa Road, RRG Ninghan Road	264,000.00
1018*2019	BOQ Asset Finance & Leasing Pty Ltd	24/01/2019	Photocopier Rental	329.50
1024*2019	Canine Control	24/01/2019	Consultancy Fees -Ranger Service - 3 & 7 January 2019	967.05
1040*2019	Courier Australia	24/01/2019	WINC - Freight Charges	24.54
1056*2019	Five Star Business Equipment & Comms	24/01/2019	Photocopier Service Fee	291.57
1065*2019	Geraldton Mower & Repair Specialist	24/01/2019	GARDENING SUPPLIES	414.80
1067*2019	Geraldton Toyota	24/01/2019	Repairs YA778 140,000KM SERVICE	639.62

_ID	Creditor's Name	Cheque Date	Invoice Details	Total Amount Due
1073*2019	Great Northern Rural Services.	24/01/2019	FENCING FOR RIFLE CLUB	270.51
1108*2019	Midwest Chemical & Paper	24/01/2019	Cleaning Supplies for Caravan Park	326.30
1162*2019	Security & Keys	24/01/2019	NEW LOCKS FOR CARAVAN PARK UNITS	110.74
1171*2019	WINC AUSTRALIA PTY LIMITED	24/01/2019	Office Supplies Supplies for Art Centre	807.22
1264*2019	PINPOINT CLEANING SOLUTIONS	24/01/2019	Monthly Cleaning of Shire Buildings December 2018	2,430.00
1277*2019	REILLY & CO	24/01/2019	School Holiday Program January 2019	888.18
1278*2019	PROMOTIONS INTERNATIONAL PTY LIMITED	24/01/2019	Caps for Emu Cup festival	858.00
1496*2019	OFFICE OF THE AUDITOR GENERAL	24/01/2019	Audit Fee - 30 June 2018	40,700.00
1498*2019	DESMOND, JESSEE	24/01/2019	Candle Making Workshop	1,200.00
1499*2019	DJ REV	24/01/2019	Workshop & Disco	2,500.00
1500*2019	SWEET ORANGE PRODUCTIONS	24/01/2019	Emu Festival Activities 2018	2,200.00
1501*2019	ST JOHN AMBULANCE WA LTD	24/01/2019	Re Stock First Aid Kits	1,957.97
1176*2019	TARGET AUSTRALIA PTY LTD	29/01/2019	KITCHEN ITEMS FOR 75 WEEKES ST	599.00
TOTAL				393,360.62

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Accounts for Payment January 2019

That Council approve the list of accounts paid for the period 1 January 2019 to 31 January 2019 amounting to \$393,360.62 and the list be recorded in the Minutes.

Moved:

Seconded:

Motion put and carried / lost

11.3.2 Investments as at 31 January 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 February 2019
Attachments	Nil

Matter for Consideration

That Council receive the Investment Report as at 31 January 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 31 January 2019.

SHIRE OF YALGOO INVESTMENTS AS AT 31 JANUARY 2019								
INSTITUTIONS	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N ^o	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
MUNICIPAL FUND								
Note Balance as per Bank Statement								
NAB	N/A	Operating a/c	50-832-4520	Ongoing	N/A	N/A	Variable	\$1,857,811.49
NAB	N/A	Cash Maximiser	86-538-7363	Ongoing	N/A	N/A	Variable	\$41,243.62
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	\$51,991.18
TOTAL								\$2,014,561.33

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
TOTAL								\$1,710,428.35

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

INVESTMENT REGISTER						
01 JULY 2018 TO 31 JANUARY 2019						
NATIONAL AUSTRALIA BANK						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.01.2019	INVESTMENT TRANSFERS	CLOSING BALANCE 31.01.2019
86-538-7363	Ongoing	Variable	\$41,141.54	\$102.08	0	\$41,243.62
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	\$128.69	0	\$51,991.18
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 31 January 2019

That the Investment Report as at 31 January 2019 be received.

Moved:

Seconded:

Motion put and carried/lost

11.3.3 Financial Activity Statement for the Period ended the 31 January 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 February 2019
Attachments	<ul style="list-style-type: none"> • Statement of Comprehensive Income ending the 31 January 2019; • Financial Activity Statement; ending 31 January 2019 • Summary of Current Assets and Current Liabilities as of 31 January 2019; • Statement of Current Financial Position as at 31 January 2019; • Detailed worksheets; • Other Supplementary Financial Reports: <ul style="list-style-type: none"> ○ Reserve Funds; ○ Loan Funds; ○ Trust Fund

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 31 January 2019.

That Council:

Adopts the Financial Activity Statement for the period ended 31 January 2019.

Moved:

Seconded:

Motion put and carried/lost

11.4 ADMINISTRATION

11.4.1 Report on Matters Outstanding as at 14 February 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	14 February 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 is currently underway. Consultant appointed. The matter subject to a report on this Agenda.
28 July 2017	Review of Local Laws	Council authorised the CEO to implement a review of Local Laws	Two quotes were received, CEO advised Council a third quote will need to be sought.

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
23 March 2018	Application for a prospecting licence	Council authorises the CEO to locate a suitable prospecting area close to the Yalgoo town site and make application to the Mining Registrar for registration.	<p>Works Foreman advised that the Shire cannot hold a prospect Licence. CEO to contact the Department of Mining and Petroleum to discuss the matter.</p> <p>Pastoral owner contacted and endorses the proposal. Appointment to be made with DMP</p> <p>No change</p>
	Paynes Find Planning Compliance Assessment	<p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to Clause 10.3 of the Shire of Yalgoo Local Planning Scheme No.2 approve the respective site plans for Lot 4317, Goodingnow Road, Paynes Find WA 6612 (PilRoc Retreat) and Lot 4234, Great Northern Highway, Paynes Find WA 6612 (Paynes Find Roadhouse & Tavern); 2. Advise the owners of the property that: <ol style="list-style-type: none"> i. Any future development upon the site that requires associated planning approval are to be determined and approved by the Council accordingly; ii. Approval of the respective site plans do not constitute approval for any applications which may be pending determination by Council, and do not guarantee future approvals on the site. iii. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development commencement and carrying out of the development. 3. Provide the Compliance Assessment Report and a copy of this determination to the respective landowners. 	<p>UBRIS have completed all requirements including item 3 this now concludes the matter.</p>

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
		4. Seek confirmation from the landowners in relation to the recommended scheme amendments identified in the assessment reports prior to initiation.	
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
14 December 2018	Accounts for Payment	Detailed report to be provided in relation to the EMU Cup event.	Report to be presented at the February 2019 Meeting of Council.
14 December 2018	Urgent Business	That the CEO prepare a report and draft an administration policy in relation to Christmas gifts to children residing in Yalgoo.	Report to be presented at the February 2019 meeting of Council.
31 January 2019	Closure of Thoroughfare to Vehicles – Section of Yalgoo – Ninghan Road at Golden Grove	That Council Informs EMR Golden Grove that it would be supportive where a non-automotive processes are used (ie; maned station) on a temporary road closure of a section of the Yalgoo-Ninghan Road to enable larger planes to service the Golden Grove mine site within the provisions of section 3.50 of the Local Government Act 1995.	Email confirmation sent on 11 February 2019
31 January 2019	Sponsorship of the Yalgoo Multi Purpose Sports Centre	(1) That Council advise Core Business Australia that it is willing to enter into sponsorship arrangement as outlined in the report. (2) Subject to (1) above that the Shire’s 2018-19 Annual Budget be amended by the inclusion of - Contribution Multi Purpose Sports facility Sponsorship \$15,000 and increase the budget allocation for - Community/School Oval Shared Use Development by \$15,000 to \$733,000.	Correspondence sent to Core Business Australia on 6 February 2019
31 January 2019	Preliminary Draft Corporate Business Plan 2018-2022	That Council (1) Receives the report on Preliminary Draft Corporate Business Plan 2018-2022. (2) That the Chief Executive Officer be authorised to engage suitable consultant/s to undertake a review of the Strategic Community Plan and informing strategies such as the asset management plan, long term financial plan and workforce plan on the basis that there is sufficient funds to complete the tasks. (3) Subject to (2) above the Corporate Business Plan to be finalised.	Completed

MATTERS OUTSTANDING			
MEETING DATE	ITEM REFERENCE	RESOLUTION	CURRENT STATUS
31 January 2019	Funding Application – Communities Pests and Weeds Impacts During Drought Program	That Council (1) Request the CEO to prepare a funding application under the Australian government Department of Agriculture Water Resources Communities Combating Pests and Weed Impacts during Drought Program on the basis that the Shire does not need to make any additional contributions for the following: - Completion of the Vermin Cell Fence within the Shire of Yalgoo \$594,000. - Employment of a Licenced Pest Management Technician (LPMT – dogger) for a period of 100 days \$70,000. (2) Subject to (1) above the CEO seek assistance from the Murchison Regional Vermin Council CEO and the Executive Officer of the MRBA in preparing the grant application form.	Application submitted on 13 February 2019
31 January 2019	House Safety of Lot 220, 82 Piesse Street Yalgoo	That Council Requests the CEO to investigate the safety of the house owed 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 bill 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

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Report on Matters Outstanding as at 14 February 2019

That Council:

Receives Report N° 11.4.1 Report on Matters Outstanding as at 14 February 2019.

Moved:

Seconded:

Motion put and carried / lost

11.4.2 Report on Change to Advertised Meeting Date – Ordinary Council Meeting and Audit Committee Meeting Scheduled for 29 March 2019

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 February 2019
Attachments	Nil

Matter for Consideration

That council give consideration to change the meeting date for the March 2019 Ordinary Council and Audit Committee meetings to be held in the Yalgoo Shire Chambers to accommodate the opening of the Multi Purpose Sports Facility scheduled for 29 March 2019.

Background

The Council at its November 2018 Ordinary meeting set dates, times and location of or Council and Committee meetings for the 2019 calendar year.

For the month of March 2019 the following meetings were scheduled:

- 29 March Audit Committee Meeting 10.00 am
- 29 March Ordinary Council Meeting 11.00 am.

Statutory Environment

Local Government (Administration) Regulations 1996

Reg 12(1)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.

Reg 12(2)

- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

Local Government Act 1995

1.7 Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district; and
 - (b) exhibited to the public on a notice board at the local government’s offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.
- (2) Unless expressly stated otherwise it is sufficient if the notice is —
 - (a) published under subsection (1)(a) on at least one occasion; and
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —
 - (i) the time prescribed for the purposes of this paragraph; or
 - (ii) if no time is prescribed, 7 days.

Business Implications

Nil

Consultation

Nil

Comment

That Council give consideration to changing the meeting date for the Ordinary Council Meeting and Audit Committee Meeting scheduled for Friday 29th March 2019 to Friday 22nd March at 11.00 am and 10.00 am respectively as this will allow the Official opening of the Multi Purpose Sports Facility to take place on 29 March 2019.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Report on Change to Advertised Meeting Date – Ordinary Council Meeting and Audit Committee Meeting

That Council in accordance with Regulation 12(2) of the Local Government (Administration) Regulations 1996 give local public notice in accordance with Section 1.7 of the Local Government Act 1995 to change the following meeting date:

- Ordinary Council Meeting date to be changed from 29 March 2019 to 22 March 2019 at 11.00 am.
- Audit Committee Meeting date to be changed from 29 March 2019 to 22 March 2019 at 10.00 am.

Moved:

Seconded:

Motion put and carried / lost

11.4.3 Income and Expenditure Emu Cup Analysis 2018-19

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 February 2019
Attachments	Nil

Matter for Consideration

That Council receive the Report on the Income and Expenditure Emu Cup Analysis 2018-19

Background

Council at its Ordinary Council Meeting held on 14 December 2018 resolved that a detailed report be provided in relation to the Emu Cup Event.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

That the Income and Expenditure related to the event are within budget estimates.

Consultation

Nil

Comment

The following Statement of Income and Expenditure for the Emu Cup Event and details the income sources and expenses incurred to 16 February 2019.

EMU CUP EVENT
INCOME AND EXPENDITURE ANALYSIS 2018-19 TO 16 FEBRUARY 2018

	Budget \$	Actual \$
INCOME		
EMU CUP FUNDING	41,000	
Grant Tourism WA		30,000
Contribution Golden Grove		5,000
TOTAL INCOME	41,000	35,000
EXPENDITURE		
EMU CUP EVENT	102,527	
Entertainment and Activities		37,064
Advertising/ Promotion		12,099
Security		2,003
Trophies		55
Accommodation		1,000
Event Management and other reimbursements		16,858
Equipment Hire		5,155
Grant Application		1,887
Ambulance Services		1,150
Salaries and Labour Overheads - Outside Staff		2,131
Consumables		126
Other		486
TOTAL EXPENDITURE	102,527	80,014
Shire Funding to date	61,527	45,014

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Income and Expenditure Emu Cup Analysis 2018-19

That Council

receive the Report on Income and Expenditure Emu Cup Event 2018-19.

Moved:

Seconded:

Motion put and carried / lost

11.4.4 Review of Council Policies

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 February 2019
Attachments	Policy Hierarchy Review February 2019

Matter for Consideration

That Council review the report Policy Hierarchy Review and determine which policy is to be rescinded and incorporated in a management policies/procedure manual or a HR employee manual.

Background

Council at its meeting held on 31 March 2017 adopted the following resolution.

“That the Chief Executive Officer undertake a review of the Shire Policies over the next three months”.

Statutory Environment

Local Government Act 1995

Section 2.7

- 1) The council —
 - (a) governs the local government’s affairs; and
 - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government’s finances and resources; and
 - (b) determine the local government’s policies.

Strategic Implications

The review of the administrative policies will set the appropriate governance and management levels for the Shire.

Consultation

L G People and Culture Workforce and Management Services.

Comment

The consultants L G People and Culture have undertaken a review (copy attached) of the Shire’s policies and have made recommendations in relation to each of the policies as follows.

Policy No.	Policy Title	Council Policy	Recommendation
1.1	Code of Conduct	<input checked="" type="checkbox"/>	Update reference to employees to include volunteers, consultants and contractors and exclude matters that only apply to staff which will then sit under HR employee manual.
Council/Governance Policies			
1.2	Standing Orders	<input checked="" type="checkbox"/>	
1.3	Authorised Meetings – Claim	<input checked="" type="checkbox"/>	
1.4	Council Chambers Usage	<input checked="" type="checkbox"/>	
1.5	Portraits in Council Chambers	<input checked="" type="checkbox"/>	
1.6	Councillors Recognition of Service	<input checked="" type="checkbox"/>	
1.7	External Organisations – Council Representatives	<input checked="" type="checkbox"/>	
1.8	Elected Member Records – Capture and Management	<input checked="" type="checkbox"/>	
1.9	Shire Logo	<input checked="" type="checkbox"/>	
1.10	Digital Recording of Proceedings in Council meetings	<input checked="" type="checkbox"/>	
Accounting/Audit Policies			
2.2	Valuation of Non-Current Assets	TBD	
2.5	Land under Roads	<input checked="" type="checkbox"/>	
2.7	Integrated Planning – Long Term Financial Plan	<input checked="" type="checkbox"/>	
Administration/Organisational Policies			
3.1	Policy Manual		Delete
3.2	Conference Attendance	<input checked="" type="checkbox"/>	Remove policy schedule 3.2(3) staff and have this replaced as a procedure in the HR Employee Manual.
3.3	Destruction of Records		Management Policy/Procedure
3.4	Professional Advice		Management Policy/Procedure
3.5	Legal Representation Costs Indemnification	<input checked="" type="checkbox"/>	
3.6	Use of Information Technology		HR Employee Manual
3.7	Press Releases	<input checked="" type="checkbox"/>	
3.8	Complaints		HR Employee Manual
Public Facilities			
5.1	Library		Management Policy/Procedure
5.2	Shire Facilities Hiring		Management Policy/Procedure
5.3	Use and Security of Private Property		Delete
5.4	Shire Facilities – Tables and Chairs		Management Policy/Procedure
5.5	Swimming Pool – Criteria for Planning	<input checked="" type="checkbox"/>	

Policy No.	Policy Title	Council Policy	Recommendation
Financial Management			
7.1	Purchasing – to commit funds Incur expenditure within Budget		Management Policy/Procedure
7.2	Purchasing and Tendering	<input checked="" type="checkbox"/>	
7.3	Credit Card Facilities	<input checked="" type="checkbox"/>	
7.4	Outstanding Rates		Management Policy Procedure
7.5	Annual Budget – Rates Calculation		Management Policy/Procedure
7.6	Annual Budget Preparation Timetable	<input checked="" type="checkbox"/>	
7.7	Donations and Sponsorship		Management Policy/Procedure
7.8	Centacare support for Indigenous Children Program	<input checked="" type="checkbox"/>	
7.9	Shire of Yalgoo Education, Sponsorships and Donation		Management Policy/Procedure
Fire Control			
8.1	Bush fire Brigade Vehicles		Management Policy/Procedure
8.2	Bush Fire Organisation Policy		Not in Policy Manual
Natural Resource Management			
9.1	Native Flora and Fauna	<input checked="" type="checkbox"/>	
Occupational Safety and Health			
10.1	Occupational Safety and Health Statement	<input checked="" type="checkbox"/>	
10.2	Employees Health and Safety Policy		HR Employee Manual
10.3	Sexual Harassment Policy		HR Employee Manual
10.4	Fitness for Work		HR Employee Manual
10.4A	Fitness for Work Procedures		HR Employee Manual
10.4B	Drug Testing Additional Information		HR Employee Manual
Personnel and Staff Housing			
11.1	Designated Staff	<input checked="" type="checkbox"/>	
11.2	Removal Expenses	<input checked="" type="checkbox"/>	
11.3	Shire Housing – Tenancy Agreements		Management Policy/Procedure
11.4	Staff Housing		Management Policy/Procedure
11.5	Superannuation		HR Employee Manual
11.6	Interview Travel Costs	<input checked="" type="checkbox"/>	
11.7	Severance and Redundancy Pay		HR Employee Manual
11.8	Offer of Employment		HR Employee Manual
11.9	Gratuitous Payments to Employees		Management Policy/Procedure
11.10	Gifts to Employees Third Parties	<input checked="" type="checkbox"/>	
Plant and Equipment			
12.1	Shire Plant Equipment and Vehicles		Management Policy/Procedure
12.2	Community Bus		Management Policy/Procedure
12.4	Plant Replacement Cycles		Management Policy/Procedure

11.4.5 Administrative Policy – Christmas Gifts For Children Residing in Yalgoo

Author:	Dominic Carbone
Interest Declared:	No interest to disclose
Date:	16 February 2019
Attachments	Nil

Matter for Consideration

That Council authorises the Chief Executive Officer to instruct the Consultants, LG People and Culture Workforce and Management Services, currently undertaking the Policy Review to prepare a draft policy for Christmas Gifts For Children Residing in Yalgoo for Council consideration.

Background

Council at its meeting held on 14 December 2018 resolved that the CEO prepare a report and draft an administrative policy in relation to Christmas gifts for children residing in Yalgoo.

Statutory Environment

Nil

Strategic Implications

The administrative policies will set the appropriate governance and management levels for the Shire.

Consultation

Nil

Comment

The consultants LG People and Culture have been engaged by the Council to undertake a review of the Shire’s Policies. It is deemed appropriate that they be requested to prepare a draft policy for Christmas gifts for children residing in Yalgoo as part of their review.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

Administrative Policy – Christmas Gifts For Children Residing in Yalgoo

That Council

Authorise the Chief Executive Officer to instruct the Consultants LG People and Culture Workforce and Management Services to prepare a draft policy in relation to Christmas Gifts For Children Residing in Yalgoo as part of their Policy Review for Council consideration.

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 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 22 March 2019 commencing at 11.00 am.

16. MEETING CLOSURE

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

