



**AGENDA FOR THE  
ORDINARY COUNCIL MEETING  
TO BE HELD ON  
WEDNESDAY**

19 November 2014

**SHIRE OF MINGENEW**

## ORDINARY COUNCIL MEETING NOTICE PAPER

19 November 2014

Madam President and Councillors,

An ordinary meeting of Council is called for Wednesday, 19 November 2014, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.00 pm.

**Mark Dacombe**  
**Chief Executive Officer**

19 November 2014

## **MINGENEW SHIRE COUNCIL**

### **DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Mingenew Shire Council for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Mingenew Shire Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement occurring during Council/Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of Mingenew Shire Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Mingenew Shire Council. The Mingenew Shire Council warns that anyone who has an application lodged with the Mingenew Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Mingenew Shire Council in respect of the application.

**CHIEF EXECUTIVE OFFICER**

*19 NOVEMBER 2014*

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## **SHIRE OF MINGENEW**

### **AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON 19 November 2014 COMMENCING AT 4.00pm**

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
- 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 DECLARATIONS OF INTEREST
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

#### **COUNCIL RECOMMENDATION ITEM 7.1**

**That the Minutes of the Ordinary Meeting of Council held 15 October 2014 be confirmed as a true and accurate record of proceedings.**

- 8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
- 9.0 OFFICERS REPORTS

## 9.1 CHIEF EXECUTIVE OFFICER

### 9.1.1 PURCHASE OF LOT 17, DONALD STREET, MINGENEW AND LEASE TO MINGENEW MEN'S SHED

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**Date:** 19 November 2014  
**Author:** Mark Dacombe, Chief Executive Officer

#### SUMMARY

To receive advice regarding a grant from Lotterywest, to resolve to purchase Lot 17, Donald Street, Mingenew and to resolve to lease the property to the Mingenew Men's Shed under appropriate terms and conditions.

#### ATTACHMENT

Letter dated 30 October 2014 from Lotterywest  
Copy of Certificate of Title 17 Donald Street Mingenew  
Report to Council 12 February 2014

#### BACKGROUND

On 12 February 2014 the Council received a report from the then Manager Finance and Administration on progress with a grant application for funds to purchase a property for utilisation by the Mingenew Men's Shed Inc. Lotterywest had turned down the application because:

- “1. Lottery West would be unlikely to purchase a whole building and land for an organisation with limited capacity and unproven track record, particularly not a whole building that will only be used by 10-15 members;
2. The limited financial and/or material support provided by the Shire of Mingenew.”

The Council considered the report and resolved:

#### **140206 COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 9.2.4**

**Moved: Councillor Gledhill Seconded: Councillor Newton**

**That Council**

- 1. includes an expenditure amount of \$25,000 in its 2014/2015 budget as financial support for the acquisition of suitable facilities for the Mingenew Men's Shed Inc.;**
- and**
- 2. that the above budget inclusion will not form part of any budget balancing considerations and will not be removed from the 2014/2015 Budget.**

**CARRIED BY ABSOLUTE MAJORITY 4/2**

The application was resubmitted in the name of the Shire of Mingenew including advice of the commitment contained in the above resolution.

Lotterywest has now advised that the application for \$64,000 has been approved and it is necessary to conclude all arrangements.

**COMMENT**

a) The Grant

Lotterywest has approved a grant of \$64,000 towards the purchase of a building and the associated land to house the Mingenew Men’s Shed. The grant is subject to the provision of the leasing documents between the Shire of Mingenew and Mingenew Men’s Shed Inc to the satisfaction of Lotterywest. Once that condition is met payment will be made in arrears on the provision of the appropriate documentation.

The grant is based on a total funding requirement of \$89,000 made up of the purchase price of the property (\$85,000) plus an allowance for conveyancing and transfer costs) to be funded as follows:

Lotterywest	\$64,000
Council	\$25,000

Mr Shane Love MLA has been invited by Lotterywest to make a public announcement of the grant. His office has been in contact with the Chief Executive Officer and tentative arrangements are being made to hold a function for this purpose at a date in December to be agreed.

b) Purchase of the Property

In November 2012 Mr Peter Ward purchased the property described as Lot 17 Donald Street, Mingenew and made it available for the use of Mingenew Men’s Shed Inc. He purchased the property for \$85,000 in order to secure it pending funding arrangements that would enable the Men’s Shed to purchase it from him.

It appears the arrangements were quite informal and there is no agreement or contract between the Council and Mr Ward.

When the Lotterywest grant approval was received I discussed the matter with Mr Ward who advised me that he is keen to conclude a deal for the Council to purchase the property at \$85,000 being the price he paid for it.

c) Lease to the Mingenew Men’s Shed

There is no agreement in place as to the terms and conditions of a lease agreement. Advice was sought from the Australian Men’s Shed Association (AMSA) on the custom and practice of lease arrangements between Councils and local Men’s Sheds. The AMSA advised:

*“Most sheds in Australia are located on Crown Lands with local councils or other third parties as the trustees of the land. Most sheds pay a minimal annual rent for such and either contribute to the outgoings or pay them individually.(the average rental is approximately \$480 per year). Sheds also require some sort of long term tenure of buildings to provide security for the future and to assist them in fundraising as well as obtaining grants generally sheds are on a 3x3 or 5x5 year arrangement and we encourage that there is a clause in any agreement that is conditional that the Shed remains operational and in accordance with the AMSA definition of a Men’s Shed.*

*The vast majority of sheds are also incorporated as “Associations” and therefore require their own insurances (AMSA operates a discounted group insurance scheme for members). Under State legislated incorporation ACT’s model rules*

*for such bodies there is a clause for the “winding up” of such bodies that defines the distribution of any assets, the typical arrangement for this is that if the Association is dissolved the assets must go to a similar or likeminded organisation”.*

I have sought advice from Lotterywest regarding any specific requirements they may have in meeting the lease condition on the grant.

I suggest that the Council give consideration to negotiating a lease with the following conditions:

- i) A nominal rental of say, \$500 per year
- ii) Utilities to be by direct contract between the Mingenew Men’s Shed (Inc) and suppliers
- iii) An initial term of 3 years with a right of renewal for a further 3 years
- iv) Building insurance to be the responsibility of the Council
- v) Minor maintenance to be the responsibility of the Men’s Shed
- vi) Structural maintenance to be the responsibility of the Council

### **CONSULTATION**

Purchase of the property has been discussed with Mr Peter Ward  
Possible conditions of lease have been discussed with Mr Alan Sobey  
Requirements of Lotterywest have been discussed with Mr James Wild, Grant Manager

### **STATUTORY ENVIRONMENT**

Local Government Act 1995, section 3.58 governs the disposal (including leasing) of property and prescribes certain steps to be followed. However regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996 provides an exemption from the provisions of s 3.58 of the Act as follows:

“The land is disposed of to a body, whether incorporated or not –

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions”.

That being the case there is no impediment to the Council proceeding to negotiate a lease with the Men’s Shed.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Financial provision has been made for the cost of purchase of the land and the transaction costs by way of grant from Lotterywest and a budgeted contribution from the Council.

### **STRATEGIC IMPLICATIONS**

Nil



## **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER RECOMMENDATION – ITEM 9.1.1**

#### **That Council**

- 1. Accepts the grant of \$64,000 from Lotterywest towards the purchase of a building and the associated land to house the Mingenew Men's Shed and thanks the Board for the approval.**
- 2. The Chief Executive Officer in consultation with the President organize a suitable function for Mr Shane Love MLA to make the formal public announcement of the grant.**
- 3. That the Chief Executive Officer be authorized to enter into an agreement for sale and purchase of Lot 17, Donald Street, Mingenew with Mr Peter Ward for the sum of \$85,000**
- 4. That the Chief Executive Officer be authorized to negotiate a lease of the property with the Mingenew Men's Shed subject to the following conditions:**
  - i) A nominal rental of say, \$500 per year**
  - ii) Utilities to be by direct contract between the Mingenew Men's Shed (Inc) and suppliers**
  - iii) An initial term of 3 years with a right of renewal for a further 3 years**
  - iv) Building insurance to be the responsibility of the Council**
  - v) Minor maintenance to be the responsibility of the Men's Shed**
  - vi) Structural maintenance to be the responsibility of the Council**



**Please quote**  
Our ref: 11001494 / 421006028 / Approval

30 October 2014

RECEIVED - MSC	
DATE	5-11-14
FILE	ADM 0204
CORR. NO.	ICR 141535
ATTENTION	CEO.
ANSWERED	

Mr Mike Sully  
Chief Executive Officer  
Shire of Mingenew  
PO Box 120  
MINGENEW WA 6522

Dear Mr Sully

**YOUR APPROVED LOTTERYWEST GRANT, APPLICATION: 421006028**

I am pleased to advise you that your application for a grant has been recommended by the Board and approved by the Hon Colin Barnett MLA, Premier of Western Australia.

The following content is enclosed to guide you through the rest of the grant process and help you to meet your grant obligations:

- **What happens now**
- **Grant approval schedule**
- **Recipient created tax invoice**
- **Grant payment and acquittal information**
- **Public announcement of your grant**
- **Acknowledging your grant**
- **Publication on the Lotterywest Website**

Please read this information carefully as it provides important details regarding the management, payment, acquittal and publicity of your grant.

The Premier, Board and all of us at Lotterywest are pleased to be able to support your organisation.

Yours sincerely

**JAN STEWART**  
Chief Executive Officer

Encl



## What happens now

Now that your organisation's grant has been approved, the enclosed information aims to guide you through the rest of the grant process and enable you to effectively manage your grant and meet your grant obligations.

- **Grant approval schedule**

Please read the enclosed grant approval schedule very carefully as it contains information about your approved grant. This includes amounts and items for which the grant was approved, any conditions that you will need to meet and the grant accountability requirements.

- **Payment of the grant**

Payment of your grant will be in accordance with the conditions outlined in your Grant approval schedule.

- **Recipient created tax invoice (RCTI)**

Organisations registered for the Goods & Services Tax (GST), will receive 10% GST in the total amount of any payment from Lotterywest. Organisations are required to pay the 10% GST to the Australian Taxation Office (ATO); as a result a RCTI will be forwarded to you after each grant payment. The exact amount of GST due to the ATO will be shown in the 'Payment' column of the RCTI.

- **Grant payment and acquittal information**

Your organisation is accountable for the expenditure of the grant within the nominated timeframe. Enclosed is information regarding the payment and acquittal of your grant.

- **Public announcement of your grant**

A Member of Parliament has been invited to make a public announcement of your grant. Please read the enclosed information sheet to find out more details.

- **Acknowledging your grant**

Wherever appropriate, we encourage organisations who have received a grant to publicly acknowledge our support. Find out how to acknowledge Lotterywest's support in the enclosed information sheet.

- **Publication on the Lotterywest website**

We publicise your success in obtaining your grant by listing it in the Approved grants section on our website and in our annual report. In this way the WA community as a whole can read about your work as well as ours.

### Further Information

If you have any questions about your grant please do not hesitate to contact James Wild on 9340 5270 or 1800 655 270 or email: [grants@lotterywest.wa.gov.au](mailto:grants@lotterywest.wa.gov.au). If you have questions about our payment and acquittal requirements our Customer Service Officer (Finance) Winnie Lau would be more than happy to help and can be contacted via the same details above.



## Grant payment and acquittal information

This information is provided to support you through the Lotterywest grant payment and acquittal process.

The Lotterywest grant conditions and organisation declaration that you signed as part of your application relate to this grant. Please re-familiarise yourself with this document as it outlines conditions that you have agreed to. A copy is available on our website at <http://www.lotterywest.wa.gov.au/GrantConditions>

In your Grant approval schedule the payment of your grant has been detailed as **Advance** or **In Arrears**. An Advance payment is money paid upfront that we require you to acquit according to the accountability requirement/s detailed in your Grant approval schedule. An Arrears payment will only be made once you have met the accountability requirement/s detailed in your Grant approval schedule.

Please forward all documentation for payment and acquittal to:  
 Grants and Community Development  
 Lotterywest  
 POBox 1113  
 OSBORNE PARK DC WA 6916  
 Fax: 9340 5274

The cover letter and supporting documents (including certified copies of invoices) must be signed by the Chief Executive Officer or another officer formally delegated with such authority. Please provide the application number that is provided on your Grant approval schedule.

Please contact Lotterywest if you have any questions about our payment or acquittal requirements. Our Grants Finance Team would be more than happy to help and can be contacted on 9340 5270, 1800 655 270, or email: [grants@lotterywest.wa.gov.au](mailto:grants@lotterywest.wa.gov.au).

- **Grants with overall grant conditions or item specific conditions**

The payment of your grant is subject to certain conditions being met. Please refer to your grant approval schedule for detailed information about the items and amounts for which the grant can be used and the conditions that must be met before payment/s will be made.

Your Grant approval schedule will detail if payment of your grant, once conditions have been met, is to be Advance or In Arrears. If you are to receive an initial Advance payment, payment of any subsequent advance payment/s is usually conditional on full or partial acquittal of the previous advance payment. If payments are to be made In Arrears, payment will only be made once you have met the accountability requirement/s detailed in your Grant approval schedule.

- **Goods and Services Tax (GST) on goods and services purchased with your grant**

Organisations registered for GST cannot use the grant to pay GST on goods/services purchased. Organisations will be able to claim back the GST from the Australian Tax Office in their Business Activity Statement.



- **Extension of time to meet accountability requirements**

Should your organisation not be able to meet the accountability requirements as detailed in your Grant approval schedule, the Authorised signatory will need to write to Lotterywest requesting an extension (details provided above). Please include your application number and a brief explanation why you require the extension of time to acquit or draw down the grant, including an estimated timeframe when you will do so.

- **Grant Variations**

The Grant approval schedule provides detailed information about the items and amounts for which your grant has been approved. Should your organisation need to vary this in any way, the Authorised signatory will need to write to Lotterywest requesting a variation (details provided above). Please note that you must have approval from Lotterywest for a variation to the grant before any money is spent on items different to that which are detailed on your Grant approval schedule.

- **Unspent Grant Monies**

Any advance payment monies that are not spent on the items detailed in your Grant approval schedule must be returned to Lotterywest to complete the acquittal process. Unspent grant money is returned to the overall Lotterywest grants budget for reallocation to other grant applicants.

If you do return some or all of the grant monies this will not affect our consideration of any future grant application.

As your organisation is registered for GST, the amount of your refund payment must include:

- the unspent amount of the grant and
- 10% GST on the grant refund amount.

The GST refund is required because Lotterywest must adjust its GST input tax credit claim to the Australian Tax Office. Your organisation would also need to adjust its GST reporting to reflect its reduced GST liability to the Australian Tax Office.

Grant refunds should be sent to Lotterywest (details provided above). Please include in your covering letter your application number and a brief explanation why you are returning the money.



## Public announcement of your grant

- **Official Presentation and Public Announcement**

A Member of Parliament may contact you to arrange a presentation of your Lotterywest grant.

Please consider the presentation occasion as the official public announcement of your grant. Details of the presentation such as an appropriate date and how the announcement should take place should be arranged between your organisation and the Member of Parliament concerned.

Lotterywest would like to know when you have made these arrangements. Please telephone our Coordinator Grants Agenda on 9340 5270, 1800 655 270, or email: [grants@lotterywest.wa.gov.au](mailto:grants@lotterywest.wa.gov.au) to let us know.

- **Opportunity for Publicity**

Whilst the details of your grant will be published on the Lotterywest website, the grant presentation offers you an opportunity to further publicise your organisation and your grant. Please discuss publicity ideas with the Member of Parliament's office as you make arrangements for the presentation. In most cases this will simply be sending a media release about the grant to your local newspaper and inviting them to the presentation. Information on preparing a media release is available from our website at: [www.lotterywest.wa.gov.au/grants/acknowledgements](http://www.lotterywest.wa.gov.au/grants/acknowledgements).

- **Lotterywest Representation**

Lotterywest retailers, who sell our games, raise the revenue to make our grants possible. We encourage you to acknowledge their efforts during the public announcement of your grant. For example, you could mention their efforts in a speech or in a media release. If you would like to invite a local retailer to any of your grant celebrations, we would be pleased to assist. Please contact the Lotterywest Retailer Support Area on 08 9340 5301 to obtain your local retailer's contact details.

We are also very interested in seeing how our grants benefit the community. If appropriate, we would appreciate a Lotterywest representative being invited to the grant presentation once details are finalised

If you wish to invite Lotterywest staff to attend the grant presentation, or if you have any concerns relating to the public announcement or presentation of your grant, please contact our Coordinator Grants Agenda on 9340 5270, 1800 655 270, or email: [grants@lotterywest.wa.gov.au](mailto:grants@lotterywest.wa.gov.au).



## Acknowledging your grant

Lotterywest is the only Australian lottery with our own direct grants program, providing millions of dollars every month to Western Australian charities, community groups and local government authorities. It's therefore very important that people recognise that our support is made possible because of the retailers that sell our products and the players who play our games.

To help with this recognition, your organisation is encouraged to acknowledge the support you have received from Lotterywest in one or more of the following ways:

- Acknowledge support on website.
- Contact your local media outlet.
- Place permanent Lotterywest signage.

If asked to promote our support we have resources to assist you. For further information please visit [www.lotterywest.wa.gov.au/grants/acknowledgements](http://www.lotterywest.wa.gov.au/grants/acknowledgements) or contact the Lotterywest Corporate Communications Team on 9340 5270 or 1800 655 270.

We are happy to hear your suggestions on other ways to publicise our support. Please let us know your plans, we like to help if we can.

***Thank you for your help in acknowledging the support Lotterywest has provided to your organisation.***



# Grant approval schedule

Organisation name: Shire of Mingenew  
 Organisation number: 11001494  
 Application number: 421006028  
 Grants Manager / Grant Officer: James Wild

**Details of your Approved Grant**

Total amount granted: \$64,000.00  
 Date granted: 29 October 2014

**Overall conditions of the grant that must be met before payment can be made on any of the approved items below:**

There are no overall conditions applicable to this grant; however please see below as conditions may apply for specific items.

**Overall grant accountability requirements that are applicable to all of the approved items below:**

- The timeframe for initial drawdown of this grant is 12 months from date granted. Subsequent drawdown periods must be no further than 6 months apart.

Items	Item specific prepayment conditions	Payment and accountability requirements	Amount approved
<b>Building Purchase &amp; Construction</b> Towards the purchase of a building and the associated land to house the Mingenew Men's Shed.	Payment to be made on: <ul style="list-style-type: none"> <li>• Provision of the leasing documents between the Shire of Mingenew and Mingenew Men's Shed Inc. to the satisfaction of Lotterywest.</li> </ul>	Once the overall conditions (if any) and item specific conditions (if any) have been met, payment will be made IN ARREARS on provision of: <ul style="list-style-type: none"> <li>• Original or certified copies of itemised suppliers' receipts for goods and services purchased and a written request for payment.</li> </ul>	<b>\$64,000.00</b> \$64,000.00
<b>Total amount granted</b>			<b>\$64,000.00</b>



999L  
**PETER GROOM SETTLEMENTS**  
 Exam - Post  
 M097979



WESTERN



AUSTRALIA

REGISTER NUMBER <b>17/D2726</b>	
DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>16/11/2012</b>

**DUPLICATE CERTIFICATE OF TITLE**  
 UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1174** FOLIO **185**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 17 ON DIAGRAM 2726

**REGISTERED PROPRIETOR:**  
 (FIRST SCHEDULE)

PETER JOHN WARD OF POST OFFICE BOX 189, MINGENEW  
 (T M097979 ) REGISTERED 8 NOVEMBER 2012

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
 (SECOND SCHEDULE)

- EXCEPT AND RESERVING METALS, MINERALS, GEMS AND MINERAL OIL SPECIFIED IN TRANSFER 18357/1954.

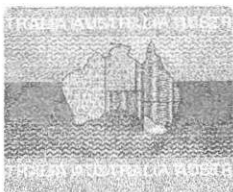
Warning: A current search of the certificate of title held in electronic form should be obtained before dealing on this land.  
 Lot as described in the land description may be a lot or location.

-----END OF DUPLICATE CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1174-185 (17/D2726).  
 PREVIOUS TITLE: 412-186.  
 PROPERTY STREET ADDRESS: 17 DONALD ST, MINGENEW.  
 LOCAL GOVERNMENT AREA: SHIRE OF MINGENEW.



*of part of Lot M306 of Victoria Loc. 1904*

*(in Plan 2975. Index Plan 2319-5095-*  
MELB 2000 26-10

*F.B 4145. Reg. 11 9, 07*

APPROVED 10-2-1908

*215  
157* *1101-912/186*

**DIA 2726**

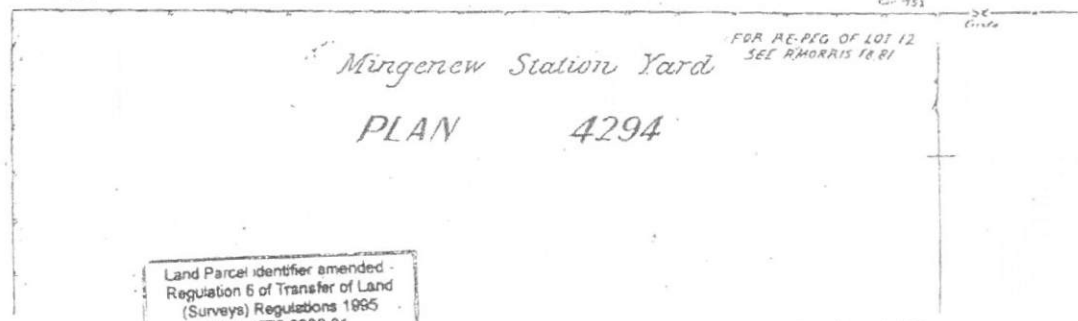
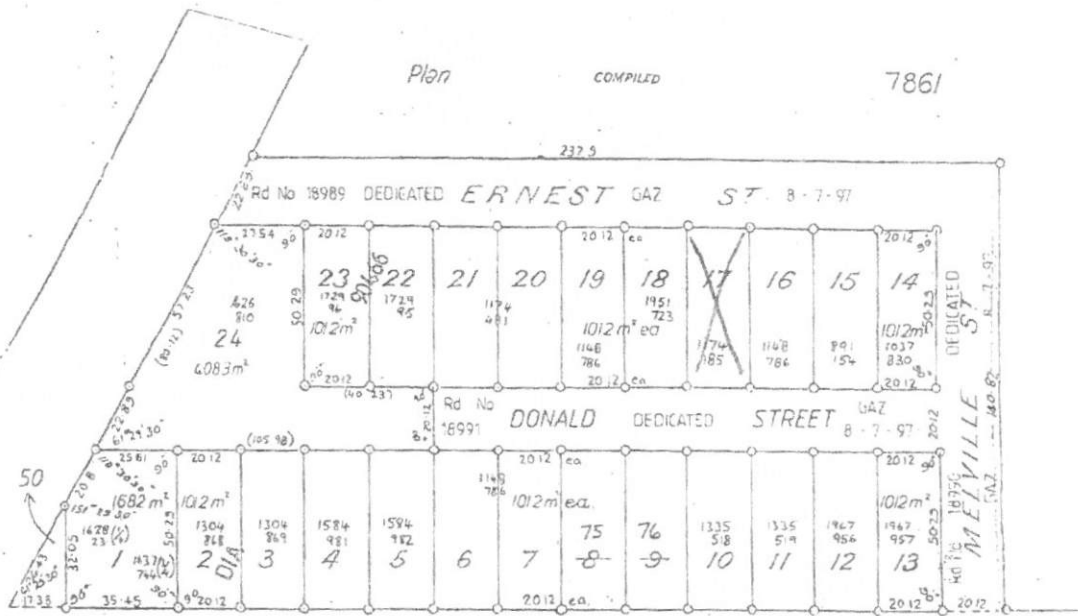


We confirm that the property being purchased  
 in the property marked with a cross and being  
 LOT 17 DONALD STREET, MINGENEW

*J. Ewing,  
 Surveyor.*

*X Peter J Ward.*  
 Peter WARD  
 (Buyer)

Darren Mills  
 (Seller)



Land Parcel identifier amended -  
 Regulation 6 of Transfer of Land  
 (Surveys) Regulations 1995  
 Corr. 1775-2000-01  
 Date: 8.3.2006

Scale: 1:1584



**2726**

#### 9.2.4 MINGENEW MEN'S SHED – SHIRE CONTRIBUTION

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** The Author declares an impartiality interest as he is a member in good standing of the Mingenew Men's Shed Inc.  
  
The Author declares an impartiality interest as he is Chairperson of the Mingenew Community Resource Centre's Management Committee.

**Date:** 20<sup>th</sup> November 2013  
**Author:** Cameron Watson – Manager Finance & Administration

#### SUMMARY

Council is requested to make an inclusion in its 2014/2015 budget to support the acquisition of the facilities located at Lot 17 Donald Street, Mingenew currently being utilised as a Men's Shed.

#### ATTACHMENT

Nil

#### BACKGROUND

For some time now, Cr Sobey has been actively striving to set up a Men's Shed in Mingenew. In late 2012, the premises located at Lot 17 Donald Street became available for purchase with a result that a local landowner offered to purchase the property with the ultimate aim of the Mingenew Men's Shed obtaining grant funding to purchase the property in their own name.

Mrs D Morgan, Co-Ordinator of the Mingenew Community Resource Centre offered to assist the Men's Shed Committee in completing the grant application, the application was lodged in the Mingenew Men's Shed Inc. name with Lottery West, requesting funding of approximately \$90,000.

Lottery West declined the grant for the following reasons:

1. Lottery West would be unlikely to purchase a whole building and land for an organisation with limited capacity and unproven track record, particularly not a whole building that will only be used by 10-15 members;
2. The limited financial and/or material support provided by the Shire of Mingenew.

Lottery West also indicated that the grant round into which the application was lodged was heavily oversubscribed.

#### COMMENT

The grant application has been amended to show the facility will, once acquired, become a Council asset and be managed and maintained by Council. At this time the application is on hold until the July 2014 round of Lottery West Grants.

To increase the likelihood of the grant application being approved, Lottery West has advised that a significant contribution by Council will be required. If the project was to be a new build, then Lottery West has indicated a normal scenario would be Council providing the land with Lottery West funding the construction and fit out. However, as the proposed location includes a suitable facility already, they recommend that Council's support is financial in nature.

As the next grant round opens in July 2014 and Council will most likely still be in the process of setting its 2014/2015 budget, a non-renounceable minuted resolution of Council indicating that the requested significant financial support for the project will be required to satisfy Lottery West's requirements.

#### **CONSULTATION**

Mike Sully – Chief Executive Officer  
Di Morgan – Co-Ordinator, Mingenew Community Resource Centre  
James Wild – Grants Manager, Lottery West

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

If Council was to endorse a contribution towards the acquisition of the facilities located at Lot 17 Donald Street, Mingenew at this time, then this figure must appear in Councils 2014/2015 Budget.

#### **STRATEGIC IMPLICATIONS**

Strategic Community Plan – Outcome 3.2.7 – Continue to provide facilities to support local community organisations and ensure the best use of community infrastructure.

#### **VOTING REQUIREMENTS**

Absolute Majority

#### **140206 COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 9.2.4**

**Moved: Councillor Gledhill**

**Seconded: Councillor Newton**

#### **That Council**

- 1. includes an expenditure amount of \$25,000 in its 2014/2015 budget as financial support for the acquisition of suitable facilities for the Mingenew Men's Shed Inc.; and**
- 2. that the above budget inclusion will not form part of any budget balancing considerations and will not be removed from the 2014/2015 Budget.**

**CARRIED BY ABSOLUTE MAJORITY 4/2**

Councillor Pearce and Councillor Newton requested that their votes against the motions be recorded and stated that they voted against the motions because they believe the funds should not be "locked in" to the 2014/2015 budget at this stage but be left available so that all worthwhile projects may be considered during 2014/2015 budget deliberations.

**9.2 FINANCE****9.2.1 FINANCIAL STATEMENTS FOR MONTH ENDING 31 OCTOBER, 2014**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**Date:** 11<sup>th</sup> November, 2014  
**Author:** Nita Jane – Manager Finance and Administration

**SUMMARY**

The Monthly Statement of Financial Activity report for the month ending 31 October, 2014 is presented to Council for adoption.

**ATTACHMENT**

Finance Report for month ending 31 October, 2014.

**BACKGROUND**

Financial Regulations require a monthly statement of financial activity report to be presented to Council.

**COMMENT**

<b>SUMMARY OF FUNDS – SHIRE OF MINGENEW</b>	
Municipal Account	151,371.29
Business Cash Maximiser (Municipal Funds)	331,900.74
Trust Account	133,710.87
Mid-West Regional Council Trust Account	172,312.23
Reserve Maximiser Account	372,288.37

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 October, 2014:

	<b>Current</b>	<b>30+ Days</b>	<b>60+ Days</b>	<b>90+ Days</b>	<b>TOTAL</b>
Amount	12,885.05	293.00	15,684.84	4,497.46	33,360.35

Rates Outstanding at 31<sup>st</sup> October, 2014 was:

	<b>Current</b>	<b>Arrears</b>	<b>TOTAL</b>
Rates	386,473	24,379	410,852
Rubbish	4,358	0	4,358
<b>TOTAL</b>	<b>390,831</b>	<b>24,379</b>	<b>415,210</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2014 / 2015 financial year.

**CONSULTATION**

No consultation required

**STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Financial implications are outlined in comments.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.2.1**

**That Council adopts the Monthly Statement of Financial Activity for the month ending the 31<sup>st</sup> October, 2014.**

**9.2.2 REQUEST FOR RATE WRITE-OFF**

**Location/Address:** A308 – 35 King Street, Mingenew  
 A349 – 36 Oliver Street, Mingenew  
 A350 – 38 Oliver Street, Mingenew  
 A351 – 40 Oliver Street, Mingenew  
 A502 – 7 Broad Street, Mingenew  
 A503 – 5 Broad Street, Mingenew  
**Name of Applicant:** Mr Terence Finnigan  
**Disclosure of Interest:** Nil  
**Date:** 7<sup>th</sup> November, 2014  
**Author:** Nita Jane – Manager Finance & Administration

**SUMMARY**

A request has been received from Mr Finnigan to review the additional charges on his rates accounts for the above properties with a view to writing off the outstanding balance.

**ATTACHMENT**

Letter from Mr Finnigan  
 Rate notices for each assessment

**BACKGROUND**

A letter has been received from Mr Terence Finnigan, owner of a number of properties in the Town of Mingenew, requesting a review of the additional charges on the vacant land at:

- 35 King Street
- 36 Oliver Street
- 38 Oliver Street
- 40 Oliver Street
- 7 Broad Street
- 5 Broad Street

**COMMENT**

Mr Finnigan paid an initial payment on each of these assessments on 15 September 2014 (prior to the due date of 17 September 2014) equivalent to the value of the First Instalment on the Four Instalment Option.

The accounting system recognises this payment as being the First Instalment of the Four Instalment Option and therefore applies the relevant fees and charges applicable to this option, which are a \$45 instalment fee and instalment interest of \$9.46. The total cost of choosing the four instalment option is \$718.46.

Mr Finnigan paid a further \$502.50 for each assessment on the 21 October 2014, which totalled \$682.16 on each of the assessments. This is the equivalent of the Two Instalment Option. The second instalment due date is 19 November 2014.

As the total amount due if paying by Two Instalments of \$682.15 was paid well before the due date of the second instalment, Mr Finnigan’s request seems reasonable.

**CONSULTATION**

Mark Dacombe – Chief Executive Officer

## **STATUTORY ENVIRONMENT**

### Local Government Act 1995

#### **6.45. Options for payment of rates or service charges**

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
  - (a) 4 equal or nearly equal instalments; or
  - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

#### **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
  - (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money,

which is owed to the local government.

*\* Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

*[Section 6.12 amended by No. 64 of 1998 s. 39.]*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

If approved, there would be a write off of Rates would be \$36.31 per assessment totalling \$217.86.

## **STRATEGIC IMPLICATIONS**

Nil



## VOTING REQUIREMENTS

Simple Majority

### OFFICER RECOMMENDATION – ITEM 9.2.2

That Council resolves to write off the following rates and charges:

<b>A308</b>	<b>35 King Street, Mingenew</b>	<b>\$36.31</b>
<b>A349</b>	<b>36 Oliver Street, Mingenew</b>	<b>\$36.31</b>
<b>A350</b>	<b>38 Oliver Street, Mingenew</b>	<b>\$36.31</b>
<b>A351</b>	<b>40 Oliver Street, Mingenew</b>	<b>\$36.31</b>
<b>A502</b>	<b>7 Broad Street, Mingenew</b>	<b>\$36.31</b>
<b>A503</b>	<b>5 Broad Street, Mingenew</b>	<b>\$36.31</b>

17-10-14.

T. FINNIGAN

P.O. Box 309

KWINANA 6966

W.A.

PH. 0405256312.

RECEIVED - MSC	
DATE	24-10-2014
FILE	
CORRESPONDENCE	
ATTENTION	SFO/MFA
ANSWERED	

MR WATSON,

I IN RELATION TO MY RATES (INCLUDED) I PAID A PAYMENT ON 15-9-14 AND I EXPLAINED TO THE WOMAN AT THE COUNTER (JULIE). THAT BECAUSE OF THE LARGE INCREASE (ALMOST DOUBLE), I WOULDN'T HAVE THE REST, FOR A WEEK OR TWO.

SHE INFORMED ME, THAT AS LONG AS IT WAS PAID BY THE DUE DATE, THE INTEREST WOULD BE WORKED OUT TO THAT DATE.

WHEN I PHONED 2-10-14. AND SPOKE TO JULIE AND MEGAN, TO ASK WHAT I OWED ("AS I HAD THE REST OF THE MONEY TO PAY"). I WAS INFORMED, I HAD TO PAY THE FULL AMOUNT OF INTEREST.

I FAIL TO SEE HOW I HAVE TO PAY (LEGALLY) ALL THE INTEREST, WHEN I'M PAYING IT ALL OFF WELL BEFORE THE DUE DATES (EVEN BEFORE THE TWO PAYMENT DATES).

THEREFORE I'VE ENCLOSED THE FULL PAYMENT WITH THE INTEREST, FOR TWO PAYMENTS OPTION, WHICH I CONSIDER TO BE MORE THAN ENOUGH, CONSIDERING THE HUGE INCREASE IN ONLY ONE YEAR, FOR VACANT LAND.

Thank you.  
T. FINNIGAN.

*T. Finnigan*

1 JULY 2014 TO 30 JUNE 2015

Cameron Watson (Acting

Terence Mervyn Finnigan  
 PO BOX 309  
 KWINANA WA 6966

A350

17.09.2014

11.08.2014

TOWN WARD

\$1,140.00 - GRV

GRV RESIDENTIAL

11.0000

38 OLIVER STREET  
 177 TOWNSITE

RESIDENTIAL

\$600.00

GRV RESIDENTIAL	12.3858	\$600.00
Emergency Services Levy	0.0000	\$64.00
ESL Category 5		
GST is nil		

\$664.00

ONE PAYMENT	\$664.00	17.09.2014	\$664.00
NO COST			

TWO INSTALMENTS	1ST INST	\$341.10	17.09.2014	\$341.10
OPTION COST \$18.15	2ND INST	\$341.05	19.11.2014	
	TOTAL	\$682.15		

FOUR INSTALMENTS	1ST INST	\$179.66	17.09.2014	\$179.66
OPTION COST \$54.46	2ND INST	\$179.60	19.11.2014	
	3RD INST	\$179.60	21.01.2015	
	4TH INST	\$179.60	25.03.2015	
	TOTAL	\$718.46		

A350  
 Terence Mervyn Finnigan  
 38 OLIVER STREET

\$664.00

\$341.10

\$179.66

1 JULY 2014 TO 30 JUNE 2015

Cameron Watson (Acting

Terence Mervyn Finnigan  
 PO BOX 309  
 KWINANA WA 6966

A351

17.09.2014

11.08.2014

TOWN WARD

\$840.00 - GRV

GRV RESIDENTIAL

11.0000

40 OLIVER STREET  
 178(178P2893) TOWNSITE

RESIDENTIAL

\$600.00

GRV RESIDENTIAL	12.3858	\$600.00
Emergency Services Levy	0.0000	\$64.00
ESL Category 5		
GST is nil		

\$664.00

ONE PAYMENT	\$664.00	17.09.2014	\$664.00
NO COST			

TWO INSTALMENTS	1ST INST	\$341.10	17.09.2014	\$341.10
OPTION COST \$18.15	2ND INST	\$341.05	19.11.2014	
	TOTAL	\$682.15		

FOUR INSTALMENTS	1ST INST	\$179.66	17.09.2014	\$179.66
OPTION COST \$54.46	2ND INST	\$179.60	19.11.2014	
	3RD INST	\$179.60	21.01.2015	
	4TH INST	\$179.60	25.03.2015	
	TOTAL	\$718.46		

A351  
 Terence Mervyn Finnigan  
 40 OLIVER STREET

\$664.00

\$341.10

\$179.66

1 JULY 2014 TO 30 JUNE 2015

Cameron Watson (Acting

TERENCE FINNIGAN  
PO BOX 309  
KWINANA WA 6966

A308

17.09.2014

11.08.2014

TOWN WARD  
\$855.00 - GRV  
GRV RESIDENTIAL  
11.0000

35 KING STREET  
14 TOWNSITE

RESIDENTIAL  
\$600.00

GRV RESIDENTIAL	12.3858	\$600.00
Emergency Services Levy	0.0000	\$64.00
ESL Category 5		
GST is nil		

\$664.00

ONE PAYMENT	\$664.00	17.09.2014	\$664.00
NO COST			

TWO INSTALMENTS	1ST INST	\$341.10	17.09.2014	\$341.10
OPTION COST \$18.15	2ND INST	\$341.05	19.11.2014	
	TOTAL	\$682.15		

FOUR INSTALMENTS	1ST INST	\$179.66	17.09.2014	\$179.66
OPTION COST \$54.46	2ND INST	\$179.60	19.11.2014	
	3RD INST	\$179.60	21.01.2015	
	4TH INST	\$179.60	25.03.2015	
	TOTAL	\$718.46		

A308  
TERENCE FINNIGAN  
35 KING STREET

\$664.00

\$341.10

\$179.66

1 JULY 2014 TO 30 JUNE 2015

Cameron Watson (Acting

A349

17.09.2014

11.08.2014

TOWN WARD

\$840.00 - GRV

GRV RESIDENTIAL

11.0000

Terence Mervyn Finnigan  
PO BOX 309  
KWINANA WA 6966

36 OLIVER STREET  
176 TOWNSITE

RESIDENTIAL

\$600.00

GRV RESIDENTIAL	12.3858	\$600.00
Emergency Services Levy	0.0000	\$64.00
ESL Category 5		
GST is nil		

\$664.00

ONE PAYMENT NO COST	\$664.00	17.09.2014	\$664.00
TWO INSTALMENTS OPTION COST \$18.15	1ST INST \$341.10 2ND INST \$341.05 TOTAL \$682.15	17.09.2014 19.11.2014	\$341.10
FOUR INSTALMENTS OPTION COST \$54.46	1ST INST \$179.66 2ND INST \$179.60 3RD INST \$179.60 4TH INST \$179.60 TOTAL \$718.46	17.09.2014 19.11.2014 21.01.2015 25.03.2015	\$179.66

A349  
Terence Mervyn Finnigan  
36 OLIVER STREET

\$664.00

\$341.10

\$179.66

1 JULY 2014 TO 30 JUNE 2015

Cameron Watson (Acting

Terence Mervyn Finnigan  
 PO BOX 309  
 KWINANA WA 6966

A502

17.09.2014

11.08.2014

TOWN WARD

\$840.00 - GRV

GRV RESIDENTIAL

11.0000

7 BROAD STREET  
 163 TOWNSITE

RESIDENTIAL

\$600.00

GRV RESIDENTIAL	12.3858	\$600.00
Emergency Services Levy	0.0000	\$64.00
ESL Category 5		
GST is nil		

\$664.00

ONE PAYMENT	\$664.00	17.09.2014	\$664.00
NO COST			

TWO INSTALMENTS	1ST INST	\$341.10	17.09.2014	\$341.10
OPTION COST \$18.15	2ND INST	\$341.05	19.11.2014	
	TOTAL	\$682.15		

FOUR INSTALMENTS	1ST INST	\$179.66	17.09.2014	\$179.66
OPTION COST \$54.46	2ND INST	\$179.60	19.11.2014	
	3RD INST	\$179.60	21.01.2015	
	4TH INST	\$179.60	25.03.2015	
	TOTAL	\$718.46		

A502  
 Terence Mervyn Finnigan  
 7 BROAD STREET

\$664.00

\$341.10

\$179.66

1 JULY 2014 TO 30 JUNE 2015

Cameron Watson (Acting

Terence Mervyn Finnigan  
 PO BOX 309  
 KWINANA WA 6966

A503

17.09.2014

11.08.2014

TOWN WARD

\$840.00 - GRV

GRV RESIDENTIAL

11.0000

5 BROAD STREET  
 164 TOWNSITE

RESIDENTIAL

\$600.00

GRV RESIDENTIAL	12.3858	\$600.00
Emergency Services Levy	0.0000	\$64.00
ESL Category 5		
GST is nil		

\$664.00

ONE PAYMENT	\$664.00	17.09.2014	\$664.00
NO COST			

TWO INSTALMENTS	1ST INST	\$341.10	17.09.2014	\$341.10
OPTION COST \$18.15	2ND INST	\$341.05	19.11.2014	
	TOTAL	\$682.15		

FOUR INSTALMENTS	1ST INST	\$179.66	17.09.2014	\$179.66
OPTION COST \$54.46	2ND INST	\$179.60	19.11.2014	
	3RD INST	\$179.60	21.01.2015	
	4TH INST	\$179.60	25.03.2015	
	TOTAL	\$718.46		

A503  
 Terence Mervyn Finnigan  
 5 BROAD STREET

\$664.00

\$341.10

\$179.66



**9.2.3 2013/2014 ANNUAL REPORT**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**Date:** 17<sup>th</sup> November 2014  
**Author:** Nita Jane – Manager Finance & Administration

**SUMMARY**

To consider and accept the Shire of Mingenew Annual Report for the year ending 30 June 2014.

**ATTACHMENT**

2013/2014 Annual Report.

**BACKGROUND**

The Local Government Act 1995 requires Council to prepare and accept an Annual Report for each financial year by 31 December after that financial year.

The Annual Report highlights the Shire of Mingenew achievements from the Strategic Community Plan in the 2013/2014 Financial Year.

**COMMENT**

The Annual Report, prepared in accordance with the requirements of the Local Government Act, is enclosed with the agenda papers for Councillors' perusal, consideration and acceptance.

Council's Auditors, RSM Bird Cameron, have completed an audit of Council's financial records and have forwarded an audit report to the Shire President as well as a management letter.

The audit report is included in the annual report with no matter, in the opinion of the auditors, to indicate significant adverse trends in the financial position or the financial management practices of the Shire and no other matters indicating non-compliance with Part 6 of the Local Government Act 1995, Local Government (Financial Management) Regulations 1996.

Once the Annual Report has been accepted, Council is required to give local public notice of the availability of the Annual Report as soon as practicable.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995, sections 5.53 provides that the Annual Report is to contain the following:

- A report from the Shire President
- A report from the Chief Executive Officer
- An overview of the plan for the future of the district made in accordance with Section 5.56, including major initiatives that are proposed to commence or continue in the next financial year
- The financial report for the financial year
- Such information as may be prescribed in relation to the payments made to employees

- The auditor's report for the financial year
- A matter on which a report must be made under section 29(2) of the Disability Services Act 1993
- Details of entries made under section 5.121 during the financial year in the register of complaints, including –
  - The number of complaints recorded in the register of complaints; and
    - How the recorded complaints were dealt with; and
    - Any other details that the regulations may require;
      - And
- Such other information as may be prescribed.

The Local Government Act 1995 Section 7.2 provides:

The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by each local government.

The Local Government Act 1995 Section 7.12A provides:

- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to –
  - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
  - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to –
  - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
  - (b) forward a copy of that report to the Minister,  
By the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

There is no financial or budget implications.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Absolute Majority

#### **COMMITTEE RECOMMENDATION – ITEM 9.2.3**

##### **That Council**

1. That Council receives the Audit Report from Council's Auditors, RSM Bird Cameron, for the year ending 30 June 2014.
2. That Council accepts the 2013/14 Annual Report, as circulated for the year ended 30 June 2014.

## 9.2.4 ANNUAL ELECTORS MEETING

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**Date:** 17<sup>th</sup> November 2014  
**Author:** Nita Jane – Manager Finance & Administration

### SUMMARY

To set a date for the Annual Electors Meeting.

### ATTACHMENT

Nil.

### BACKGROUND

The Local Government Act 1995 requires Council to hold a general meeting of electors once every financial year and not more than 56 days after accepting the annual report from the previous financial year.

### COMMENT

Council will be considering the 2013/2014 Annual Report at this Council meeting and once this is adopted consideration is required for the time and location to hold this years Annual Electors Meeting.

Once the Annual Electors Meeting has been set, public notice will be given.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Local Government Act 1995, sections 5.27

#### 5.27 Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

#### 5.29 Convening elector's meetings

- (1) The CEO is to convene an electors' meeting by giving –
  - (a) at least 14 days local public notice; and
  - (b) each council member at least 14 days notice, of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

There is no financial or budget implications.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute Majority

**COMMITTEE RECOMMENDATION – ITEM 9.2.4**

**That Council**

**That Council holds the Annual Electors Meeting at 6.00 pm on Wednesday 17<sup>th</sup> December 2014 in the Council Chambers, Victoria Street, Mingenew.**

**9.2.5 COUNCIL MEETING DATES – 2015**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**Date:** 7 November 2014  
**Author:** Nita Jane

**SUMMARY**

Council is requested to formally agree to the Council meeting dates for 2014 as outlined in the body of this report.

**ATTACHMENT**

Nil.

**BACKGROUND**

Nil.

**COMMENT**

Council has an obligation under the Local Government Act 1995 and associated regulations to advertise at least once a year the proposed meeting dates, times and place for the coming year.

There is the ability to change the date and or time of a meeting if required and also the ability to call a Special Council Meeting if required. These changes are to be advertised if time permits.

The Shire of Mingenew has traditionally met on the third Wednesday of the month apart from September when the meeting has been altered to fit in with the dates of the Mingenew Expo if deemed necessary. The ordinary council meetings have commenced at 4.00pm in the Council Chambers, Victoria Street, Mingenew.

Council does not usually hold a meeting in January but has the option of calling a meeting if required.

The meeting dates proposed for 2015 are as follows:

January 2015	No meeting	15 July 2015
18 February 2015		19 August 2015
18 March 2015		16 September 2015
15 April 2015		21 October 2015
20 May 2015		18 November 2015
17 June 2015		16 December 2015

**CONSULTATION**

Cr Bagley – Shire President  
 Mark Dacombe - Chief Executive Officer

**STATUTORY ENVIRONMENT**

Local Government Act 1995 section 5.25 (1)g  
 Local Government Act 1995 – Administration Regulations – 12 (1)

*12. Meetings, public notice of (Act s. 5.25(1)(g))*

- (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.*
- (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)*

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Advertising costs included in operational budget.

**STRATEGIC IMPLICATIONS**

Nil.

**VOTING REQUIREMENTS**

Simple majority.

**OFFICER RECOMMENDATION – ITEM 9.2.5**

**That Council set the 2015 Council meeting dates as:**

<b>January 2015 No meeting</b>	<b>15 July 2015</b>
<b>18 February 2015</b>	<b>19 August 2015</b>
<b>18 March 2015</b>	<b>16 September 2015</b>
<b>15 April 2015</b>	<b>21 October 2015</b>
<b>20 May 2015</b>	<b>18 November 2015</b>
<b>17 June 2015</b>	<b>16 December 2015</b>

**To be held at 4.00pm in the Shire of Mingenew Council Chambers.**

**9.2.6 CHRISTMAS/NEW YEAR OFFICE CLOSURE**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**Date:** 7 November 2014  
**Author:** Nita Jane – Manager Finance & Administration

**SUMMARY**

Council approval is sought for the closure of the Shire of Mingenew Administration Office over the Christmas/New Year period.

**ATTACHMENT**

Nil

**BACKGROUND**

Council has, in previous years, permitted the closure of the Shire of Mingenew Administration Office over the Christmas/New Year period. It is intended that Administration Staff would utilise Annual Leave, Rostered Days Off or Council approved Days in Lieu in addition to Public Holidays to cover their absences.

**COMMENT**

This year Christmas and New Year’s Day public holidays are as follows:

Christmas Day	Thursday 25 December 2014
Boxing Day	Friday 26 December 2014
New Year’s Day	Thursday 1 January 2015

Normal Work days would be:

Monday 29 December 2014  
 Tuesday 30 December 2014  
 Wednesday 31 December 2014  
 Friday 2 January 2015

The period between Christmas and New Year is traditionally very quiet and Council has received no complaints due to the Administration Office being closed during this period. It is also an opportunity for staff to have a break and be ready for the New Year.

It is proposed that the Shire of Mingenew Administration Office be closed on the following days:

Wednesday 24 December 2014	Administration Office Closes at Midday
Thursday 25 December 2014	Public Holiday
Friday 26 December 2014	Public Holiday
Monday 29 December 2014	Rostered Day Off / Annual Leave
Tuesday 30 December 2014	Rostered Day Off / Annual Leave
Wednesday 31 December 2014	Day in Lieu
Thursday 1 January 2015	Public Holiday
Friday 2 January 2015	Day in Lieu

**CONSULTATION**

Shire of Mingenew Administration Staff

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.2.6**

**That Council approves:**

- 1. the Shire of Mingenew Administration Office being closed from Midday Wednesday, 24 December 2014 and re-open Monday, 5 January 2015; and**
- 2. appropriate advertising of this closure be initiated by staff.**



**9.2.7 ACCOUNTS FOR PAYMENT – MONTH ENDING 31<sup>ST</sup> OCTOBER 2014**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil.  
**Date:** 19<sup>th</sup> November 2014  
**Author:** Julie Borrett – Senior Finance Officer

**SUMMARY**

Council to confirm the payment of creditors for the month of October 2014 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'S RECOMMENDATION – ITEM 9.2.7**

**That Council confirm the accounts as presented for October 2014 from the Municipal Fund totalling \$479,655.37 represented by Electronic Funds Transfers of EFT 8411- 8497, Direct Deduction DD6919.1 to DD6919.2, Trust Cheques 434 to 438 and Cheque nos 7911-7916**

Date: 10/11/2014  
Time: 2:07:44PM

Shire of MINGENEW  
MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 November 2014  
List of accounts for September 2014

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
434	06/10/2014	MINGENEW SHIRE COUNCIL	REFUND OF CD86 MWIRSA	T		429.00
435	06/10/2014	James McTAGGART	REFUND OF BUS BOND	T		300.00
437	14/10/2014	MINGENEW SHIRE COUNCIL	REFUND OF MWIRSA CA81	T		8,590.77
438	20/10/2014	MINGENEW SHIRE COUNCIL	MWIRSA REFUND CG92	T		2,965.10
7911	06/10/2014	MINGENEW SHIRE COUNCIL	Payroll deductions	M		290.00
7912	14/10/2014	MICHAEL FARMS	Rates refund for assessment A891 LOT 804 MILO ROAD MINGENEW 6522	M		2,569.76
7913	14/10/2014	MINGENEW SHIRE COUNCIL	Payroll deductions	M		372.27
7914	14/10/2014	TELSTRA	TELSTRA	M		1,843.24
7915	20/10/2014	SYNERGY	POWER	M		5,063.15
7916	20/10/2014	WATER CORPORATION	WATER	M		2,259.32
EFT8411	06/10/2014	AUSTRALIA POST	POSTAGE	M		216.87
EFT8412	06/10/2014	LEADING EDGE COMPUTERS	CHARGES	M		2,250.00
EFT8413	06/10/2014	ANDREWS & CO	CHARGES	M		8,184.00
EFT8414	06/10/2014	BUNNINGS BUILDING SUPPLIES PTY LTD	GOODS	M		458.00
EFT8415	06/10/2014	Courier Australia	FREIGHT	M		322.59
EFT8416	06/10/2014	STAPLES AUSTRALIA PTY LIMITED	STATIONERY	M		472.95
EFT8417	06/10/2014	DONGARA BOBCAT & CONTRACTING SERVICES	CHARGES	M		132.00
EFT8418	06/10/2014	DONGARA DRILLING & ELECTRICAL	CHARGES	M		616.81

Date: 10/11/2014  
Time: 2:07:44PM

Shire of MINGENEW  
MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 November 2014

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List of accounts for September 2014

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8419	06/10/2014	DONGARA BUILDING & TRADE SUPPLIES	GOODS	M		288.80
EFT8420	06/10/2014	ELDERS LIMITED	CHARGES	M		1,848.20
EFT8421	06/10/2014	GERALDTON MOWER & REPAIR SPECIALISTS	PARTS	M		62.60
EFT8422	06/10/2014	PJ & WJ GLEDHILL	CHARGES	M		1,517.45
EFT8423	06/10/2014	VEOLIA ENVIRONMENTAL SERVICES AUSTRALIA PTY LTD	CHARGES	M		494.46
EFT8424	06/10/2014	GREENFIELD TECHNICAL SERVICES	CHARGES	M		3,916.59
EFT8425	06/10/2014	JR & A HERSEY PTY LTD	GOODS	M		372.02
EFT8426	06/10/2014	SHIRE OF IRWIN	FEES	M		928.27
EFT8427	06/10/2014	Local Government Managers Australia	SUBSCRIPTION	M		865.00
EFT8428	06/10/2014	RELIANCE PETROLEUM	FUEL	M		13,951.90
EFT8429	06/10/2014	MID WEST GROUP OF AFFILIATED AG. SOCIETIES	DONATION	M		150.00
EFT8431	06/10/2014	MIDWEST SWEEPING CONTRACTORS	CHARGES	M		3,819.75
EFT8432	06/10/2014	Warren Olsen	EXPENSES	M		180.00
EFT8433	06/10/2014	PURCHER INTERNATIONAL	GOODS	M		175.51
EFT8434	06/10/2014	POOL & SPA MART	PARTS	M		153.80
EFT8435	06/10/2014	PEMCO DIESEL PTY LTD	CHARGES	M		2,205.94
EFT8436	06/10/2014	SEASIDE SIGNS	SIGNS	M		541.20
EFT8437	06/10/2014	SMYTH AGRI SERVICES	Rates refund for assessment A509 74 & 76 MIDLANDS ROAD MINGENEW 6522	M		300.04

Date: 10/11/2014  
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Shire of MINGENEW  
MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 November 2014  
List of accounts for September 2014

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8438	06/10/2014	TUSS CONCRETE	CHARGES	M		31,214.44
EFT8439	06/10/2014	THAT PAINTER	CHARGES	M		2,491.50
EFT8440	06/10/2014	WINCHESTER INDUSTRIES	MATERIALS	M		2,645.50
EFT8441	06/10/2014	MINGENEW FABRICATORS	CHARGES	M		603.02
EFT8442	08/10/2014	Shire of Mingenew - Payroll	PAYROLL	M		31,830.70
EFT8443	08/10/2014	Australian Services Union	Payroll deductions	M		25.10
EFT8444	08/10/2014	CHILD SUPPORT AGENCY	Payroll deductions	M		262.21
EFT8445	08/10/2014	LGRCEU	Payroll deductions	M		19.40
EFT8446	08/10/2014	WA SUPER	Superannuation contributions	M		6,099.02
EFT8447	08/10/2014	PRIME SUPER	Superannuation contributions	M		195.88
EFT8448	09/10/2014	NAB BUSINESS VISA	CREDIT CARD	M		4,423.96
EFT8449	14/10/2014	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	CHARGES	M		584.11
EFT8450	14/10/2014	AMPAC	CHARGES	M		161.15
EFT8451	14/10/2014	LEADING EDGE COMPUTERS	CHARGES	M		535.00
EFT8452	14/10/2014	Courier Australia	FREIGHT	M		32.97
EFT8453	14/10/2014	STAPLES AUSTRALIA PTY LIMITED	STATIONERY	M		275.95
EFT8454	14/10/2014	DONGARA DRILLING & ELECTRICAL	CHARGES	M		301.61
EFT8455	14/10/2014	ELDERS LIMITED	GOODS	M		1,702.80
EFT8456	14/10/2014	PJ & WJ GLEDHILL	CHARGES	M		8,767.00

Date: 10/11/2014  
Time: 2:07:44PM

Shire of MINGENEW  
MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 November 2014

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8457	14/10/2014	GREEN MAN MEDIA PRODUCTIONS	CHARGES	M		440.00
EFT8458	14/10/2014	JR & A HERSEY PTY LTD	UNIFORM	M		4,020.42
EFT8459	14/10/2014	CANINE CONTROL	FEES	M		1,972.34
EFT8460	14/10/2014	LGIS RISK MANAGEMENT	INSURANCE	M		8,647.79
EFT8461	14/10/2014	STARICK TYRES	TYRES	M		86.80
EFT8462	14/10/2014	MIDWEST TRAFFIC CONTROLLERS	CHARGES	M		6,572.50
EFT8463	14/10/2014	MIDWEST CHAMBER OF COMMERCE & INDUSTRY INC	FEES	M		330.00
EFT8464	14/10/2014	MINGENEW SPRING CARAVAN PARK	FEES	M		496.00
EFT8465	14/10/2014	ORANA CINEMAS	CHARGES	M		2,500.00
EFT8466	14/10/2014	OSBORNE PARK SUBARU	PLANT	M		7,561.00
EFT8467	14/10/2014	OAKWAY HOLDINGS PTY LTD	PLANTS	M		318.85
EFT8468	14/10/2014	PERTH SAFETY PRODUCTS PTY LTD	GOODS	M		3,575.00
EFT8469	14/10/2014	STATEWIDE BEARINGS	GOODS	M		22.00
EFT8470	14/10/2014	SGFLEET	LEASE	M		837.52
EFT8471	14/10/2014	TOTALLY WORKWEAR	UNIFORM	M		25.10
EFT8472	14/10/2014	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN	M		10,691.03
EFT8473	14/10/2014	WA LOCAL GOVERNMENT ASSOCIATION	CHARGES	M		54.60
EFT8474	14/10/2014	WESTRAC PTY LTD	PLANT	M		146,254.00
EFT8475	14/10/2014	MINGENEW FABRICATORS	CHARGES	M		430.32

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8476	14/10/2014	RECORDS ARCHIVES & HISTORICAL MANAGEMENT	CHARGES	M		6,380.00
EFT8477	20/10/2014	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	LEASE	M		421.30
EFT8478	20/10/2014	BUNNINGS BUILDING SUPPLIES PTY LTD	GOODS	M		310.14
EFT8479	20/10/2014	Courier Australia	FREIGHT	M		577.33
EFT8480	20/10/2014	STAPLES AUSTRALIA PTY LIMITED	STATIONERY	M		154.67
EFT8481	20/10/2014	GARY CHIVERS	Rates refund for assessment A892 Lot 62 MIDLANDS ROAD MINGENEW 6522	M		756.56
EFT8482	20/10/2014	LANDGATE	CHARGES	M		259.10
EFT8483	20/10/2014	DONGARA BOBCAT & CONTRACTING SERVICES	CHARGES	M		13,200.00
EFT8484	20/10/2014	KALAMAZOO	GOODS	M		498.00
EFT8485	20/10/2014	State Library Of Western Australia	CHARGES	M		44.00
EFT8486	20/10/2014	MINGENEW IGA PLUS LIQUOR	GROCERIES	M		977.22
EFT8487	20/10/2014	OCEAN CENTRE HOTEL	CHARGES	M		2,106.00
EFT8488	20/10/2014	Warren Olsen	REIMBURSEMENT	M		180.00
EFT8489	20/10/2014	PAPER PLUS OFFICE PRODUCTS	GOODS	M		107.00
EFT8490	20/10/2014	PEST A KILL WA	CHARGES	M		866.25
EFT8491	20/10/2014	PEMCO DIESEL PTY LTD	CHARGES	M		2,821.61
EFT8492	20/10/2014	RECORDS ARCHIVES & HISTORICAL MANAGEMENT	CHARGES	M		1,980.00
EFT8493	20/10/2014	WESTRAC PTY LTD	PLANT	M		21,441.00

**List of accounts for September 2014**

<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
EFT8494	22/10/2014	Shire of Mingenew - Payroll	PAYROLL	M		58,760.10
EFT8495	22/10/2014	Australian Services Union	Payroll deductions	M		25.10
EFT8496	22/10/2014	CHILD SUPPORT AGENCY	Payroll deductions	M		262.21
EFT8497	22/10/2014	LGRCEU	Payroll deductions	M		19.40
DD6919.1	22/10/2014	WA SUPER	Payroll deductions	M		11,198.55
DD6919.2	22/10/2014	PRIME SUPER	Superannuation contributions	M		195.88

**REPORT TOTALS**

<b>Bank Code</b>	<b>Bank Name</b>	<b>TOTAL</b>
M	MUNI - NATIONAL AUST BANK	<b>467,370.50</b>
T	TRUST- NATIONAL AUST BANK	<b>12,284.87</b>
<b>TOTAL</b>		<b>479,655.37</b>



## NATIONAL BUSINESS MASTERCARD

01 October to 31st October 2014

### Work's Manager - Warren Borrett

License fee for MI528	\$	25.70
Bank Fees	\$	9.00
	\$	<b>34.70</b>

### Manager of Admin and Finance - Cameron Watson

Internet Fees	\$	279.85
Plate change fee for MI177	\$	16.60
Bank Fees	\$	9.00
	\$	<b>305.45</b>

<b>Total Direct Debit Payment made on 1st November 2014</b>	<b>\$</b>	<b>340.15</b>
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## POLICE LICENSING

Direct Debits from Muni Account

01 October to 31st October 2014

Wednesday, 1 October 2014	\$	1,162.25
Thursday, 2 October 2014	\$	860.65
Friday, 3 October 2014	\$	913.60
Monday, 6 October 2014	\$	1,616.10
Tuesday, 7 October 2014	\$	2,108.50
Wednesday, 8 October 2014	\$	33.00
Thursday, 9 October 2014	\$	156.35
Friday, 10 October 2014	\$	1,227.60
Monday, 13 October 2014	\$	749.10
Tuesday, 14 October 2014	\$	495.20
Wednesday, 15 October 2014	\$	79.65
Thursday, 16 October 2014	\$	65.60
Friday, 17 October 2014	\$	2,407.80
Monday, 20 October 2014	\$	1,805.85
Tuesday, 21 October 2014	\$	49.70
Wednesday, 22 October 2014	\$	135.20
Thursday, 23 October 2014	\$	2,151.55
Friday, 24 October 2014	\$	203.60
Monday, 27 October 2014	\$	340.90
Tuesday, 28 October 2014	\$	761.35
Wednesday, 29 October 2014	\$	37.00
Thursday, 30 October 2014	\$	1,133.85
Friday, 31 October 2014		

\$ 18,494.40

## **BANK FEES**

**Direct debits from Muni Account  
01 October to 31st October 2014**

Total direct debited from Municipal Account

\$ 281.10

## **PAYROLL**

**Direct Payments from Muni Account  
01 October to 31st October 2014**

Wednesday, 8th October 2014

\$ 43,502.39

Wednesday, 22nd October 2014

\$ 79,919.32

**\$ 123,421.71**

## 9.3 BUSH FIRE CONTROL OFFICER

### 9.3.1 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS-BUSH FIRE ACT 1954

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil.  
**Date:** 17<sup>th</sup> November 2014  
**Author:** Rick Ryan - CESM

#### SUMMARY

The Purpose of this report is for Council to appoint such persons as it thinks necessary to be bush fire control officers for the Shire of Mingenew under and for the purposes of the Bush Fires Act 1954 Section 38.

#### DECLARATION OF INTEREST

Nil

#### ATTACHMENTS

Nil

#### BACKGROUND INFORMATION

The Mingenew Bush Fire Advisory committee meet on 2<sup>nd</sup> October 2014 and resolved that the Shire of Mingenew be notified that it was their view that certain persons be appointed as bush fire control offices for the purposes of the Act. The Act enables Bush fire Control officers to issue Permits to Burn ie section 18 subsection (6) provides;

Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless —

- (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
- (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.

The persons then nominated persons for appointment as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

The Functions of the Bush Fire Advisory Committee are in accordance with Section 67 of the *Bush Fires Act 1954* that provides;

#### **3.11 Bush Fire Advisory Committee to nominate bush fire control officers**

*As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government, from the persons nominated by each bush fire brigade, a person or persons for the position of a bush fire control officer(s) for the brigade area.*

#### **3.12 Local government to have regard to nominees**

*When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.*

**3.13 Bush Fire Advisory Committee to consider bush fire brigade recommendations**

*The Bush Fire Advisory Committee is to make recommendations to the local government on all recommendations received by the Bush Fire Advisory Committee from bush fire brigades.*

The following brigade members were appointed to the position of Bush fire control officers detailed below for the Shire of Mingenew.

Community Emergency Service Manager Richard Ryan ( Rick)

Brigades

Guranu Murray Thomas Ben Cobley

Lockier Daniel Michael Tim Dempster

Mingenew North Alex Pearce Andrew Green

Yandanooka Nick Duane Justin Bagley

**The following Bush Fire Control Officers be appointed as:**

Chief Fire Control Officer: Robert McTaggart

Deputy Chief Fire Control Officer: Murray Thomas & Justin Bagley

**The following Bush Fire Control Officers be appointed as Permit issuing Officers**

Chief Bush Fire Control Officer: Robert McTaggart

That Robert McTaggart be appointed to the position of Shire of Mingenew Fire Weather Officer.

**OFFICER'S COMMENT**

The Bush fires advisory committee is considered to be the preferred committee to recommend such appointments are made as prescribe in the Act as Council has little expertise in fire control. However under the Bush Fires Act and the Local Government Council has a responsibility to appoint the officers.

Where a local government that has been served with a notice pursuant to section 38 subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.

**COMMUNITY CONSULTATION**

Nil

**COUNCILLOR CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Bush Fire Act 1954 section 38 and 67

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**RISK MANAGEMENT**

Nil

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER'S RECOMMENDATION – ITEM 9.3.1**

**It is recommended:-**

1. Council appoint the following as Bushfire Control Officers for the Shire of Mingenew ;

**Community Emergency Service Manager: Richard Ryan (Rick)**

**Brigades**

**Guranu Murray Thomas Ben Cobley**

**Lockier Daniel Michael Tim Dempster**

**Mingenew North Alex Pearce Andrew Green**

**Yandanooka Nick Duane Justin Bagley**

2. Council endorses appointments of the following Bushfire control officers as;

**Chief Fire Control Officer: Robert McTaggart**

**Deputy Chief Fire Control**

**Officer: Murray Thomas & Justin Bagley**

3. Council endorses appointments of the following Bushfire control officer as Shire of Mingenew Fire Weather Officer:

**Robert McTaggart**

4. The following Bush Fire Control Officers be appointed as Permit issuing Officers:

**Chief Bush Fire Control Officer: Robert McTaggart**

- 10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
- 11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
  - 11.1 ELECTED MEMBERS
  - 11.2 STAFF
- 12.0 CONFIDENTIAL ITEMS
  - Nil
- 13.0 TIME AND DATE OF NEXT MEETING

**That the next Ordinary Council Meeting be held on 17 December 2014.**

- 14.0 CLOSURE