



**MINUTES FOR THE
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY**

17 August 2016

SHIRE OF MINGENEW



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SHIRE OF MINGENEW

MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL 17 AUGUST 2016 COMMENCING AT 4.30pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President, Cr Bagley, declared the meeting open at 4.30pm and welcomed all in attendance.

2.0 ATTENDANCE

MA Bagley	President	Rural Ward
HM Newton	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
KL Criddle	Councillor	Rural Ward
CR Lucken	Councillor	Town Ward
MP Pearce	Councillor	Town Ward

STAFF

MG Whitely	Chief Executive Officer
NS Jane	Deputy Chief Executive Officer

APOLOGIES

Nil

LEAVE OF ABSENCE

GJ Cosgrove	Councillor	Rural Ward
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3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME / PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

There being no members of public the President proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 4:45pm

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 DECLARATIONS OF INTEREST

Martin Whitely, CEO Item 10.1.1
Cr Newton, Item 10.1.1
Nita Jane, DCEO item 9.1.4

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY MEETING HELD 20 JULY 2016.

COUNCIL DECISION – ITEM 7.1

Moved Cr Eardley

Seconded Cr Lucken

That the minutes of the ordinary meeting of the Shire of Mingenew held in the Council Chambers on 20th July 2016 be confirmed.

CARRIED: 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 REQUEST FOR FUNDS – ST JOHN

Location/Address: Shire of Mingenew
Name of Applicant: St Johns Ambulance, Irwin Districts Sub Centre
Disclosure of Interest: Nil
File Reference: ADM0295
Date: 9 August 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends the approval of a donation to the St John Irwin Districts Sub Centre to assist with the establishment of a water wise garden at the Mingenew St John building.

Attachment

Letter of request from St John Irwin Districts Sub Centre.

Background

During the 2015/16 financial year renovations were completed at the St John's building in Mingenew and a letter was recently received from the St John Irwin Districts Sub Centre requesting a donation from the Shire for the establishment of a water wise garden at the facility.

Comment

The St John's volunteers provide an invaluable service for the community and in my opinion it is important that we acknowledge our volunteers in the community, particularly those volunteers involved in the capacity of emergency response management.

The Shire were not asked to contribute financially towards the building refurbishment and a small donation to the organisation is possible utilising funds that have been allocated in the 2016/17 Budget for such requests.

Consultation

Michelle Bagley, President

Statutory Environment

Local Government Act 1995

Policy Implications

Section 3004 of The Shire of Mingenew's Policy Manual deals with donations as follows;

3004.1 DONATIONS AND GRANTS – LOCAL NATURE

Council shall consider requests for donations that are not part of normal budgetary considerations on their individual merit however, generally will decline appeals for donations:

- of a state or National nature type
- if they are not concerned or connected with the local area.
Exceptions to the above will be:
 - Disaster or emergency appeals.

Financial Implications

An allocation of \$3,000 has been made in the 2016/17 Budget.

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 3.7.5 – Promote participation in emergency service organisations.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That Council make a donation of \$500 donation to the St John Irwin Districts Sub Centre to assist with the establishment of a water wise garden at the Mingenew St John building.

COUNCIL DECISION – ITEM 9.1.1

Moved Cr Eardley

Seconded Cr Lucken

That Council make a donation of \$500 donation to the St John Irwin Districts Sub Centre to assist with the establishment of a water wise garden at the Mingenew St John building.

Cr Pearce moved an amendment to the motion - \$250 rather than \$500

This amendment lapsed as there was no seconder to the motion.

The original motion was put and carried.

CARRIED 5/1

9.1.2 REQUEST FOR FUNDS – MINGENEW IRWIN GROUP

Location/Address: Shire of Mingenew
Name of Applicant: Mingenew Irwin Group
Disclosure of Interest: Nil
File Reference: ADM0331
Date: 9 August 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council agree to a Bronze Sponsorship level for the 2016 MIG Ladies Day.

Attachment

Letter of request from the Mingenew Irwin Group.

Background

The Mingenew Irwin Group ("MIG") will be hosting their inaugural Ladies Day at the Mingenew Recreation Centre on Thursday 8 September 2016 and are seeking sponsorship for the event.

Comment

Council provides support to the Mingenew Irwin Group in a number of ways including provision of the building, subsidised housing, and at the July 2016 Ordinary Meeting Council agreed to re-enter into a three sponsorship agreement with the Mingenew Irwin Group for an annual contribution of \$3,000 per annum with the sponsorship agreement to run for the period 1 July 2016 to 30 June 2019.

The Shire's Community Development Officer has been working with MIG in putting together the Ladies Day and will continue that support leading up to the event.

It is acknowledged that MIG is an important business entity in the community and it is possible utilising funds that have been allocated in the 2016/17 Budget for their request if Council see value in the sponsorship.

Consultation

Michelle Bagley, President

Statutory Environment

Local Government Act 1995

Policy Implications

Section 3004 of The Shire of Mingenew's Policy Manual deals with donations as follows;

3004.1 DONATIONS AND GRANTS – LOCAL NATURE

Council shall consider requests for donations that are not part of normal budgetary considerations on their individual merit however, generally will decline appeals for donations:

- of a state or National nature type
- if they are not concerned or connected with the local area.
Exceptions to the above will be:
- Disaster or emergency appeals.

Financial Implications

A allocation of \$3,000 has been made in the 2016/17 Budget.

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 1.1.4 – Continue to support local events and encourage new events.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.2

That Council contribute \$250 cash towards a Bronze Sponsorship level for the 2016 MIG Ladies Day.

COUNCIL DECISION – ITEM 9.1.2

Moved Cr Pearce

Seconded Cr Criddle

That Council contribute \$250 cash towards a Bronze Sponsorship level for the 2016 MIG Ladies Day.

CARRIED 6/0

Cr Newton requested that Mrs Ella Suckling, CDO, be commended for her efforts in working with community groups and organisations.

9.1.3 DELEGATION TO COMMITTEE

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0303
Date: 10 August 2016
Author: Martin Whitely, Chief Executive Officer

Summary

This report recommends that Cr Pearce be appointed as the Shire of Mingenew delegate for the Midlands Route Project Team.

Attachment

Nil

Background

At the last Wildflower Country meeting held on Thursday 28 July the resolution was endorsed by the Committee;

That Wildflower Country Inc:

- *endorse the formation of a Midlands Route Project Team;*
- *the Midlands Route Project Team consist of one representative from each local government:*
 - *Shire of Moora*
 - *Shire of Coorow*
 - *Shire of Carnamah*
 - *Shire of Three Springs*
 - *Shire of Mingenew;*
- *That the Midlands Route Project Team report on the progress of the project at each Wildflower Country Inc meeting;*
- *That the Midlands Route Project Team be authorised to make decisions regarding the project to ensure timely progress of the project;*
- *That each local government appoint a representative for this Project Team prior to the next meeting;*
- *That Nita Jane be authorised to sign the Grant Agreement on behalf of Wildflower Country Inc (as Chairperson).*

Each of the Councils on the Midland Route Project Team have been requested to advise in writing the Shire's delegate to the Midland Route Project Team prior to the next meeting which will be held on 1 September 2016.

Comment

At the most recent review of the Delegations to Committees and Community Organisations at the November 2015 Ordinary Meeting the following appointments were made to the Wildflower Country Committee;

Delegate: Cr Pearce
Proxy: President Bagley
Proxy: CEO or other appointed staff member

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As the Midland Route Project Team has been endorsed by Wildflower Country it seems logical to maintain consistency in having the same delegate for the Midland Route Team as we have for the Wildflower Country Committee. The only change I would recommend is to have Nita Jane as the proxy for the Midlands Route Team as Nita will be attendance at the Wildflower Country meetings in her capacity as the Chairperson.

Consultation

Michelle Bagley, President
Marguerite Pearce, Councillor

Statutory Environment

Nil

Policy Implications

Section 1003 of The Shire of Mingenew's Policy Manual deals with Elections to Committees as follows;

Nomination of Councillor/s to Positions in Council/Committees - Prior to any nomination being made the person being nominated be advised of the proposal, and appointment to the position will be subject to the approval of the nominee.

Financial Implications

Nil

Strategic Implications

Shire of Mingenew Community Strategic Plan
Outcome 1.1.10 – Participate and support the Wildflower Way.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.3

That Council appoint delegates to the Midland Route Project Team as follows;

Delegate: Cr Marguerite Pearce
Proxy: DCEO, Nita Jane

COUNCIL RESOLUTION – ITEM 9.1.3

Moved Cr Pearce

Seconded Cr Eardley

That Council appoint delegates to the Midland Route Project Team as follows;

Delegate: Mrs Ella Suckling, CDO
Proxy: Mrs Nita Jane, DCEO

CARRIED 6/0

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 August 2016

The President, Cr Bagley requested that the reason for the change to the officers recommendation be recorded.

The reason being is that as this role will require operational information it is more appropriate for an officer to be on the Project Team, and Cr Pearce continue as the Council Delegate to the Committee.

9.1.4 POLICY MANUAL

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Impartiality Interest

File Reference: ADM0133
Date: 10 August 2016
Author: Martin Whitely, Chief Executive Officer

Disclosure of Financial Interest Item 9.1.4 – Martin Whitely, CEO & Nita Jane, DCEO

Prior to any consideration of Item 9.1.4, President Bagley advised the meeting that she had received written disclosures of interest from Martin Whitely, CEO and Nita Jane, DCEO relating to this matter. Both Officers disclosed a financial interest as recipients of staff utility allowances.

The President, Cr Bagley advised Mr Whitely and Mrs Jane to remain in the meeting.

Summary

This report recommends the amendment of Shire of Mingenew's Policy Manual dealing with section 5000 – Housing as per the direction of Council at the Ordinary Council Meeting held 20 July 2016.

Attachment

Nil

Background

At the last Ordinary Council Meeting held on 20 July 2016 the CEO was directed by Council to amend the policy relating to Housing to require recovery of over expenditure.

Comment

Below are the current Shire Policies in relation to the provision of housing and utilities;

5001 ALLOCATIONS OF STAFF HOUSING

When Council Housing becomes available it will firstly be offered to Council Staff and the Chief Executive Officer is given the power to approve all housing allocations. Should Council Staff not require housing assistance, then the vacant residence/s is to be offered for lease by advertisement at the current market rental value.

5002 RESIDENTIAL RENTALS/LEASES

All residential rentals/leases will be covered by a written agreement in accordance with the Residential Tenancies Act and will include a bond. The bond amounts are to be set by Council for both Council employees and private tenants and be reviewed annually. Council employee tenants are to be given the option of paying the bond amount by instalment deductions from their pay.

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council property.

5006 WATER CHARGES FOR NON-STAFF PERSONS OCCUPYING COUNCIL PROPERTY

Council meets the cost of the annual water and sewerage rates as part of its operating maintenance programme.

For items 5001, 5002 and 5006 I propose that no changes are required at this point in time.

For Items 5003, 5004 and 5005 I am suggesting the following additions and wording changes (shown in red)

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members. Amounts exceeding negotiated amount within the individual's contractual agreement are to be reimbursed in full by the employee.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract. Amounts exceeding the \$750 threshold or the negotiated amount within an individual's contractual agreement are to be reimbursed in full by the employee.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council properties within the Shire of Mingenew.

Finally, that the following policy be included;

5006 REIMBURSEMENT OF UTILITY CHARGES

Where an employee has entered into a negotiated contract with Council with respect to the provision of multiple utility allowances, the amount to be reimbursed is the net amount of the combined utility charges in excess of the total agreed amount for these utilities. Council may at its own discretion resolve to waive the reimbursement of utility charges if they are of the opinion that these charges have incurred as the result of extenuating circumstances.

The purpose of 5006 is to take into account all utility allowances that may have been negotiated within the employee's contract. For example if an employee has a telecommunications allowance of \$1,500, water allowance of \$1,500 and an electricity allowance of \$1,500, in the event that the expenditure by the employee was \$1,300 on telecommunications, \$1,200 on water and \$2,000 on electricity then rather than the employee having to reimburse \$500 on the over expenditure on electricity, the total expenditure of \$4,500 (\$1,300 + \$1,200 + \$2,000) would be offset against all of the utilities allowance totalling \$4,500 (\$1,500 + \$1,500 + \$1,500) and the amount to be reimbursed would be nil. It also

allows Council the opportunity to waive the reimbursement of costs if they are of the opinion that the additional utility charges incurred are not directly caused by the employee.

Consultation

Michelle Bagley, President

Statutory Environment

Nil

Policy Implications

If endorsed the Shire of Mingenew's Policy Manual will be updated to reflect the Officer's Recommendation.

Financial Implications

Nil

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 4.5.2 – Maintain, review and ensure relevance of Council policies and local laws

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.4
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That Council endorse the following amended policies to form part of the Shire's Policy Manual

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members. Amounts exceeding negotiated amount within the individual's contractual agreement are to be reimbursed in full by the employee.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract. Amounts exceeding the \$750 threshold or the negotiated amount within an individual's contractual agreement are to be reimbursed in full by the employee.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council properties within the Shire of Mingenew.

5006 REIMBURSEMENT OF UTILITY CHARGES

Where an employee has entered into a negotiated contract with Council with respect to the provision of multiple utility allowances, the amount to be reimbursed is the net amount of the combined utility charges in excess of the total agreed amount for these utilities. Council may at its own discretion resolve to waive the reimbursement of utility charges if they are of the opinion that these charges have incurred as the result of extenuating circumstances.

COUNCIL RESOLUTION – ITEM 9.1.4
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Moved Cr Lucken

Seconded Cr Pearce

That Council endorse the following amended polices to form part of the Shire's Policy Manual

5003 TELEPHONES IN COUNCIL AND STAFF HOUSES

Payment of telephone expenses in staff residences will form part of contract negotiations with individual staff members. Amounts exceeding negotiated amount within the individual's contractual agreement are to be reimbursed in full by the employee.

5004 WATER CHARGES IN STAFF HOUSES (COUNCIL OWNED)

That Council will pay all water accounts for staff residences up to an agreed amount as part of its operating maintenance. The current approved amount is \$750 per year unless otherwise negotiated in the employment contract. Amounts exceeding the \$750 threshold or the negotiated amount within an individual's contractual agreement are to be reimbursed in full by the employee.

5005 WATER CHARGES FOR STAFF (OCCUPYING NON-COUNCIL PROPERTY)

That Council pay water rate charges for staff whilst occupying non council properties within the Shire of Mingenew.

5006 REIMBURSEMENT OF UTILITY CHARGES

Where an employee has entered into a negotiated contract with Council with respect to the provision of multiple utility allowances, the amount to be reimbursed is the net amount of the combined utility charges in excess of the total agreed amount for these utilities. Council may at its own discretion resolve to waiver the reimbursement of utility charges if they are of the opinion that these charges have incurred as the result of extenuating circumstances.

CARRIED 6/0

9.2 FINANCE

9.2.1 ADOPTION OF 2016/17 BUDGET

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0130
Date:	9 th August 2016
Author:	Nita Jane, DCEO
Senior Officer:	Martin Whitely, Chief Executive Officer

Summary

This report seeks Council adoption of the Shire of Mingenew 2016-17 Budget.

Attachment

2016-17 Budget

Budget Supplementary Information and supporting documents.

Related legislation

Background

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget, to enable the administration to carry out the defined services and programmes and to raise revenue through rates and fees and charges.

Consistent with sections 6.2(4) of the Local Government Act 1995, the 2016-17 Budget for the Shire of Mingenew includes the following:

- Rates and Minimum Payments for 2016-17
- Capital Works
- Fees and Charges
- Concessions
- Allowances
- Borrowings
- Reserves
- Budget Estimates for Adoption

Comment

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Rating & Minimum Payments

The raising of revenue via annual rates is an important source of funds for all Councils throughout Australia. The Local Government Act 1995 (the Act) empowers WA Councils to impose general rates and minimum payments.

Rate Modelling (2016-17):

The proposed rates model is based on the following:

- Annual UV revaluation applied
- Annual Mining revaluation applied
- 3.5% rate increase
- Minimum Payments – UV - \$1,500
- Minimum Payments – GRV - \$655
- 50% concessions applied to Yandanooka Townsite
- No differential rates

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Fees and Charges

The majority of the proposed fees and charges have been increased by the same amount as rates being 3.5%. Where possible, the actual cost of providing the service has been assessed, with provision for increases based on inflation and cost escalation where necessary.

Household and commercial waste removal charges have been increased to allow for a higher level of cost recovery of these services. \$360 per 240l bin per week.

Statutory fees and charges associated with town planning, health and building have been increased or remain unchanged as per relevant legislation that determines those fees and charges.

Concessions

A 50% concession will be available to persons owning rateable properties within the Shire that are rateable on the basis of Gross Rental Value (GRV), and are in the Yandanooka Townsite. The purpose of the concession is to recognise the reduced level of service provided to these ratepayers as compared to that provided to those in the Mingenew Townsite.

Allowances

Allowances proposed for the President and Councillors for 2016-17 have been indexed as per the resolution passed by Council, Item 9.2.2 in May 2015, being Perth March CPI.

Borrowings

There are no new borrowings proposed in the 2016-17 budget.

Reserve Accounts

A new Economic Development and Marketing Reserve is proposed with the purpose of Economic Development and Marketing in the Shire of Mingenew.

The Street Lighting Upgrade Reserve and Painted Road Reserve be closed and the funds transferred to Economic Development and Marketing Reserve.

The purpose of the Environmental Rehabilitation Reserve be amended from "To be used for the rehabilitation of Gravel Pits" to "to be used for the rehabilitation of sites such as gravel pits, refuse and contaminated sites."

Transfers to reserves are minimal with \$20,000 to the Insurance Reserve and \$50,000 to the Employee Leave Reserve. Utilisation of other reserve funds includes \$40,000 from Land and Building Reserve towards the Construction of a Transfer Station, \$100,000 from the Plant reserve towards various plant purchases, \$17,966 from the Environmental Rehabilitation Reserve towards asbestos cleanup, \$18,693 from the Economic Development and Marketing Reserve towards marketing initiatives.

Brought Forward Value

There is an estimated surplus of \$677,880 shown in the Budget as the brought forward amount from 30 June 2016. This figure is unaudited and may change with any adjustments to the opening position to be addressed during the year end and audit process.

Capital Works and Funding

Capital Works of \$3,218,862 are proposed in the 2016/17 financial year and these projects are itemised in the supplementary budget information.

A total of \$1,236,362 is budgeted for the Capital Road Programme.

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Funding sources allocated to the 2016/17 Road Programme include;

- \$386,000 – Main Roads Regional Road Group
- \$434,600 – Roads to Recovery
- \$40,000 – Main Roads Black Spot
- \$65,800 – Main Roads Direct Grant
- \$300,824 – Grants Commission Local Road Component

Elected Members Fees & Allowances

Elected Members Fees & Allowances for the 2016/17 financial year have been increased by the March Perth CPI.

President Allowance	\$7,150
Deputy President Allowance	\$1,790
Annual Meeting Fee – President	\$6,150
Annual Meeting Fee – Deputy President	\$4,090
Annual Meeting Fee – Councillors	\$3,580

Consultation

While no specific community consultation has occurred during the compilation of the draft 2016/17 Budget, community consultation was previously undertaken during the development of the Community Strategic Plan and the development of the Corporate Business Plan.

There has been internal consultation with staff and elected members throughout the preparation of the budget and the budget meetings involving elected members.

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

In addition, Section 6.2 of the Local Government Act 1995 requires that in preparing its annual budget the Council is to have regard to the contents of its Plan for the Future, prepared in accordance with section 5.56. Under the Integrated Planning Framework for Local Government, that is the Community Strategic Plan in conjunction with the Corporate Business Plan.

The draft 2016/17 Budget as presented is considered to meet statutory requirements.

Policy Implications

The 2016/17 Budget is prepared on the principles outlined within the Corporate Business Plan and other related documents.

Financial Implications

As detailed within the report and as per the attached 2016/17 Budget documentation.

Strategic Implications

The 2016/17 Budget will address Council's capacity to deliver on projects identified in the Community Strategic Plan, Corporate Business Plan, Long Term Financial Plan and other associated plans.

Voting Requirements

Absolute Majority required for parts of the recommendation, while only a Simple Majority for other parts of the recommendation is required.

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART A

That:

PART A – MUNICIPAL FUND BUDGET FOR 2016/17 FINANCIAL YEAR

Pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Municipal Fund Budget as contained in Attachment 9.1.1 of this Agenda for the Shire of Mingenew for the 2016/17 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net result of (\$162,292)
- Statement of Comprehensive Income by Program showing a net result of (\$162,292)
- Statement of Cash Flows on showing cash and cash equivalents at the end of 2016/17 financial year of \$396,164
- Rate Setting Statement showing an amount required to be raised from rates of \$1,786,567
- Transfers to/from Reserve Accounts as detailed in Note 6
- Estimated Surplus/(Deficit) carried forward at 30 June 2017 of \$0
- Notes to and Forming Part of the Budget on pages 6 to 37
- Supplementary Budget Information

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART A

Moved Cr Eardley

Seconded Cr Newton

That:

PART A – MUNICIPAL FUND BUDGET FOR 2016/17 FINANCIAL YEAR

Pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Municipal Fund Budget as contained in Attachment 9.1.1 of this Agenda for the Shire of Mingenew for the 2016/17 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type showing a net result of (\$162,292)
- Statement of Comprehensive Income by Program showing a net result of (\$162,292)
- Statement of Cash Flows on showing cash and cash equivalents at the end of 2016/17 financial year of \$396,164
- Rate Setting Statement showing an amount required to be raised from rates of \$1,786,567
- Transfers to/from Reserve Accounts as detailed in Note 6
- Estimated Surplus/(Deficit) carried forward at 30 June 2017 of \$0
- Notes to and Forming Part of the Budget on pages 6 to 37
- Supplementary Budget Information

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART B

PART B – GENERAL AND MINIMUM RATES AND INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values, as supplied by Landgate (as amended) as at 1 July 2016.

1.1 General Rates

- Mingenew & Yandanooka (GRV) 13.5884 cents in the dollar
- Rural & Mining (UV) 1.4014 cents in the dollar

1.2 Minimum Payments

- Mingenew & Yandanooka (GRV) \$655
- Rural & Mining (UV) \$1500

2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council provides the option for ratepayers to pay their rates as a single payment or by 2 or 4 equal instalments; and, in accordance with Section 6.50 of the Act nominates the following due dates for the payment in full or by instalments:

- Issue date 22 August 2016
- Full payment and 1st instalment due date 27 September 2016
- 2nd half instalment due date 29 November 2016
- 2nd quarterly instalment due date 29 November 2016
- 3rd quarterly instalment due date 3 February 2017
- 4th quarterly instalment due date 7 April 2017

3. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$15 for each instalment after the initial instalment is paid.

4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

5. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

6. Pursuant to section 6.47 of the Local Government Act 1995, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite.

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART B

Moved Cr Eardley

Seconded Cr Newton

PART B – GENERAL AND MINIMUM RATES AND INSTALMENT PAYMENT ARRANGEMENTS

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values, as supplied by Landgate (as amended) as at 1 July 2016.

1.1 General Rates

- Mingenew & Yandanooka (GRV) 13.5884 cents in the dollar
- Rural & Mining (UV) 1.4014 cents in the dollar

1.2 Minimum Payments

- Mingenew & Yandanooka (GRV) \$655
- Rural & Mining (UV) \$1500

2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council provides the option for ratepayers to pay their rates as a single payment or by 2 or 4 equal instalments; and, in accordance with Section 6.50 of the Act nominates the following due dates for the payment in full or by instalments:

- Issue date 22 August 2016
- Full payment and 1st instalment due date 27 September 2016
- 2nd half instalment due date 29 November 2016
- 2nd quarterly instalment due date 29 November 2016
- 3rd quarterly instalment due date 3 February 2017
- 4th quarterly instalment due date 7 April 2017

3. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$15 for each instalment after the initial instalment is paid.

4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

5. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

6. Pursuant to section 6.47 of the Local Government Act 1995, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite.

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART C

PART C – RESERVE FUNDS

New Reserve

Pursuant to section 6.11 of the Local Government Act 1995 that an Economic Development and Marketing Reserve be established.

The purpose of this Reserve is: Economic Development and Marketing of the Shire of Mingenew.

Change of Purpose

Pursuant to section 6.11 of the Local Government Act 1995, that the purpose of the Environmental Rehabilitation Reserve be amended from:

“to be used for the rehabilitation of Gravel Pits”;

To:

“To be used for the rehabilitation of sites such as gravel pits, refuse and contaminated sites.”

Rationalisation of Reserves

Pursuant to section 6.11 of the Local Government Act 1995, that the Street Lighting Upgrade Reserve (estimated balance \$14,300) and Painted Road Reserve (estimated balance \$4,200) be closed and remaining funds be transferred to the Economic Development and Marketing Reserve.

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART C

Moved Cr Pearce

Seconded Cr Lucken

PART C – RESERVE FUNDS

New Reserve

Pursuant to section 6.11 of the Local Government Act 1995 that an Economic Development and Marketing Reserve be established.

The purpose of this Reserve is: Economic Development and Marketing of the Shire of Mingenew.

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ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART D

PART D – GENERAL FEES AND CHARGES FOR 2016/17

Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges as presented in the draft 2016/17 Budget included as an Attachment to this Agenda.

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION – ITEM 9.2.1 – PART D

Moved Cr Eardley

Seconded Cr Criddle

PART D – GENERAL FEES AND CHARGES FOR 2016/17

Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges as presented in the draft 2016/17 Budget included as an Attachment to this Agenda.

ABSOLUTE MAJORITY REQUIRED

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART E

PART E – OTHER STATUTORY FEES FOR 2016/17

1. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

3.1 Residential Premises

- 240ltr bin per weekly collection \$360 per annum

3.2 Commercial Premises

- 240ltr bin per weekly collection \$360 per annum

SIMPLE MAJORITY

COUNCIL RESOLUTION – ITEM 9.2.1 – PART E

Moved Cr Eardley

Seconded Cr Newton

PART E – OTHER STATUTORY FEES FOR 2016/17

1. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

3.1 Residential Premises

- 240ltr bin per weekly collection \$360 per annum

3.2 Commercial Premises

- 240ltr bin per weekly collection \$360 per annum

SIMPLE MAJORITY

CARRIED 6/0

OFFICER RECOMMENDATION – ITEM 9.2.1 – PART F

PART F – MATERIAL VARIANCE REPORTING FOR 2015/2016

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2016/17 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

SIMPLE MAJORITY

COUNCIL RESOLUTION – ITEM 9.2.1 – PART F

Moved Cr Lucken

Seconded Cr Eardley

PART F – MATERIAL VARIANCE REPORTING FOR 2015/2016

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2016/17 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

SIMPLE MAJORITY

CARRIED 6/0

9.2.2 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 JULY 2016

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 12 August 2016
Author: Nita Jane, Deputy CEO
Senior Officer: Martin Whitely, Chief Executive Officer

Summary

This report recommends that the Monthly Statement of Financial Activity report for the period 31 July 2016 is presented to Council for adoption.

Attachment

Finance Report for period ending 31 July 2016.

Background

The Monthly Financial Report to 31 July 2016 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	24,619
Business Cash Maximiser (Municipal Funds)	708,410
Trust Account	119,021
Reserve Maximiser Account	308,852

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 August 2016

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 31 July 2016:

Amount	Current (1,043)	30+ Days 176	60+ Days 1,650	90+ Days 220	TOTAL 1,003
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Rates Outstanding at 31 July 2016 were:

	Current	Arrears	TOTAL
Rates	0	32,834	32,834
Rubbish	0	2,070	2,070
TOTAL	0	34,904	34,904

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/17 financial year.

Consultation

Chief Executive Officer

Senior Finance Officer

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, 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); and
- (b) budget estimates to the end of the month to which the statement relates; and
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

Financial implications are outlined in comments.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.2
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That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 July 2016 be received.

COUNCIL DECISION – ITEM 9.2.2

Moved Cr Newton

Seconded Cr Eardley

That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 July 2016 be received.

CARRIED 6/0

9.2.3 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 JULY 2016

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Disclosure of Interest: Nil
Date: 4 August 2016
Author: Julie Borrett, Senior Finance Officer
Senior Officer: Nita Jane, Deputy CEO

Summary

This report recommends that Council confirm the payment of creditors for the month of July 2016 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Attachment

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

Background

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

Comment

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.3

That Council confirm the accounts as presented for July 2016 from the Municipal Fund totalling \$401,923.25 represented by Electronic Funds Transfers of EFT 9986 - 10085, Direct Deduction DD7689.1, 2 and 3, DD7714.1 2 and 3, Trust Cheque numbers 476-480 and Cheque numbers 8074-8080.

COUNCIL DECISION – ITEM 9.2.3

Moved Cr Pearce

Seconded Cr Eardley

That Council confirm the accounts as presented for July 2016 from the Municipal Fund totalling \$401,923.25 represented by Electronic Funds Transfers of EFT 9986 - 10085, Direct Deduction DD7689.1, 2 and 3, DD7714.1 2 and 3, Trust Cheque numbers 476-480 and Cheque numbers 8074-8080.

CARRIED 6/0

9.3 ADMINISTRATION

NIL.

9.4 TOWN PLANNING

Nil

10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

COUNCIL DECISION

Moved Cr Pearce

Seconded Cr Eardley

That Item 10.1.1 be considered by the meeting.

CARRIED 6/0

Disclosure of Financial Interest Item 10.1.1 – Cr Newton and Martin Whitely, CEO

Prior to any consideration of Item 10.1.1, President Bagley advised the meeting that she had received written disclosures of interest from Cr Newton as Chair of the Mingenew Midwest Expo and Martin Whitely, CEO as a Mingenew Midwest Expo Board Member.

COUNCIL DECISION

Moved Cr Pearce

Seconded Cr Lucken

That Cr Newton and Mr Whitely be allowed to remain present in the meeting during consideration of this item.

CARRIED 6/0

10.1.1 MINGENEW MIDWEST EXPO – RACETRACK DAMAGE

Location/Address: Shire of Mingenew
Name of Applicant: Mingenew Midwest Expo
Disclosure of Interest: Cr Newton (Board Chairman)
Martin Whitely, CEO (Board Member)
File Reference: ADM0196
Date: 16 August 2016
Author: Cr Helen Newton

Summary

This report recommends council consider collaboration between Mingenew Midwest Expo, Mingenew Turf Club and Shire of Mingenew to obtain professional advice to ensure the race track is repaired to the required standard and that a more permanent solution to exhibitors crossing the track be identified.

Attachment

- Letter of request from Mingenew Midwest Expo.
- Photographs of damage
- Email - Mingenew Turf Club

Background

During the running of the Mingenew Midwest Expo on Wednesday 10th and Thursday 11th August 2016, serious damage has been done to the racetrack. This was due to a combination of wet weather, water logging and heavy vehicle movement.

Comment

The Mingenew Midwest Expo are seeking shire support and endorsement for:

- professional advice being obtained to ensure that the restoration works are completed to a level required to run a race meet; and
- collaboration between Mingenew Midwest Expo, Mingenew Turf Club, Mingenew Shire and a curator from Perth Racing WA to have the race track repaired;
- identify a long term solution for Expo Machinery exhibitors crossing the race track.

At this time the cost of repairs is unknown until an assessment is undertaken by the curator and a scope of works determined. Dylan Bentley is currently on leave but it is hoped he will be available to conduct a site visit next week.

Consultation

Mingenew Turf Club
Dylan Bentley, curator Geraldton Turf Club

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Unknown at this time.

Strategic Implications

Shire of Mingenew Community Strategic Plan

Outcome 3.2 – Maintain the provision of high quality community infrastructure

Outcome 3.6 – Community events continue to be supported.

This item relates to the two largest community events on the Mingenew calendar – Mingenew Midwest Expo and Mingenew Turf Club Race Day.

Voting Requirements

Simple Majority

RECOMMENDATION – ITEM 10.1.1

That Council:

- 1. Seek professional advice on the restoration works required at the racetrack;**
- 2. Support the collaboration of Mingenew Midwest Expo, Mingenew Turf Club and Shire of Mingenew to restore the racetrack to an acceptable racing condition;**
- 3. Identify a long term solution for Expo Machinery exhibitors crossing the race track;**
- 4. That staff investigate the possibility of an insurance claim.**

COUNCIL RESOLUTION – ITEM 10.1.1

Moved Cr Pearce

Seconded Cr Eardley

That Council:

- 1. Seek professional advice on the restoration works required at the racetrack;**
- 2. Support the collaboration of Mingenew Midwest Expo, Mingenew Turf Club and Shire of Mingenew to restore the racetrack to an acceptable racing condition;**
- 3. Identify a long term solution for Expo Machinery exhibitors crossing the race track;**
- 4. That staff investigate the possibility of an insurance claim.**

CARRIED 6/0

11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

11.1 ELECTED MEMBERS

The President advised the meeting that she sought leave to introduce an urgent item of business.

COUNCIL DECISION – ITEM 11.1.1

Moved Cr Newton

Seconded Cr Pearce

That the meeting consider the request from Mr Warren Borrett, Works Manager, in relation to his utility accounts.

CARRIED 6/0

Mr Martin Whitely, CEO and Mrs Nita Jane, DCEO left the meeting at 5.14pm.

11.1.1 Mr WARREN BORRETT, WORKS MANAGER – UTILITY CHARGES

Location/Address:	Shire of Mingenew
Name of Applicant:	Mr Warren Borrett
Disclosure of Interest:	Nil
File Reference:	PE72

Attachment

Letter of request from Mr Warren Borrett.

Background

At the July 2016 meeting of Council, Item 9.1.2 considered the matter of staff utilities where the expenditure is over the allowance value. The Council resolution directed the CEO to amend the policy requiring recovery of over expenditure amounts.

Comment

Advising that a number of water leaks were experienced during the financial year which have impacted on the water charges. Also advising that a credit has been received of \$1,480.30 for overcharges on the power account.

Further requesting that the utilities allowance on his contract be adjusted to reflect the cost of maintaining a large below ground pool.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

5004 – Water Charges in Staff Houses (Council Owned)

5006 – Reimbursement of Utility Charges

Financial Implications

Amount over utilities allowance is \$5,379.

Strategic Implications

Nil.

Voting Requirements

Simple Majority

COUNCIL RESOLUTION – ITEM 11.1.1

Moved Cr Pearce

Seconded Cr Newton

That Council will forgo charging excess water usage costs to Mr Borrett on this occasion, but will require in future official written notification of leaks and costs involved.

CARRIED 6/0

Martin Whitely, CEO and Nita Jane, DCEO returned tot he meeting at 5.25pm.

11.2 STAFF

Nil

12.0 CONFIDENTIAL ITEMS

Nil

13.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 21st September 2016 commencing at 4.30pm.

14.0 CLOSURE

The Shire President thanked all for attending and declared the meeting closed at 5.27 pm.

These minutes were confirmed at an Ordinary Council meeting on 21 September 2016.

Signed _____
Presiding Officer

Date: _____