



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

18 June 2014

SHIRE OF MINGENEW



WILDFLOWER COUNTRY

ORDINARY COUNCIL MEETING NOTICE PAPER

18 June 2014

Madam President and Councillors,

An ordinary meeting of Council is called for Wednesday, 18 June 2014, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.00 pm.

Cameron Watson
Acting Chief Executive Officer

18 June 2014

MINGENEW SHIRE COUNCIL

DISCLAIMER

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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

18 JUNE 2014

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SHIRE OF MINGENEW

AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON 18 June 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 7.0

That the Minutes of the Ordinary Meeting of Council held 21 May 2014 be confirmed as a true and accurate record of proceedings.

COUNCIL RECOMMENDATION ITEM 7.1

That the Minutes of the Special Meeting of Council held 21 May 2014 be confirmed as a true and accurate record of proceedings.

COUNCIL RECOMMENDATION ITEM 7.2

That the Minutes of the Special Meeting of Council held 26 May 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 ACTING CHIEF EXECUTIVE OFFICER

9.1.1 REVIEW OF DELEGATIONS REGISTER

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
Date: 10th June, 2013
Author: Cameron Watson – Acting Chief Executive Officer

SUMMARY

Council is requested to adopt the Revised Delegations Register presented which has been amended to show enhanced details on each delegation. There are further delegations included which are summarised below.

ATTACHMENT

A copy of the Revised Delegations Register is attached to this item.

BACKGROUND

Council last reviewed the Delegations Register in November 2011.

Council is required to review delegations at least once per financial year by the Local Government Act 1994 section 5.46(2)

COMMENT

The last review of the Delegations Register was conducted in November 2011. The format of the Register has been changed to include more detail in relation to:

- a) The power or duty to be delegated
- b) Identification of the person or office to whom the delegation is made
- c) The circumstances in which the delegation can be exercised
- d) The conditions on the delegation
- e) Recording of use requirements

The revised Delegations Register includes a number of additional delegations:

- 04 Power to Waive or Write Off Debts
- 06 Minor Donations – Monetary
- 07 Staff Housing
- 10 Contract Variations
- 12 Enforcements and Legal Proceedings
- 13 Expenditure Prior to Adoption of Budget
- 14 Certain Things to be Done in Respect of Land
- 15 Impounding Goods – Authorised Employee
- 16 Sale of Impounded/Seized/Confiscated Vehicles, Animals or Goods
- 18 Opening Fences and Gates
- 19 Offences – Bush Fires Act
- 23 Certain Things to be Done by Owners or Occupiers of Land

- 24 Notification to Affected Owners about Proposals
- 25 Ensuring Public Access Maintained
- 26 Powers of Entry Onto Land
- 37 Dangerous Excavation in or Near Public Thoroughfares
- 38 Development Applications – Advertising
- 39 Health Act – Notices and Orders

The following guidance is provided by the Department of Local Government and Communities and has been referred to in the preparation of this Delegations Register:

Local Government Operational Guidelines – Number 17 – Delegations

19 *Determining What Should Be Delegated*

- 64. A local government council is unable to deal with all of the numerous issues and duties concerning its local government. As far as is possible and reasonable, councils should be predominantly concerned with dealing with higher level policy matters for their local governments.*
- 65. Duties and powers which are operational in nature, but exercise a discretion should be delegated to the CEO.*
- 66. Powers and duties can be delegated to CEOs with comprehensive conditions attached. The conditions limit the exercise of powers or discharge of duties to circumstances prescribed by the council. For example, a permit application which does not satisfy the conditions attached to a delegation, must be referred to the council for determination.*
- 73. The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.*

CONSULTATION

Nita Jane

STATUTORY ENVIRONMENT

Section 5.42, 5.43, 5.44, 5.45, 5.46 of the Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That the Council:

Adopt the amended Delegations Register as presented.



Register Of Delegations

Last reviewed by Shire of Mingenew – June 2014

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FINANCE**01 PAYMENTS FROM TRUST AND MUNICIPAL FUNDS**

Function to be performed: To make payments from the Municipal Fund Bank Accounts and the Trust Fund Bank Accounts for payment of creditors and payroll.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the following Officers.

Payments made by Cheque require two authorisations being from the following:

- Chief Executive Officer and Manager Finance & Administration
- Chief Executive Officer and a Councillor
- Manager Finance & Administration and a Councillor.

Electronic Transfer or Direct Deposits require one authorisation (subject to National Australia Bank's online banking security protocols) being:

- Chief Executive Officer.
- Manager Finance & Administration.

Conditions: Compliance with Regulations 12 and 13 of the Local Government (Financial Management) Regulations 1996 and Council policies.

Each payment from the Municipal Fund Bank Accounts and the Trust Fund Bank Accounts is to be noted on a list compiled each month showing:

- 1) The payee's name
- 2) The amount of the payment
- 3) The date of the payment
- 4) Sufficient information to identify the transaction

Record of Use: The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

Shire of Mingenew

Register of Delegations

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: s5.42 & s5.44 – Local Government Act 1995
Local Government (Financial Management) Regs 1996

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

02 PURCHASE ORDER AUTHORISATION

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to sign Purchase Orders for items contained within the current budget.

This delegation includes authorisation for the CEO to accept a tender for purchase up to an amount of \$100,000 (Local Government Act 1995 section 5.43 (b)).

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the following Officers:

- Level 1 - Chief Executive Officer*
- Level 2 - Manager Finance & Administration*
- Level 2 - Works Manager*
- Level 3 - Community Development Officer*

Conditions: Limits on amounts:

- a) Level 1 - \$100,000 excluding the purchase of freehold land and real estate.
- b) Level 2 - up to \$60,000 excluding the purchase of freehold land and real estate.
- c) Level 3 - Within area of responsibility up to a maximum of \$1,000 excluding Capital items.

Record of Use:

- Duplicate of Purchase Order to be handed to Senior Finance Officer.
- Triplicate stored in original Purchase Order Book. Completed Order Books to be returned to Senior Finance Officer for archiving.
- Register to be kept of Purchase Order Books issued and returned.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42 Local Government Act 1995

Council Policy: Policy 3007 – Purchasing Policy

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

03 INVESTMENTS

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to

1. Invest money held in the Municipal or Trust Funds that is not required for the time being for any purpose in accordance with Part III of the Trustees Act 1962 or in an investment approved by the Minister.
2. To establish and document internal control procedures to be followed to ensure control over the investments.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power and power to the Manager Finance & Administration for renewals and reinvestments in the same type of investments already approved by the Chief Executive Officer.

Conditions:

- 1) The establishing of documental internal control procedures to be followed to ensure control over the investments.
- 2) Compliance with Clause 19(2) Local Government (Financial Management) Regulations 1996
- 3) Council Policy 3002 - Investments.

Record of Use: Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42, S5.44 & S6.14 Local Government 1995
Financial Management Regulations 1996
Trustees Act 1962
Council Policy 3002 - Investments

Council Policy: 3002 - Investments

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

04 POWER TO WAIVE OR WRITE OFF DEBTS

Function to be performed: Function to be performed for the purposes of section 6.12 (1) (b) & (c) of the Local Government Act 1995, the Chief Executive Officer is delegated the power to approve the waiver or write off of an amount of money not exceeding \$100.00 which, in the Chief Executive Officer's opinion, is unrecoverable subject to all such waivers and write offs being subsequently notified to Council.

Delegated to: Chief Executive Officer

On delegated to

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the Manager Finance & Administration with written approval from the Chief Executive Officer.

Conditions: Report to Council at the next Concept Forum Meeting.

Record of Use:

- Concept Forum Notes.
- Retention of file copy of relevant correspondence.
- Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42 & 5.44 Local Government Act 1995

Council Policy: 3006 – Debt Collection

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

05 RATE BOOK

Function to be performed: Council delegates its authority and power to the Chief Executive Officer for the performance of the following functions of Council:-

1. The discharge of the obligations specified in Section 6.39(1) of the Local Government Act 1995.
2. The service of Notices of Valuation and Rates referred to in Section 6.41(1) of the Local Government Act 1995.
3. The time allowed for the payment of the rate before it becomes in arrears 6.50(2) of the Local Government Act 1995.
4. The powers conferred in Section 6.40 of the Local Government Act 1995.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the Local Government Act 1995.
6. The recovery of rates by complaint or action pursuant to the provisions of 6.56 and 6.64 of the Local Government Act 1995.
7. Entering into an agreement in accordance with 6.49 of the Local Government Act 1995.
8. Requiring a lessee to pay rent to the Council in satisfaction of rates and service charges due and payable in accordance with 6.60(2) of the Local Government Act 1995.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.42/5.44 of the Local Government Act, 1995, has delegated this power/duty to the Manager Finance & Administration.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

<i>Reference:</i>	S5.42 & S5.42 Local Government Act 1995
<i>Council Policy:</i>	3006.1 – Debt Collection - Rates
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

06 MINOR DONATIONS – MONETARY

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to approve minor donations of \$100 or less.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Subject to Council Policy 3004 – Donations. All donations to be by cheque or bank transfer only.
<i>Record of Use:</i>	Record to be kept on appropriate file and payment voucher.
<i>Reference:</i>	S5.42 Local Government Act 1995.
<i>Council Policy:</i>	3004 - Donations
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

STAFF**07 STAFF HOUSING**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to make all arrangements in regard to occupancy and maintenance of all staff accommodation provided by Council in accordance with Council Policy.

For the purpose of S5.43 (d) of the Local Government Act 1995 the amount determined by the local Government for the purpose of this delegation is a maximum of \$300 per week rental exclusive of utilities and subject always to council policy.

Delegated to: Chief Executive Officer

On delegated to: N/A

Conditions:

- 1) In exercising this delegation, the Chief Executive Officer shall have regard to Council Policy Manual, Section 5000 – Housing.
- 2) This delegation not to be on delegated

Record of Use: In accordance with Shire of Mingenew’s Rental Agreement – Agreements to be kept on Personnel files.

Reference: S5.42 Local Government Act 1995.

Council Policy:

- 5001 – Allocation of Staff Housing
- 5002 – Residential Rentals / Leases
- 5003 – Telephones in Council and Staff Houses
- 5004 – Water Charges in Staff Housing (Council Owned)
- 5005 – Water Charges for Staff (Occupying Non - Council Property)
- 5006 – Water Charges for Non - Staff Persons Occupying Council Property

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

08 CONFERENCES, SEMINARS AND TRAINING COURSES

<i>Function to be performed:</i>	Section 5.41 (g) of the Local Government Act 1995 provides that it is a CEO’s function to “be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees).” Council acknowledges that this function includes the authority and power to approve the attendance of Council staff at conferences, seminars and training courses. Attendance is to enhance the professional or occupational development of the officer, provide benefits to the individual or the Council and be relevant to the duties and responsibilities of the officer.
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	1) In exercising this function, the Chief Executive Officer shall have regard to Council Policy 4006 – Professional Development. 2) This function is not to be on delegated
<i>Record of Use:</i>	Conference, Seminar or Training outcome documentation to be kept on Personnel Files
<i>Reference:</i>	S5.42 Local Government 1995.
<i>Council Policy:</i>	4006 – Professional Development 4006.1 – Payment of Expenses
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

ADMINISTRATION**09 LIQUOR – SALE AND CONSUMPTION (COUNCIL PROPERTY)**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to approve applications for the sale of liquor from property under the care, control and management of Council and to approve applications to consume liquor on property under the care, control and management of Council.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power to the Manager Finance & Administration.

Conditions: In exercising this delegation, the Chief Executive Officer shall have regard to the provisions of the appropriate State Legislation regarding consumption and sale of liquor and shall, when appropriate, consult with local Police.

Record of Use: Applications and approvals to be kept in Filing System.
Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42 Local Government 1995

Council Policy: 6002 – Hall & Recreation Centre Hire

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

10 CONTRACT VARIATIONS

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to approve minor variations to contracts entered into by Council.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Monetary variations to contracts are not to exceed the amount set aside in the budget adopted by Council.
<i>Record of Use:</i>	Record to be kept on appropriate file and Contract Register. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	S5.42 & S5.44 Local Government 1995
<i>Council Policy:</i>	N/A.
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

11 LEGAL ADVICE

Function to be performed: Council acknowledges that section 5.41(d) provides that it is a CEO’s function to “manage the day to day operations of the local government”. This function includes seeking legal advice when required or deemed necessary or appropriate. The CEO therefore has the authority and power to obtain from an appropriate solicitor or lawyer, such legal advice and opinions as is deemed necessary in the exercise of the proper and prudent management of the Municipality.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.41 of the Local Government Act, 1995, has delegated this power to the Manager Finance & Administration subject to a limit of \$2,000 expenditure (Exc GST) on each particular issue and after consultation with the CEO.

Conditions: Subject to provisions being made in the adopted Budget and Council Resolutions.

Record of Use: Retention of Confidential File copy of relevant correspondence in safe or where confidentiality is not an issue, filing of all relevant documents in the Council filing system.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.41, 5.42 & S5.44 Local Government Act1995

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

12 ENFORCEMENTS AND LEGAL PROCEEDINGS

<i>Function to be performed:</i>	<ol style="list-style-type: none"> 1) To appoint persons or classes of person to be authorized for the purposes of performing particular functions in regard to the enforcement of laws. 2) To issue to each person authorised to enforce laws a certificate stating that the person is so authorized and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorized person. 3) To extend the time period within which infringement notices may be paid (S9.19 of the Act) 4) Use discretion to withdraw any infringement notice issued by an Authorised Office under the Act, following consideration of any submissions of special circumstances relating to it received from the Authorised Office, the notice recipient or other persons (S9.20 of the Act)
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Compliance with: Local Government Act 1995, S9.23 Dog Act 1976 Bush Fire Act 1954 Health Act 1911 Miscellaneous Provisions Act 1960
<i>Record of Use:</i>	Retention of File copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<ul style="list-style-type: none"> - S5.42, S5.44, S9.10, S9.19, S9.20 and S9.23 Local Government Act 1995 - Section 44.9 Miscellaneous Provisions Act 1960
<i>Council Policy:</i>	N/A.
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

13 EXPENDITURE PRIOR TO ADOPTION OF BUDGET

Function to be performed: The Chief Executive Officer is delegated authority to authorise operating expenditure and appropriate capital expenditure that is

- is of a routine nature and/or;
- was a budgeted expense in the previous financial year and is likely to be carried forward.

from the Municipal Fund prior to the adoption of the annual budget.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Manager Finance & Administration and Works Manager subject in both cases to a limit of \$5,000 on any one supply/purchase and excluding capital items.

Conditions: Nil.

Record of Use: Retention of documentation involved

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42 Local Government Act 1995

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

14 CERTAIN THINGS TO BE DONE IN RESPECT OF LAND

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to issue notices pursuant to Section 3.25 of the Local Government Act 1995.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	<ol style="list-style-type: none"> 1. Subject to the express provisions contained in the applicable Act, Council's Resolutions and Policies. 2. Applicant being advised of objections and/or appeal rights.
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	S3.25 Local Government Act 1995
<i>Council Policy:</i>	N/A.
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

15 IMPOUNDING GOODS – AUTHORISED EMPLOYEE

Function to be performed: The Chief Executive Officer is delegated authority to:

1. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding;
2. Take appropriate action in respect to impounded non perishable goods in accordance with Section 3.42;
3. Give notice in accordance with Section 3.44 to collect goods;
4. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46;
5. Take action to recover expenses in accordance with Section 3.48

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Environmental Health Officer and Ranger.

Conditions: Subject to the express provisions contained in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Pt 6.

Record of Use: Report to Council.

Reference: Local Government 1995 Act (As Amended) – S5.42
Local Government 1995 Act – Sections 3.39, 3.42, 3.44, 3.46 and 3.48

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

16 SALE OF IMPOUNDED/SEIZED/CONFISCATED VEHICLES, ANIMALS OR GOODS

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to dispose of any vehicles, animals or goods that have been impounded/seized/confiscated under the provisions of Section 3.47 and 3.58 of the Local Government Act 1995.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	<ol style="list-style-type: none"> 1. The Chief Executive Officer may dispose of the above only after calling public tenders in accordance with Part 4 of the Local Government (Functions and General) Regulations. 2. The Chief Executive Officer is authorised pursuant to Section 5.43(B) of the Local Government Act 1995 to accept any tender up to the value of \$5000. 3. Tenders for amounts exceeding \$5000 shall be referred to the Council for consideration.
<i>Record of Use:</i>	Report to Council at the next Concept Forum Meeting.
<i>Reference:</i>	Local Government Act 1995 – S3.47, S3.58, S5.42 & S5.43. Local Government (Functions and General) Regulations, Pt 4.
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

17 PROCEEDINGS UNDER DOG ACT

Function to be performed: In accordance with Section 44 of the Dog Act 1976, the Chief Executive Officer is delegated authority to institute and carry on proceedings in the name of the Shire of Mingenew in respect to offences alleged to have been committed within the district of the Shire of Mingenew against the Dog Act.

This delegation also enables the Chief Executive Officer to issue infringement notices pursuant to the provisions of Section 29 of the Dog Act 1976.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the Ranger.

This delegation not to be on delegated.

Conditions: Nil.

Record of Use: Report to Council at the next Concept Forum Meeting.

Reference: Dog Act 1976 – S.44 & S.29

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

18 OPENING FENCES AND GATES

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to approve the opening of fences and the erection of gates on road surveys on both boundary and internal fencing of properties.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	<ul style="list-style-type: none"> - In any circumstances considered controversial, the applications are to be referred to Council. - All requirements of Section 3.36 to be applied
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<ul style="list-style-type: none"> - Local Government Act 1995, S3.36 - Provisions of the Local Government Act 1995, Schedule 3.2
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

19 OFFENCES – BUSH FIRES ACT

Function to be performed: The Chief Executive Officer is delegated authority to consider allegations of offences alleged to have been committed against the Bush Fires Acts within the district of the Shire of Mingenew and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of Mingenew Shire Council against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Bush Fires Act 1954.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the Community Emergency Services Manager.

Conditions: Report to Council at the next Concept Forum Meeting.

Record of Use: Retention of file copy of relevant correspondence and / or infringement notice.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Bush Fires Act 1954 – S.59(3)

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

20 BURNING – VARIATION TO RESTRICTED AND PROHIBITED BURNING

<i>Function to be performed:</i>	That pursuant to Section 17 (10) and 18 (5) of the Bush Fires Act, the Shire President and Chief Executive Officer, in consultation with the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officers are delegated authority jointly, the Council's powers and duties under the Bush Fires Act 1954 in respect to varying the prohibited burning times and the restricted burning times.
<i>Delegated to:</i>	Chief Executive Officer and Shire President
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Nil
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Bush Fires Act 1954 – S.17(10) & S.18(5)
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

ENGINEERING**21 TRAFFIC REGULATORY SIGNS**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to install appropriate traffic regulatory signs at such places as the Chief Executive Officer considers necessary.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Works Manager.

Conditions:

- Approval of Main Roads and other Statutory bodies to be gained where relevant.
- All signs to be in accordance with relevant legislation, guidelines and standards.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 (As Amended) – S5.42

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

22 EVENTS ON ROADS – CLOSING OF THOROUGHFARE

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Works Manager.

Conditions: The Officer shall have regard to Section 3.50 of the Local Government Act 1995.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S3.50 & S5.42
Road Traffic (Events on Roads) Regulations 1991

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

23 CERTAIN THINGS TO BE DONE BY OWNERS OR OCCUPIERS OF LAND

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer, to take what action is deemed necessary in achieving the purpose for which a notice was given pursuant to Section 3.25 and 3.26 of the Local Government Act from persons who failed to comply with the said notice and for the recovery of costs.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Nil.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government Act 1995 S5.42 & S3.25 Local Government Act 1995, Schedule 3.1 - Division 1 Local Government Act 1995, Schedule 3.1 - Division 2
<i>Council Policy:</i>	Nil
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

24 NOTIFICATION TO AFFECTED OWNERS ABOUT PROPOSALS

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to ensure the requirements of Section 3.51 of the Local Government Act 1995, are observed relating to affected land owners of land works being notified of proposals and allowed a reasonable time to make submissions in order that such may be considered.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Compliance the Local Government (Functions and General) Regulations 1996.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government Act 1995, S5.42 & S3.51(3) Local Government (Functions & General) Regulations 1996
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

25 ENSURING PUBLIC ACCESS MAINTAINED

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to ensure that when works are carried out associated with the fixing or altering the level of or alignment of a public thoroughfare to ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Works Manager.

Conditions: Compliance the Local Government (Functions and General) Regulations 1996 and all other relevant legislation.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S5.42, S3.49, S3.50 & S3.51
Local Government (Functions & General) Regulations 1996

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

26 POWERS OF ENTRY ONTO LAND

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to undertake the functions and duties required under Part 3 - Subdivision 3 - (Power of Entry) of the Local Government Act 1995 in respect of Section 3.39 - Appointment of Authorised Persons for the purpose of removing and impounding goods that are involved in the contravention which can lead to impounding. Section 3.40 - Removal of Vehicle and impounding of goods by an authorised person. Section 3.42 - Action required in respect to impounding of non-perishable goods. Section 3.44 - The Issue of Notices regarding collection of goods if not confiscated. Section 3.46 - Withholding of goods pending payment of costs. Section 3.47 - The Disposal of confiscated goods. Section 3.48 - Recovery of Costs incurred in the impounding exercise.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Compliance with the Local Government (Functions and General) Regulations 1996.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government Act 1995 (As Amended) – S5.42, S3.39, S3.40, S3.44, S3.46 & S3.47 Local Government (Function & General) Regulations 1996
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

27 ROAD CLOSURES - TEMPORARY

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to temporarily close a street or a portion of a street for a period not exceeding 60 days to vehicles in cases of emergency in connection with Council works or by reason of heavy rain, if a street is likely to be damaged by the passage of traffic of any particular class.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Works Manager.

Conditions: Compliance with the Local Government (Functions and General) Regulations 1996.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S5.42, S3.50 & S3.51
Local Government (Function & General) Regulations 1996

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

28 DISPOSAL OF SURPLUS EQUIPMENT, MATERIALS, TOOLS ETC

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's depot, or any other fair means, items of surplus equipment, materials, tools etc which are no longer required, or are deemed outmoded or are no longer serviceable.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	This delegation applies only to items with a written down value of less than \$5000. Any sale organised by the Chief Executive Officer under this delegated authority shall be advertised by placing notices on appropriate notice boards within the Mingenew Township.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government (Miscellaneous Provisions) Act 1960
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

29 ROAD TRAINS AND EXTRA MASS PERMITS

Function to be performed: The Chief Executive Officer is delegated authority to determine any application recommending approval or refusal, with or without conditions, for referral to Main Roads WA to use road trains and for extra mass permits on any local road within the district. The Chief Executive Officer shall have regard to any Council policy on the issue that may be established from time to time.

Delegated to: Chief Executive Officer

On delegated to

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Works Manager.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 - S5.42

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

TOWN PLANNING & BUILDING**30 BUILDING NOTICES**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to issue notices pursuant to the provisions of Part 15 of the Local Government (Miscellaneous Provisions) Act 1960.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Building Surveyor.

Conditions:

1. Subject to the express provisions contained in the Act, Council's Policies and Resolutions.
2. Applicant being advised of objection and/or appeal rights.

Record of Use: File copies of notices issued.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government (Misc Provisions) Act 1960
Local Government (Misc Provisions) Act 1960 Part 15

Council Policy: Policy Manual – Section 9000 – Building Approvals

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

31 BUILDING LICENCES

Function to be performed: Council delegates its authority and power to the “Building Surveyor” in accordance with S374 (1b) of the Local Government (Miscellaneous Provisions) Act 1960 in respect of:-

1. Approval or refusal of plans and specifications relating to applications for building licences and the authority to issue or refuse building licences, including the authority to impose conditions as appropriate.
2. The authority to extend, for a period not exceeding twelve months, time for an applicant who has been issued a licence, to complete construction.
3. The authority to approve or refuse amended plans and/or specifications including the authority to impose conditions as appropriate.

Delegated to: Building Surveyor

On delegated to: N/A

- Conditions:***
1. Subject to the provisions of Section 3.74 of the Local Government (Miscellaneous Provisions) Act 1960 and subject to the relevant building codes, Local Laws, Council’s Policies and specific Resolutions of Council.
 2. Prior to issuing a building licence in respect of an outbuilding which exceeds 75m² in area or 3m in height, the application shall be submitted to Council for consideration.
 3. Applicant being advised of objection and/or appeal rights.

Record of Use: Licences and correspondence issued.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Shire of Mingenew

Register of Delegations

<i>Reference:</i>	Local Government (Miscellaneous Provisions) Act 1960 Part 15
<i>Council Policy:</i>	Policy Manual – Section 9000 – Building Approvals
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

32 DEMOLITION LICENCES

Function to be performed: The Chief Executive Officer is delegated authority to approve the issue of a demolition licence (Section 374A) of the Local Government (Miscellaneous Provisions) Act 1960 to take down a building or a part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions: Nil.

Record of Use: Licences and correspondence issued.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995 – S5.42

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

33 BUILDING – EXTENSIONS OF TIME TO COMPLETE

<i>Function to be performed:</i>	Council delegates its authority and power to the Building Surveyor in accordance with S374 (1b) of the Local Government (Miscellaneous Provisions) Act 1960 to approve of an extension of time where it was not possible to complete the building within the period specified in the Building Licence.
<i>Delegated to:</i>	Building Surveyor
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Subject to the payment of an additional Building Licence fee calculated in the following manner:- The fee payable is to be in proportion to the extent of the building to be completed for example: <ul style="list-style-type: none"> - if 25% of the building is completed, then 75% of the fee is charged - if 50% of the building is completed, then 50% of the fee is charged - if 75% of the building is completed, then 25% of the fee is charged
<i>Record of Use:</i>	Licences and correspondence issued. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government (Miscellaneous Provisions) Act 1960 Local Government Act 1995 – S5.42
<i>Council Policy:</i>	
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

34 WORKS – UNLAWFUL

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to issue stop work notices pursuant to Section 401A of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.

The Chief Executive Officer is to withdraw stop work notices pursuant to Section 401A of the Local Government (Miscellaneous Provisions) Act 1960 where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions:

1. Before exercising the authority contained in this delegations, the Chief Executive Officer shall liaise with Council's Building Surveyor.
2. Subject to the express provisions contained in the Local Government Act 1995, Council's Resolutions and Policies.
3. Applicant being advised of objections and/or appeal rights.

Record of Use: Notices and correspondence issued.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 – Pt 15

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

35 BUILDINGS - DANGEROUS

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to carry out the following functions as provided in Section 403 of the Local Government (Miscellaneous Provisions) Act 1960:-

1. Shore up or otherwise secure the building as well as providing a hoarding or fence around the building to protect the public from danger.
2. Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions:

1. Before exercising the authority contained in this delegation the Chief Executive Officer shall liaise with Council's Building Surveyor.
2. Subject to the express provisions contained in the Local Government Act 1995 and Council's Policies and Resolutions.
3. Applicant being advised of objections and/or appeal rights.

Record of Use: Certificates, notices and correspondence issued.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 – S4.03

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

36 CERTIFICATES OF CLASSIFICATION

Function to be performed: The Chief Executive Officer is delegated authority to issue Certificates of Classification of Buildings in accordance with Section 374C of the Local Government (Miscellaneous Provisions) Act 1960.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

37 DANGEROUS EXCAVATION IN OR NEAR PUBLIC THOROUGHFARES

Function to be performed: The Chief Executive Officer is delegated authority to take all appropriate action in accordance with Local Government (Uniform Local Provisions) Regulation No. 11 to remove, or have removed, any dangerous excavation in a public thoroughfare or land adjoining a public thoroughfare

Delegated to: Chief Executive Officer

On delegated to: N/A.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S5.42

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

38 DEVELOPMENT APPLICATIONS - ADVERTISING

Function to be performed: The Chief Executive Officer is delegated authority to advertise development applications for public comment where the Chief Executive Officer considers such applications should have public comment prior to consideration by Council and to make available from Council's files information regarding the development application so as the public are in a position to make a proper assessment.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Environmental Health Officer / Building Surveyor.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S3.36
Town Planning Scheme No3

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

HEALTH**39 HEALTH ACT – NOTICES AND ORDERS**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to exercise and discharge all of the following powers and functions under the Health Act 1911 (as amended):-

1. The forming of opinions and making of declarations.
2. The grant and issue of licences, permits, certificates and approvals.
3. The issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions.
4. The ordering and authorisation of legal proceedings for breaches of the Act and all Regulations, Local Laws and Orders made thereunder.

Delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Environmental Health Officer.

On delegated to: No on delegation permitted.

Conditions:

1. Subject to the provisions of the Health Act, Local Laws and Council Policies.
2. Applicant being advised of objections and/or appeal rights.
4. Detailed report to Council monthly.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Health Act 1911

Shire of Mingenew

Register of Delegations

Council Policy: Nil.

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

40 TREATMENT OF SEWERAGE AND DISPOSAL OF LIQUID WASTE

Function to be performed: Pursuant to the provisions of Section 26 of the Health Act 1911 Chief Executive Officer is hereby appointed and authorised to exercise and discharge powers and functions conferred on local government for the purpose of Regulations 4 of the Health (Treatment of Sewage & Disposal of Liquid Waste) Regulations 1974.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Environmental Health Officer.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Health Act 1911- S26

Council Policy: N/A.

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

41 AUTHORISED PERSONS

Function to be performed: Council appoints the Chief Executive Officer and the Environmental Health Officer under Section 17(1) of the Caravan Parks & Camping Grounds Act 1995 to be an authorised person for the purpose of the Act.

Council appoints the Chief Executive Officer and the Environmental Health Officer to issue infringement notices and appoints the Chief Executive Officer to withdraw notices under Section 23(1) of the Caravan Parks and Camping Grounds Act 1995

Delegated to: Chief Executive Officer and Environmental Health Officer

On delegated to: N/A.

Conditions: Nil.

Record of Use: Notices and correspondence issued.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Caravan Parks and Camping Regulations 1997

Council Policy: N/A.

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

Delegation 41 - End of Register

9.1.2 AMENDMENTS TO PURCHASING POLICY

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
Date: 12th June, 2014
Author: Cameron Watson – Acting Chief Executive Officer

SUMMARY

This report provides a draft copy of Council’s revised Purchasing Policies and requests that Council review the document and endorse the proposed changes and additions.

ATTACHMENT

Amended Purchasing Policy.

BACKGROUND

Council’s current purchasing policy was last reviewed in April 2014 however there was some ambiguity over the number of quotations required for each purchasing threshold. This item is intended to clarify this.

COMMENT

The Purchasing Policy adopted in April 2014 had the following quotation requirements:

- \$0 – \$9,999 - Two written or verbal quotes.
- \$10,000 - \$49,999 - Three written quotes.
- \$50,000 - \$99,999 - Three written quotes.

It is proposed to amend the Purchasing Policy to the following:

- \$0 – \$9,999 - One written or verbal quotes.
- \$10,000 - \$49,999 - Two written quotes.
- \$50,000 - \$99,999 - Three written quotes.

CONSULTATION

No consultation required

STATUTORY ENVIRONMENT

Local Government Act 1995
 Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Council policies are required to be reviewed at least every four years

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.2

That Council amends the Purchasing Policy, section 5.3 to reflect the following number of written or verbal quotes required by each band within the purchasing thresholds:

- | | |
|----------------------------|--|
| \$0 – \$9,999 | - One written or verbal quotes. |
| \$10,000 - \$49,999 | - Two written quotes. |
| \$50,000 - \$99,999 | - Three written quotes. |



Purchasing Policy

1. POLICY

The Shire of Mingenew is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance.

2. OBJECTIVES

- To ensure best practice policies and procedures are followed in relation to internal purchasing for the Local Government.
- To ensure compliance with the *Local Government Act 1995* (“the Act”) and the *Local Government Act (Functions and General) Regulations 1996* (“the Regulations”).
- To ensure compliance with the *State Records Act 2000* and associated records management practices and procedures of the Local Government.
- To undertake purchasing processes that ensures value for money for the Local Government by delivering the most advantageous outcome possible.
- To ensure openness, transparency, fairness and equity through the purchasing process to all potential suppliers.
- To ensure efficient and consistent purchasing processes are implemented and maintained across the organisation

3. ETHICS & INTEGRITY

3.1 Code of Conduct

All officers and employees of the Local Government undertaking purchasing activities must have regard for the Code of Conduct requirements and shall observe the highest standards of ethics and integrity. All officers and employees of the Local Government must act in an honest and professional manner at all times which supports the standing of the Local Government.

3.2 Purchasing Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Local Government policies and Code of Conduct;

- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

4. VALUE FOR MONEY

4.1 Policy

Value for money is an overarching principle governing purchasing which allows the best possible outcome to be achieved for the Local Government. It is important to note that compliance with the purchasing specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks.

4.2 Application

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history); and
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

5. PURCHASING THRESHOLDS AND PROCESSES

5.1 Legislative / Regulatory Requirements

The requirements that must be complied with by the Local Governments, including purchasing thresholds and processes, are prescribed within the *Local Government (Functions and General) Regulations 1996* and this Purchasing Policy.

5.2 Policy

Purchasing that is **below \$100,000** in total value (excluding GST) must utilise a Request for Quotation process, either direct to the market or through a panel of pre-qualified suppliers.

Purchasing that **exceeds \$100,000** in total value (excluding GST) must be put to public Tender **unless** a regulatory Tender exemption is utilised by the Local Government. Tender exemptions apply in the following instances:

- an emergency situation as defined by the *Local Government Act 1995*;
- the purchase is from a Preferred Supply Contract or Business Service.
- the purchase is from a Department of Finance Common Use Arrangements (where Local Government use is permitted), a Regional Local Government or another Local Government;
- the purchase is under auction that has been authorised by Council;
- the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- any of the other exclusions under Regulation 11 of the *Local Government (Functions and General) Regulations 1996* apply.

Determining purchasing value is to be based on the following considerations:

1. The actual or expected value of a contract over the full contract period (including all options to extend); or
2. The extent to which it could be reasonably expected that the Local Government will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased.

5.3 Purchasing Thresholds - Requirements

Below is the purchasing process that must be followed based on the actual or expected value of each purchase by the Local Government:

Purchasing Thresholds (ex GST)	Purchasing Requirements
Up to \$9,999	Obtain at least one (1) verbal or written quotation's from suppliers supported by evidence of the quotation (eg email, fax or record of quotation) in each instance. All quotations from suppliers should be in writing. OR Obtain quotations directly from a pre-qualified panel of suppliers It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least one Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing.
\$10,000 - \$49,999	Obtain at least two (2) written quotations (eg email, fax or original copy). OR Obtain quotations directly from a pre-qualified panel of suppliers. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least two Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing.
\$50,000 - \$99,999	Obtain at least three (3) written quotations (eg email, fax or original copy) from suppliers containing price and specification of goods and services. The procurement decision is to be based on all value for money considerations in accordance with the definition stated within this Policy.

	<p>OR</p> <p>Obtain quotations directly from a pre-qualified panel of suppliers. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.</p>
\$100,000 and above	<p>Conduct a public Tender process in accordance with this policy. The procurement decision is to be based on value for money considerations in accordance with the definition stated within this Policy.</p> <p>OR</p> <p>Obtain quotations directly from a Tender exempt and pre-qualified panel of suppliers. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.</p>

Where considered necessary, a Local Government may consider calling public Tenders in lieu of undertaking a Request for Quotation for purchases under the \$100,000 threshold (excluding GST). This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through a pre-qualified panel of suppliers.

If a decision is made to undertake a public Tender for contracts of less than \$100,000, a Request for Tender process entailing all the procedures for tendering outlined in this Policy must be followed in full.

5.4 Purchasing Procedures

5.4.1 Tender or Request for Quotation through Tender Exempt Panels (\$100,000 or over in value)

For the procurement of goods, services or works where the value exceeds \$100,000, the Local Government must either undertake:

1. a public Tender process; or
2. a Request for Quotation process from a Tender exempt panel of pre-qualified suppliers.

Using a Tender Exempt Panel of Pre-Qualified Suppliers

When accessing a Tender exempt panel of pre-qualified suppliers, the Local Government must utilise a Request for Quotation process through eQuotes or in writing direct with the Preferred Suppliers.

In undertaking a Request for Quotation, the Local Government does not need to request that pre-qualified suppliers provide the type of information that is normally provided in a public Tender.

Additionally, the Local Government does not need to use its own contractual terms and conditions given that WALGA has already developed best practice contractual terms and conditions which have been accepted by every Preferred Supplier. These

contractual terms and conditions ensure that the interests of the Local Government are fully protected.

Keeping the scope of the Request for Quotation focused on the Specification and the selection criteria that will be utilised by the Local Government to assess different quotations will ensure that only the required information is sought from Preferred Suppliers and the response process is streamlined.

Responses from Preferred Suppliers should be in writing and contain the price and a sufficient amount of information that addresses the Specification and selection criteria provided by the Local Government.

Request for Quotation Process

In the event that a Local Government elects to call a Request for Quotation, the following process should be followed:

- The Request for Quotation documentation must include:
 - written Specification that communicates the requirement(s) in a clear, concise and logical fashion;
 - selection criteria to be applied;
 - price schedule;
 - conditions of responding; and
 - validity period of offer.
- Invitations to quote must be issued simultaneously to ensure that all parties receive an equal opportunity to respond. This can be done through eQuotes or directly to suppliers.
- New information that is likely to change the requirements must be offered to all prospective suppliers at the same time.
- Written responses must be assessed for compliance, then against the selection criteria, and then value for money. All evaluations must be documented.
- Respondents must be advised in writing as soon as possible after the final determination is made and approved.

For this procurement range, selection **must** be based on value for money (in accordance with the definition stated within this Policy) and which quotation would be most advantageous to the Local Government.

The evaluation process should include an assessment of qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty

conditions, technology, maintenance requirements, organisation's capability, previous relevant experience, environmental and social impacts, corporate social responsibility and any other relevant factors as part of the assessment of the supplier's response.

The responsible officer is expected to demonstrate due diligence when conducting a Request for Quotation process and must comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

Public Tender

In the event that a Local Government elects to call a public Tender:

- Before Tenders are publicly invited, the Local Government must record the decision to invite Tenders (which is to be recorded in the Tender Register) and must determine in writing the criteria for deciding which tender should be accepted.
- The Evaluation Panel must be established prior to the advertising of the Tender and include a mix of skills and experience relevant to the nature of the purchase. For Tenders with a total estimated value (ex GST) of between \$40,000 and \$99,999, the Evaluation Panel must contain a minimum of two (2) members. For Tenders with a total estimated value (ex GST) of \$100,000 and above, the Evaluation Panel must contain a minimum of three (3) members.
- A Tender Notice must be advertised in a State wide publication e.g. “The West Australian” newspaper (Local Government Tenders section), preferably on a Wednesday or Saturday.
- The Tender must remain open for at least 14 days after the date the Tender is advertised. Care must be taken to ensure that 14 **full** days are provided as a minimum.
- The Tender Notice must include:
 - a brief description of the goods or services required;
 - information as to where and how Tenders may be submitted;
 - the date and time after which Tenders cannot be submitted; and
 - a contact person to supply more detailed information if required.
 - The detailed information must include:
 - such information as the Local Government decides should be disclosed to those interested in submitting a Tender response;
 - detailed specifications of the goods or services required;
 - the criteria for deciding which Tender response should be accepted;
 - whether or not the Local Government has decided to submit a Tender response; and
 - whether or not Tender responses can be submitted by facsimile or other electronic means, and if so, how Tenders may so be submitted.
- Tenders must not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation. If clarifications, addendums or further communication are required prior to the close of Tenders, all potential Tenderers must have equal access to this information in order for the Local Government not to compromise its duty to be fair.
- If, after the Tender has been publicly advertised, any changes, variations or adjustments to the Tender document and/or the Conditions of Tender are required, the Local Government may vary the initial information by taking reasonable steps to give each person who has sought copies of the Tender documents notice of the variation.
- A Tender response that is not received in full in the required format by the advertised Tender Deadline must be rejected.
- No tenders are to be removed from the Tender Box or opened (read or evaluated) prior to the Tender Deadline.

- Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Local Government officer. The details of all Tender responses received and opened must be recorded in the Tenders Register. Tender responses are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the Tender opening, and price information should be regarded as *commercial-in-confidence* to the Local Government. Members of the public are entitled to be present.
- The Tenderer's offer form, price schedule and other appropriate pages from each Tender shall be date stamped and initialled by at least two (2) Local Government officers present at the opening of Tender responses.
- Where the Local Government has invited Tender responses and no compliant submissions have been received; direct purchases can be arranged on the basis of the following:
 - a sufficient number of quotations are obtained;
 - the process follows the guidelines for seeking quotations
 - the specification for goods and/or services remains unchanged; and
 - purchasing is arranged within six months of the closing date of the lapsed Tender.
- Tender responses that have not been rejected must be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The Evaluation Panel must assess each Tender response that has not been rejected to determine which response is most advantageous.
- If after the Tender has been publicly advertised and a successful Tenderer has been chosen, and before the Local Government and Tenderer have entered into a contract, a minor variation may be made by the Local Government. A minor variation may **not** alter the nature of the goods and/or services procured, nor may it materially alter the specification or structure provided for by the initial Tender.
- Each Tenderer shall be notified of the outcome of the Tender following Council resolution or appropriate delegated authority. Notification must include:
 - The name of the successful Tenderer.
 - The total value of consideration of the winning offer.
- The details and total value of consideration for the winning offer must be entered into the Tenders Register at the conclusion of the Tender process.

For this procurement range, selection of Tenderer **must** be based on value for money (in accordance with the definition stated within this Policy) and which Tender response would be most advantageous to the Local Government.

To comply with the requirements of Regulation 18(4) of the *Local Government (Functions and General) Regulations 1996*, the Tender evaluation process must provide a written assessment of the extent that each Tender response satisfies the criteria which was set prior to advertising the Tender. This should include an assessment of qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience, environmental

and social impacts, corporate social responsibility and any other relevant factors as part of the assessment of the Tender response.

The responsible officer is expected to demonstrate due diligence when conducting a public Tender and must comply with any record keeping and audit requirements.

5.4.2 Request for Quotation (\$40,000 or over to \$99,999 in value)

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is recommended that at least three (3) written quotations be obtained from the market or from a pre-qualified panel of suppliers.

In the event that a Local Government elects to call a Request for Quotation, the following process should be followed:

- Provide a Request for Quotation that includes as a minimum:
 - written Specification that communicates the requirement(s) in a clear, concise and logical fashion;
 - selection criteria to be applied;
 - price schedule;
 - conditions of responding; and
 - validity period of offer.
- Invitations to quote must be issued simultaneously to ensure that all parties receive an equal opportunity to respond. This can be done through eQuotes or directly to suppliers.
- New information that is likely to change the requirements must be offered to all prospective suppliers at the same time.
- Written responses must be assessed for compliance, then against the selection criteria, and then value for money. All evaluations must be documented.
- Respondents must be advised in writing as soon as possible after the final determination is made and approved.

Requests for Quotation to a panel of pre-qualified suppliers should be undertaken through eQuotes or in writing directly with the Preferred Suppliers. Responses from Preferred Suppliers should be in writing and contain the price and a sufficient amount of information that addresses the Specification and selection criteria provided by the Local Government.

For this procurement range, selection of supplier should be based on value for money (in accordance with the definition stated within this Policy) and the response which would be most advantageous to the Local Government.

The evaluation of quotations should consider qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience, environmental and social impacts, corporate social responsibility and any other relevant factors as part of the assessment of the quote.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

5.4.3 Request for Quotation (under \$40,000 in value)

Written Requests for Quotations

For the procurement of goods or services where the value is under \$40,000, it is recommended that at least three (3) written quotations be obtained from the market or from a pre-qualified panel of suppliers.

In the event that a Local Government elects to call a Request for Quotation, the following process should be followed:

- Provide a simple Request for Quotation document that outlines the key elements of the process and requires written quotations.
- Provide an appropriately detailed written Specification that communicates the requirement(s) in a clear, concise and logical fashion.
- Invitations to quote must be issued simultaneously to ensure that all parties receive an equal opportunity to respond. This can be done through eQuotes or directly to suppliers.
- New information that is likely to change the requirements must be offered to all prospective suppliers at the same time.
- Written responses must be assessed for compliance, then against the selection criteria, and then value for money. All evaluations must be documented.
- Respondents must be advised in writing as soon as possible after the final determination is made and approved.

Requests for Quotation to a panel of pre-qualified suppliers should be undertaken through eQuotes or in writing directly with the Preferred Suppliers. Responses from Preferred Suppliers should be in writing and contain the price and a sufficient amount of information that addresses the Specification and selection criteria provided by the Local Government.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements.

Verbal Requests for Quotations

For the procurement of goods or services where the value is under \$1,000 the Local Government may undertake a verbal Request for Quotation process.

At least two (2) quotations must be obtained from the market or the Local Government may purchase from a Tender exempt panel of pre-qualified suppliers.

The requirements relating to verbal quotations are:

- Ensure that the requirement/specification is clearly understood by the Local Government employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Ensure that all quotations from suppliers are in writing and/or refer to a pricing list in an email, website or catalogue.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements.

RECORDS MANAGEMENT

Policy

Records of all Tenders and Requests for Quotation must be retained in compliance with the *State Records Act 2000 (WA)* and the Local Government's internal Records Management Policy.

Application

All records associated with the Tender or Request for Quotation process must be recorded and retained.

For a Tender process, this includes:

- Tender documentation.
- Internal documentation.
- Evaluation documentation.
- Enquiry and response documentation.
- Approval documentation.
- Notification and award documentation.

For a Request for Quotation process, this includes:

- Quotation documentation
- Internal documentation.
- Approval documentation.
- Order forms and requisitions.

6. SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY

Sustainable Procurement is defined as the purchasing of goods and services that have less environmental and social impacts than competing products and services.

Corporate Social Responsibility (CSR) in procurement is defined as purchasing which provides preference to organisations that can demonstrate compliance with ethical and regulatory standards and can demonstrate making a positive impact on the communities and markets in which they operate. ISO 26000 provides guidance on how Local Governments can procure goods and services in a socially responsible way.

Policy

Local Government is committed to providing a preference to organisations that demonstrate both sustainable business practices and high levels of corporate social responsibility. Where appropriate, the Local Government shall endeavour to design Requests for Quotation and Tenders to provide an advantage to suppliers demonstrating that they minimise environmental and negative social impacts and embrace CSR. Sustainable and CSR considerations must be balanced against value

for money outcomes in accordance with the Local Government’s sustainability objectives.

Application

In practical terms sustainability and corporate social responsibility in procurement means the Local Government shall endeavour at all times to identify and purchase products and services that:

- have been determined as necessary;
- demonstrate environmental best practice in energy efficiency/and or consumption which can be demonstrated through suitable rating systems and eco-labelling;
- demonstrate environmental best practice in water efficiency;
- are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, are free of toxic or polluting materials and consume minimal energy during the production stage;
- can be refurbished, reused, recycled or reclaimed. Those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste will be given priority;
- demonstrate a regard for the local economy and a supply chain that supports local business development;
- are ethically sourced from sustainable and fair trade supply chains;
- (with regards to motor vehicles) feature the highest fuel efficiency available, based on vehicle type and within the designated price range; and
- (with regards to new buildings and refurbishments) use renewable energy and technologies where available.

7. ADOPTION

Adoption of this Purchasing Policy was endorsed by the Local Government on: 18th June 2014

	Date	Signature
Shire President		
CEO		

9.2 FINANCE

9.2.1 FINANCIAL STATEMENTS FOR MONTH ENDING 31 MAY, 2014

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
Date: 10th June, 2014
Author: Cameron Watson – Acting Chief Executive Officer

SUMMARY

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

ATTACHMENT

Finance Report ending 31 May, 2014

BACKGROUND

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

COMMENT

Council's current operating surplus as at 31 May, 2014 was \$141,470.

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	\$411,529.99
Business Cash Maximiser (Municipal Funds)	\$791.27
Trust Account	\$121,735.88
Reserve Maximiser Account	\$274,697.81

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 May, 2014:

	Current	30+ Days	60+ Days	90+ Days	Total
<i>Amount</i>	87,190.49	0.00	0.00	14,488.95	101,679.44

Rates Outstanding at 9 June, 2014 was:

	Current	Arrears	Total
<i>Rates</i>	14,849.78	2,219.04	17,068.82
<i>Rubbish</i>	0.43	0.00	0.43
	14,850.21	2,219.04	17,069.25

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2013 / 2014 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 31st May, 2014.



SHIRE OF MINGENEW
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

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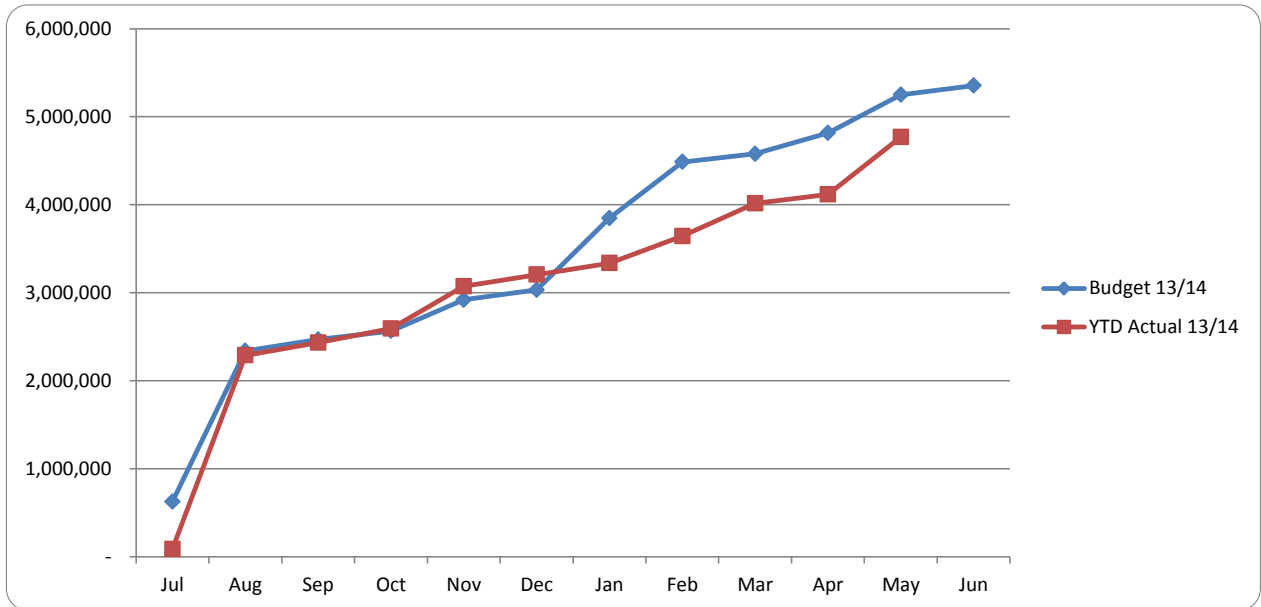
SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

	NOTE	31/05/14 Y-T-D Actual \$	31/05/14 Y-T-D Budget \$	2013/2014 Total Budget \$	31/05/14 Y-T-D Variance \$	31/05/14 Y-T-D Variance %
REVENUES/SOURCES	1,2					
Governance		29,604	22,858	24,984	6,746	(30%)
General Purpose Funding		1,782,171	2,038,294	2,041,923	(256,123)	13%
Law, Order, Public Safety		26,910	26,688	26,750	222	(1%)
Health		0	49,501	49,600	(49,501)	100%
Education and Welfare		3,265	3,465	3,795	(200)	6%
Housing		73,840	73,590	80,304	250	(0%)
Community Amenities		37,389	35,922	36,140	1,467	(4%)
Recreation and Culture		42,195	176,019	176,164	(133,824)	76%
Transport		2,357,557	2,378,703	2,440,063	(21,146)	1%
Economic Services		5,120	19,284	27,169	(14,164)	73%
Other Property and Services		408,493	425,776	292,473	(17,283)	4%
		<u>4,766,544</u>	<u>5,250,100</u>	<u>5,199,365</u>	<u>483,556</u>	
(EXPENSES)/(APPLICATIONS)	1,2					
Governance		(227,344)	(228,899)	(266,826)	(1,555)	1%
General Purpose Funding		(41,884)	(43,263)	(47,222)	(1,379)	3%
Law, Order, Public Safety		(92,704)	(89,858)	(96,930)	2,846	(3%)
Health		(48,732)	(64,037)	(69,801)	(15,305)	24%
Education and Welfare		(28,385)	(31,116)	(32,494)	(2,731)	9%
Housing		(829,120)	(787,149)	(798,608)	41,971	(5%)
Community Amenities		(107,930)	(243,263)	(254,023)	(135,333)	56%
Recreation & Culture		(688,663)	(777,238)	(834,490)	(88,575)	11%
Transport		(2,115,153)	(1,961,102)	(2,131,779)	154,051	(8%)
Economic Services		(142,394)	(157,916)	(175,387)	(15,522)	10%
Other Property and Services		(325,790)	(407,619)	(262,373)	(81,829)	20%
		<u>(4,648,099)</u>	<u>(4,791,460)</u>	<u>(4,969,933)</u>	<u>(143,361)</u>	
Adjustments for Non-Cash (Revenue) and Expenditure						
(Profit)/Loss on Asset Disposals	4	14,961	3,491	3,540	11,470	
Movement in Accrued Interest		0	0	0	0	
Movement in Accrued Salaries & Wages		(11,407)	0	0	(11,407)	
Movement in Employee Benefit Provisions		0	0	0	0	
Depreciation on Assets		1,326,389	1,179,288	1,274,040	147,101	
Capital Expenditure and Income						
Purchase Land held for Resale	3	0	0	0	0	0%
Purchase Land and Buildings	3	(349,791)	(461,130)	(512,200)	(111,339)	24%
Purchase Furniture and Equipment	3	(47,211)	(45,500)	(45,500)	1,711	(4%)
Purchase Plant and Equipment	3	(197,269)	(180,550)	(180,550)	16,719	(9%)
Purchase Infrastructure Assets - Roads	3	(1,435,423)	(1,566,145)	(1,566,145)	(130,722)	8%
Purchase Infrastructure Assets - Footpaths	3	0	0	0	0	0%
Purchase Infrastructure Assets - Bridges	3	(30,760)	(362,000)	(362,000)	(331,240)	92%
Proceeds from Disposal of Assets	4	124,089	123,450	123,450	(639)	(1%)
Repayment of Debentures	5	(125,548)	(125,542)	(125,547)	6	(0%)
Proceeds from New Debentures	5	0	0	0	0	0%
Transfers to Reserves (Restricted Assets)	6	(103,514)	(108,473)	(108,473)	(4,959)	5%
Transfers from Reserves (Restricted Assets)	6	35,907	0	28,370	35,907	0%
ADD Net Current Assets July 1 B/Fwd	7	605,795	605,795	605,795	0	
LESS Net Current Assets Year to Date	7	<u>(41,358)</u>	<u>1,961,249</u>	<u>846,785</u>	<u>(2,002,607)</u>	
Amount Req'd to be Raised from Rates		<u>(1,484,059)</u>	<u>(1,482,573)</u>	<u>(1,482,573)</u>	<u>(1,486)</u>	
Rates per Note 8		1,484,059	1,482,573	1,482,573		
Variance		(0)	0	(0)		

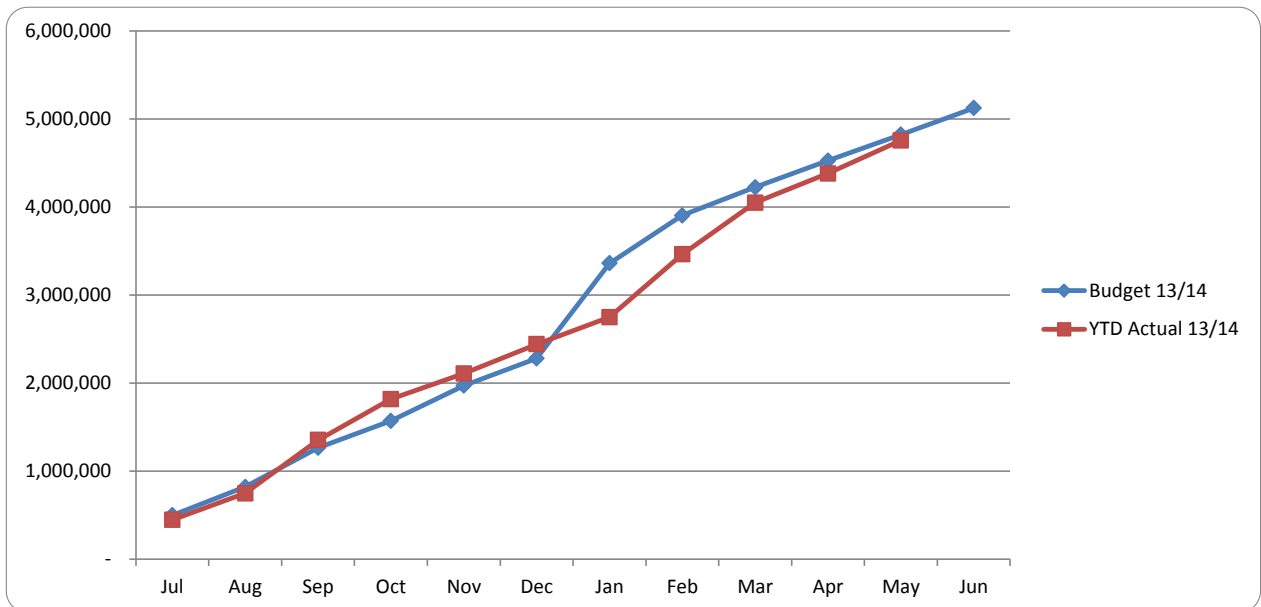
**SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

Graphical Representation - Source Statement of Financial Activity

Operating Budget v Actual - REVENUE



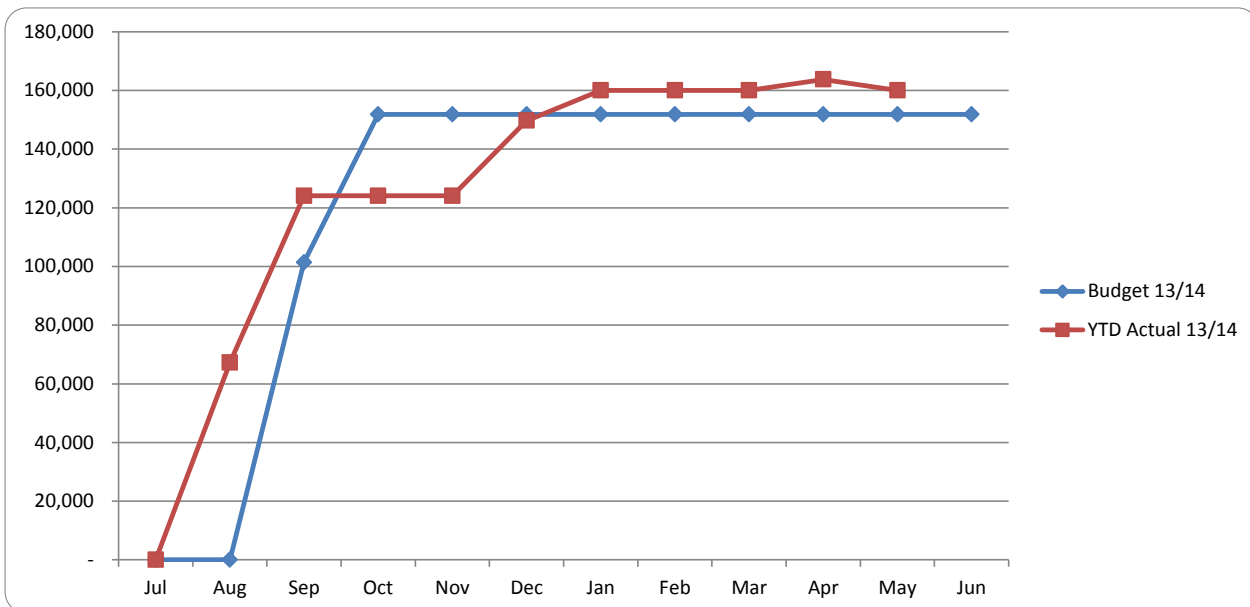
Operating Budget v Actual - EXPENDITURE



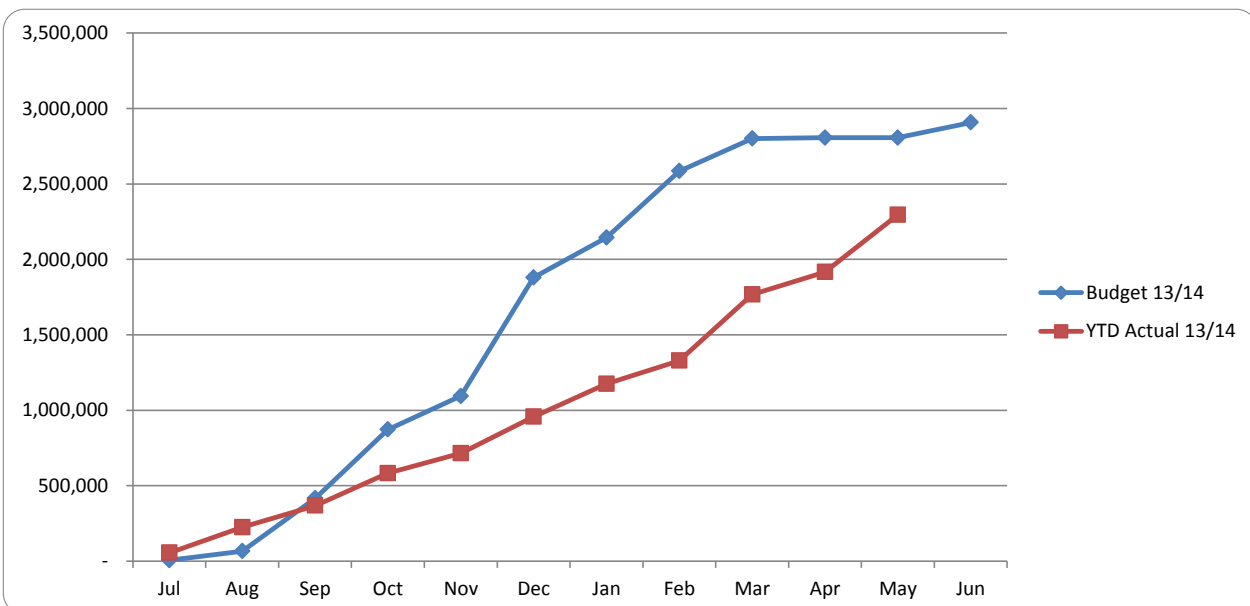
**SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

Graphical Representation - Source Statement of Financial Activity

Capital Budget v Actual - REVENUE



Capital Budget v Actual - EXPENDITURE



**SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

Statement of Financial Activity - Reportable Variances

REVENUES/SOURCES

Governance	(13%)	\$286,000 - Royalties for Regions Individual Grant wont be received until 2014/2015 Financial Year.
Health	(100%)	Federal Regional Development Grant (\$48,500) for Upgrades to Ambulance Bay at Medical Centre unlikely to be received.
Recreation & Culture	(76%)	\$21,000 - Contributions to Recreation Centre Bar Area extension yet to be claimed. \$120,000 - Lotterwest Grant for Railway Station yet to be approved.
Economic Services	(73%)	\$10,000 grant to undertake improvement works at the Tourist Centre not yet received. Budget Review identified this grant as a possible non receipt \$7,000 recoup from the MWRC for Intergrated Planning will not be received.

(EXPENSES)/(APPLICATIONS)

Health	(24%)	Lower than expected expenditure on EHO - \$5,600 and Health Clinic - \$ 8,600 and Medical Practitioner Support - \$6,500
Community Amenities	(56%)	\$125,000 - Mobile Phone Tower payment now not to be made.
Recreation & Culture	(11%)	Numberous minor amounts across entire Schedule.
Other Property & Services	(20%)	Numberous minor amounts across entire Schedule.

CAPITAL EXPENDITURE AND INCOME

Purchase Land & Buildings	(24%)	Payments for Key Worker Housing Project yet to be requested by supplier - Timing Issue.
Purchase Infrastructure Assets - Bridges	(92%)	Mingenew/Mullewa Road Bridge & Coalseam Road Bridge Works yet to be commenced. waiting on Main Roads to arrange their Works Crew - Timing Issue.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

(a) Basis of Accounting

This statement is a special purpose financial report, prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 9.

(c) Rounding Off Figures

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(f) Cash and Cash Equivalents

Cash and cash equivalents comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities.

(g) Trade and Other Receivables

Trade receivables, which generally have 30 - 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectibility of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(h) Inventories

General

Inventories are valued at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.

Land Held for Resale

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Local Government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

(g) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
clearing and earthworks	not depreciated
construction/road base	50 years
original surfacing and	
major re-surfacing	
- bituminous seals	20 years
- asphalt surfaces	25 years
Gravel roads	
clearing and earthworks	not depreciated
construction/road base	50 years
gravel sheet	10 years
Formed roads (unsealed)	
clearing and earthworks	not depreciated
construction/road base	50 years
Footpaths - slab	40 years
Sewerage piping	100 years
Water supply piping & drainage systems	75 years

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Impairment

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 "Impairment of Assets" and appropriate adjustments made.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the Income Statement.

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

At the time of preparing this report, it is not possible to estimate the amount of impairment losses (if any) as at 30 June 2012.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on the Monthly Statement of Financial Position from a budgetary perspective.

(l) Trade and Other Payables

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Municipality prior to the end of the financial year that are unpaid and arise when the Municipality becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

(m) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

(n) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(o) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

(p) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on Council's intentions to release for sale.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

2. STATEMENT OF OBJECTIVE

In order to discharge its responsibilities to the community, the Shire has developed a set of operational and financial objectives. These objectives have been established both on an overall basis and for each of its broad activities/programs.

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Objective: To provide a decision making process for the efficient allocation of scarce resources.
Activities: Administration and operation of facilities and services to members of council:
Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING

Objective: To collect revenue to fund provision of services.
Activities: Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY

Health: To ensure a safer community in which to live.
Activities: Supervision of various local laws, fire prevention, emergency services and animal control.

HEALTH

Objective: To provide an operational framework for good community health.
Activities: Food quality and pest control, maintenance of child health centre, doctors surgery and dental clinic.

EDUCATION AND WELFARE

Objective: To support the needs of the community in education and welfare.
Activities: Assistance to playgroup, youth advisory committee and other voluntary services.

HOUSING

Objective: Provide adequate housing to attract and retain staff and non-staff.
Activities: Maintenance of council owned housing.

COMMUNITY AMENITIES

Objective: Provide services as required by the community.
Activities: Rubbish collection services, tip operation, noise control, town planning administration, cemetery maintenance, storm water drainage, FM radio retransmitter maintenance and mobile phone installation.

RECREATION AND CULTURE

Objective: To establish and efficiently manage infrastructure and resources which will help the social well being of the community.
Activities: Maintenance of halls, library, parks, gardens and reserves.

TRANSPORT

Objective: To provide effective and efficient transport services to the community.
Activities: Construction and maintenance of streets, roads, bridges, cleaning and lighting of streets, traffic signs, depot maintenance and airstrip maintenance.

ECONOMIC SERVICES

Objective: To help promote the Shire and improve its economic well being
Activities: Regulation and provision of tourism, area promotion, building control, noxious weeds, vermin control, plant nursery and standpipes

OTHER PROPERTY & SERVICES

Activities: Private works, plant repairs

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

	31 May, 2014	2013/2014
	Actual	Budget
	\$	\$
3. ACQUISITION OF ASSETS		
The following assets have been acquired during the period under review:		
<u>By Program</u>		
Governance		
Purchase Plant & Equipment	95,735.20	95,000
Computer Development	24,981.75	22,000
Furniture & Equipment - Admin	3,729.00	5,000
Furniture & Equipment - Chambers	13,936.56	13,000
Buildings	11,379.00	12,500
Law, Order & Public Safety		
Land & Buildings	9,115.00	10,600
Health		
Land & Buildings	0.00	50,000
Education & Welfare		
Senior Citizens Centre - Building	0.00	0
Housing		
Buildings	276,211.08	372,600
Land & Buildings	0.00	0
Community Amenities		
Buildings	0.00	0
Furniture & Equipment	0.00	0
Recreation and Culture		
Buildings	53,085.44	66,500
Purchase Plant & Equipment	1,453.64	0
Furniture & Equipment	4,563.82	5,500
Transport		
Infrastructure - Roads	1,435,423.20	1,566,145
Infrastructure - Bridges	30,760.00	362,000
Footpaths Construction	0.00	0
Plant & Equipment - Depot	0.00	0
Purchase Plant & Equipment	100,080.58	85,550
	<u>2,060,454.27</u>	<u>2,666,395</u>

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

	31 May, 2014	2013/2014
	Actual	Budget
	\$	\$
ACQUISITION OF ASSETS		
3. The following assets have been acquired during the period under review:		
<u>By Class</u>		
Land Held for Resale	0.00	0
Land and Buildings	349,790.52	512,200
Furniture and Equipment	47,211.13	45,500
Plant and Equipment	197,269.42	180,550
Infrastructure Assets - Roads	1,435,423.20	1,566,145
Infrastructure Assets - Footpaths	0.00	0
Infrastructure Assets - Bridges	30,760.00	362,000
Infrastructure Assets - Drainage/Floodways	0.00	0
Infrastructure Assets - Recreation Areas	0.00	0
	<u>2,060,454.27</u>	<u>2,666,395</u>

A detailed breakdown of acquisitions on an individual asset basis can be found in the supplementary information attached to this statement as follows:

- plant replacement programme
- other assets
- road replacement programme
- other infrastructure

**SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

4. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Net Book Value		Sale Proceeds		Profit(Loss)	
	2013 / 2014	2013 / 2014	2013 / 2014	2013 / 2014	2013 / 2014	2013 / 2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL
	\$	\$	\$	\$	\$	\$
Governance						
Admin Vehicle (MI 177)	31,334	25,454	28,000	25,454	(3,334)	0
CEO Vehicle (1 MI)	49,930	48,078	45,000	44,545	(4,930)	(3,533)
Transport						
Works Manager Vehicle (MI 108)	38,530	31,363	30,450	31,363	(8,080)	0
ISA Officer Vehicle (MI 481)	35,524	34,155	20,000	22,727	(15,524)	(11,428)
	155,318	139,050	123,450	124,089	(31,868)	(14,961)

<u>By Class</u>	Net Book Value		Sale Proceeds		Profit(Loss)	
	2013 / 2014	2013 / 2014	2013 / 2014	2013 / 2014	2013 / 2014	2013 / 2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL
	\$	\$	\$	\$	\$	\$
Plant & Equipment						
Admin Vehicle (MI 177)	31,334	25,454	28,000	25,454	(3,334)	0
CEO Vehicle (1 MI)	49,930	48,078	45,000	44,545	(4,930)	(3,533)
Works Manager Vehicle (MI 108)	38,530	31,363	30,450	31,363	(8,080)	0
ISA Officer Vehicle (MI 481)	35,524	34,155	20,000	22,727	(15,524)	(11,428)
	155,318	139,050	123,450	124,089	(31,868)	(14,961)

<u>Summary</u>	2013 / 2014	31/5/2014
	BUDGET	ACTUAL
	\$	\$
Profit on Asset Disposals	0	0
Loss on Asset Disposals	(31,868)	(14,961)
	<u>(31,868)</u>	<u>(14,961)</u>

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1 Jul 12	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Education & Welfare									
Loan 137 - Senior Citizens Building	110,286	0	0	4,257	4,257	106,029	106,030	3,358	6,576
Housing									
Loan 133 - Triplex (+)	103,003	0	0	9,295	9,295	93,708	93,708	6,879	6,879
Loan 134 - S/C Housing (+)	67,145	0	0	4,702	4,702	62,443	62,443	4,098	4,098
Loan 136 - Staff Housing (#)	138,944	0	0	6,405	6,405	132,539	132,539	8,827	8,723
Loan 142 - Staff Housing	92,077	0	0	8,325	8,325	83,752	83,751	4,567	4,510
Recreation & Culture									
Loan 138 - Pavilion Fit-Out	105,875	0	0	4,087	4,087	101,788	101,788	6,386	6,313
Transport									
Loan 139 - Roller	78,544	0	0	12,288	12,288	66,256	66,256	5,026	4,954
Loan 141 - Grader	171,106	0	0	20,246	20,246	150,860	150,860	10,312	10,183
Loan 143 - Trucks	204,553	0	0	47,617	47,617	156,936	156,936	9,242	9,100
Loan 144 - Trailer	92,077	0	0	8,325	8,325	83,752	83,751	4,567	4,510
	1,163,610	0	0	125,548	125,547	1,038,062	1,038,062	63,262	65,846

(+) Loan financed by rental proceeds received from tenants.

(#) Loan financed from rental proceeds received from staff (subsidised) or third party tenants.

All other debenture repayments are to be financed by general purpose revenue.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

5. INFORMATION ON BORROWINGS (Continued)

(b) New Debentures - 2013 / 2014

No new debentures are planned in 2013/14.

(c) Unspent Debentures

Council had no unspent debentures at 30 June, 2013 nor is it expected to have unspent debenture funds as at 30 June, 2014.

(d) Overdraft

Council has an overdraft facility of \$200,000 with National Australia Bank of which Nil was utilised at 30 June 2013. It is anticipated that this facility will not be utilised during the 2013 / 2014 financial year.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

	31 May, 2014 Actual \$	2013/2014 Budget \$
6. RESERVES		
Cash Backed Reserves		
(a) Land and Building Reserve		
Opening Balance	67,519	67,519
Amount Set Aside / Transfer to Reserve	418	2,768
Amount Used / Transfer from Reserve	-	-
	<u>67,937</u>	<u>70,287</u>
(b) Sportsground Improvement Reserve		
Opening Balance	2,546	2,546
Amount Set Aside / Transfer to Reserve	56	104
Amount Used / Transfer from Reserve	-	-
	<u>2,602</u>	<u>2,650</u>
(c) Plant Replacement Reserve		
Opening Balance	14,685	14,685
Amount Set Aside / Transfer to Reserve	100,703	100,602
Amount Used / Transfer from Reserve	-	-
	<u>115,388</u>	<u>115,287</u>
(d) Accrued Leave Reserve		
Opening Balance	44,731	44,731
Amount Set Aside / Transfer to Reserve	632	1,834
Amount Used / Transfer from Reserve	(35,907)	(28,370)
	<u>9,455</u>	<u>18,195</u>
(e) Aged Persons Units Reserve		
Opening Balance	18,910	18,910
Amount Set Aside / Transfer to Reserve	418	775
Amount Used / Transfer from Reserve	-	-
	<u>19,328</u>	<u>19,685</u>
(f) Street Light Upgrade Reserve		
Opening Balance	13,517	13,517
Amount Set Aside / Transfer to Reserve	299	554
Amount Used / Transfer from Reserve	-	-
	<u>13,816</u>	<u>14,071</u>
(g) Painted Road Reserve		
Opening Balance	3,966	3,966
Amount Set Aside / Transfer to Reserve	88	163
Amount Used / Transfer from Reserve	-	-
	<u>4,054</u>	<u>4,129</u>
(h) Industrial Area Reserve		
Opening Balance	4,947	4,947
Amount Set Aside / Transfer to Reserve	109	202
Amount Used / Transfer from Reserve	-	-
	<u>5,056</u>	<u>5,149</u>

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

6. RESERVES (Continued)	31 May, 2014 Actual \$	2013/2014 Budget \$
(i) Environmental Rehabilitation Reserve		
Opening Balance	16,830	16,830
Amount Set Aside / Transfer to Reserve	371	690
Amount Used / Transfer from Reserve	-	-
	<u>17,201</u>	<u>17,520</u>
(j) RTC/PO/NAB Reserve		
Opening Balance	19,056	19,056
Amount Set Aside / Transfer to Reserve	421	781
Amount Used / Transfer from Reserve	-	-
	<u>19,477</u>	<u>19,837</u>
Total Cash Backed Reserves	<u>274,313</u>	<u>286,810</u>

All of the above reserve accounts are to be supported by money held in financial institutions.

Council have a policy of annual revaluation of road infrastructure. The amount of any revaluation adjustment at 30 June 2011 is not known. Any transfer to or from an asset revaluation reserve will be a non-cash transaction and as such, has no impact on this budget document.

**Summary of Transfers
To Cash Backed Reserves**

Transfers to Reserves

Land and Buildings Reserve	418	2,768
Sports Ground Improvement Reserve	56	104
Plant Replacement Reserve	100,703	100,602
Accrued Leave Reserve	632	1,834
Aged Persons Units Reserve	418	775
Street Light Upgrade Reserve	299	554
Painted Road Reserve	88	163
Industrial Area Development Reserve	109	202
Environmental Rehabilitation Reserve	371	690
RTC/PO/NAB Reserve	421	781
	<u>103,514</u>	<u>108,473</u>

Transfers from Reserves

Land and Buildings Reserve	0	0
Sports Ground Improvement Reserve	0	0
Plant Replacement Reserve	0	0
Accrued Leave Reserve	(35,907)	(28,370)
Aged Persons Units Reserve	0	0
Street Light Upgrade Reserve	0	0
Painted Road Reserve	0	0
Industrial Area Development Reserve	0	0
Environmental Rehabilitation Reserve	0	0
RTC/PO/NAB Reserve	0	0
	<u>(35,907)</u>	<u>(28,370)</u>

Total Transfer to/(from) Reserves

	<u>67,606</u>	<u>80,103</u>
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SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Land & Building Reserve

- to be used for the acquisition, construction and maintenance of land and buildings.

Plant Replacement Reserve

- to be used for the purchase of plant.

Accrued Leave Reserve

- to be used to fund annual and long service leave requirements.

Aged Persons' Units Reserve

- to be used for the funding of future operating shortfalls of the aged persons' units in accordance with the management agreement Council has with Homeswest.

Street Light Upgrade Reserve

- to be used for the upgrade of street lights in the town of Mingenew.

Painted Road Reserve

- to be used for the painted road and associated projects.

Industrial Area Development Reserve

- to be used for the development of the industrial area.

Environmental Rehabilitation Reserve

- to be used for the rehabilitation of Gravel Pits.

RTC/PO/NAB Reserve

- to be used for the maintenance and upkeep of the Rural Transaction Centre

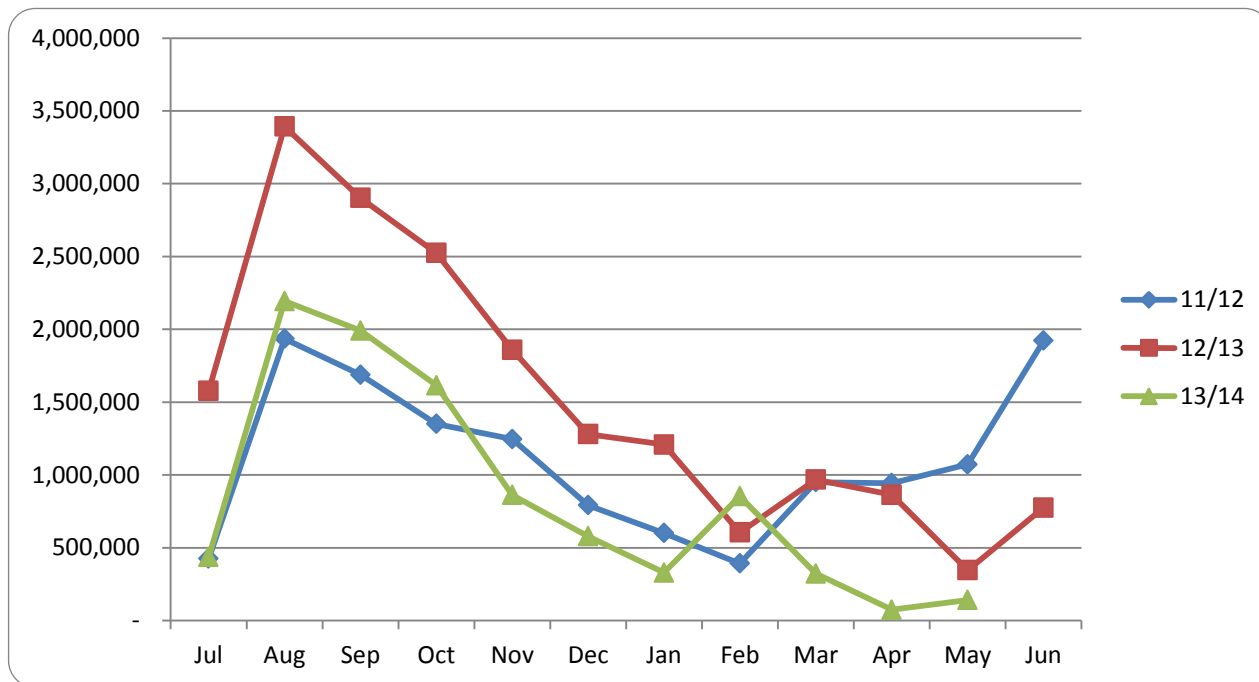
None of the above Reserves are expected to be used within a set period as it is envisaged that further transfers to the reserve accounts will occur as funds are utilised.

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

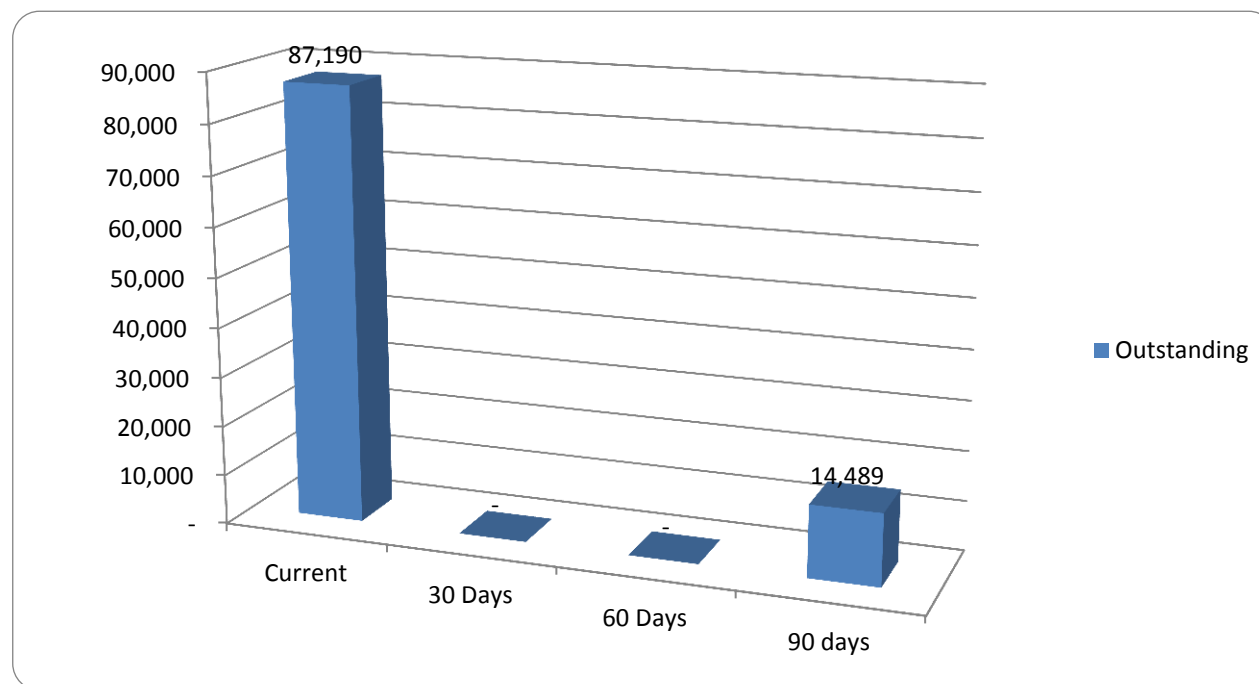
	31 May, 2014 Actual \$	Brought Forward 1-Jul-13 \$
7. NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	411,580	607,548
Cash - Restricted (Reserves)	274,698	206,019
Cash - Restricted (Unspent Grants)	-	-
Cash - Restricted (Unspent Loans)	-	-
Receivables		
- Rates Outstanding	14,385	11,453
- Sundry Debtors	111,325	396,536
- Emergency Services Levy	-	-
- Provision for doubtful debt	-	-
- GST Receivable	42,374	1,733
Inventories	47,275	27,151
	901,637	1,250,440
LESS: CURRENT LIABILITIES		
Payables		
- Sundry Creditors	(217,667)	(105,449)
- GST Payable	(55,928)	-
- PAYG/Withholding Tax Payable	(9,776)	5,876
Accrued Interest	(19,343)	(19,343)
Accrued Salaries & Wages	-	(11,407)
Loan Liability	-	(125,548)
Accrued Annual Leave	(93,433)	(93,433)
Accrued LSL	(89,322)	(89,322)
	(485,469)	(438,626)
NET CURRENT ASSET POSITION	416,168	811,814
Less: Cash - Reserves - Restricted	(274,698)	(206,019)
Less: Cash - Restricted/Committed	-	-
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD	141,470	605,795

SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

7.1 Graphical Representation - Liquidity over the Year



7.2 Graphical Representation - Debtors Outstanding



SHIRE OF MINGENEW

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

8. RATING INFORMATION - 2011 / 2012 FINANCIAL YEAR

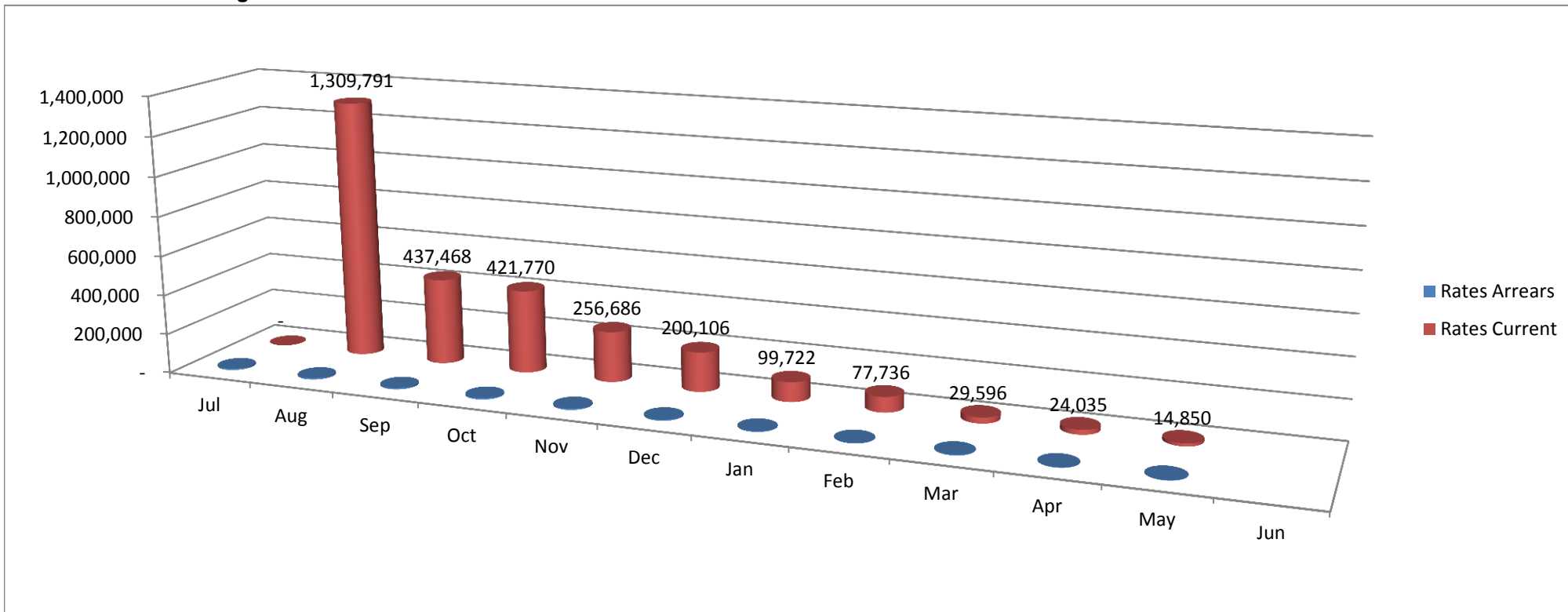
RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2013/2014 Rate Revenue \$	2013/2014 Interim Rates \$	2013/2014 Back Rates \$	2013/2014 Total Revenue \$	2013/2014 Budget \$
General Rate								
GRV - Mingenew Townsite	11.2589	153	1,587,400	177,509	13,847	0	191,356	177,509
GRV -Yandanooka Townsite	5.6353	2	14,716	829	0	0	829	829
UV - Rural	1.2282	132	97,147,000	1,193,159	(995)	(37)	1,192,127	1,200,252
UV - Mining	22.5000	10	132,633	29,842	(14,227)	319	15,934	29,790
Sub-Totals		297	98,881,749	1,401,339	(1,375)	282	1,400,246	1,408,380
Minimum Rates	Minimum \$							
GRV - Townsites	330	90	220,135	29,700	0	0	29,700	29,700
GRV -Yandanooka Townsite	150	1	840	150	0	0	150	150
UV - Rural	450	13	131,100	5,850	0	0	5,850	5,850
UV - Mining	750	9	10,079	6,750	0	0	6,750	6,000
Sub-Totals		113	362,154	42,450	0	0	42,450	41,700
Rates Written-Off							(1,323)	0
Ex-Gratia Rates							32,493	32,493
Movement in Excess Rates							10,193	0
Totals							1,484,059	1,482,573

All land except exempt land in the Shire of Mingenew is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

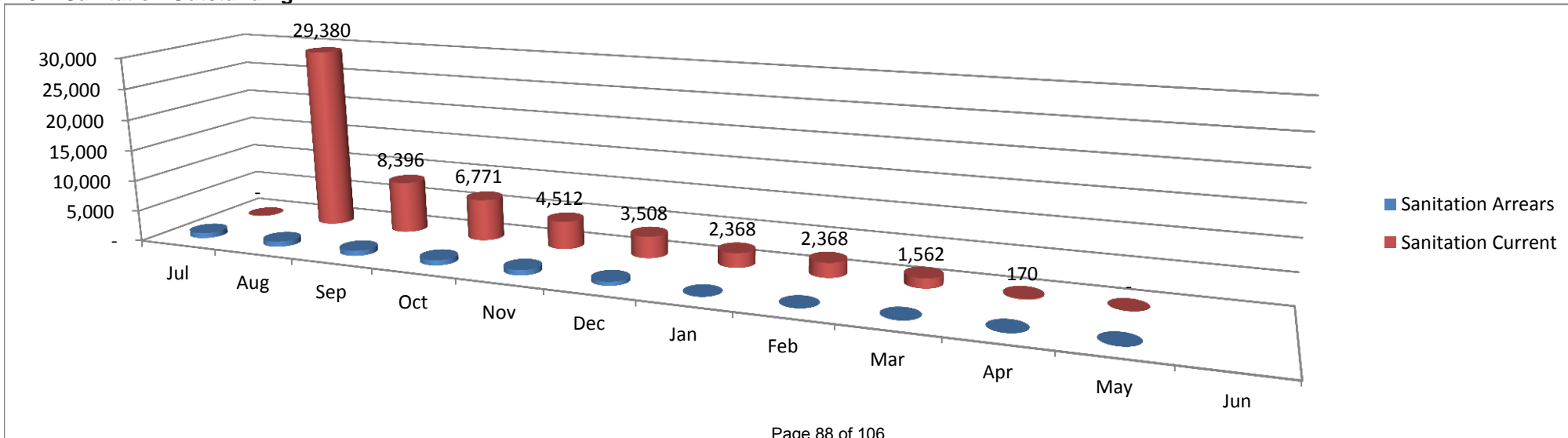
The general rates detailed above for the 2013 / 2014 financial year have been determined by Council on the basis budget and the estimated revenue to be received from all sources of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

8.1 Rates Outstanding



8.2 Sanitation Outstanding



SHIRE OF MINGENEW
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

9. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in the financial statements are as follows:

Detail	Balance 01-Jul-13 \$	Amounts Received \$	Amounts Paid (\$)	Balance \$
BCITF Levy	369	542	-	911
BRB Levy	1,083	1,043	-	2,126
Centenary/Autumn Committee	1,734	-	-	1,734
Community Bus	1,160	300	(54)	1,406
Farm Water Scheme	756	-	(756)	-
ANZAC Day Breakfast Donation	516	279	(516)	279
Industrial Land Bonds	1,000	-	-	1,000
Insitu - Depot Hill Retension	108,167	-	(108,167)	-
Mid West Industry Road Safety Alliance	39,436	37,400	(35,465)	41,371
Mingenew Cemetery Group	366	-	-	366
Mingenew District Christmas Tree Fund	-	-	-	-
Mingenew P & C	-	5,665	(5,665)	-
Mingenew Water Rights	-	-	-	-
Nomination Fees	-	80	(80)	-
Other Bonds	4,409	-	(380)	4,029
Rec Centre Kitchen Upgrade	-	2,000	-	2,000
Sinosteel Community Trust Fund	11,561	-	(3,181)	8,380
Tree Planter - LCDC	288	-	-	288
Weary Dunlop Memorial	1,906	-	-	1,906
Unknown	55,753	-	-	55,753
Youth Advisory Council	1,816	-	-	1,816
	<u>230,320</u>			<u>123,365</u>

10. CASH / INVESTMENTS SUMMARY

Investments

Financial Institution	Fund	Date Invested	Investment Amount \$	Interest Rate %	Maturity Date	31 May 2014 Actual \$
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Nil

Cash at Bank

Financial Institution	Fund	Total Cash at Bank	O/S Deposits	O/S Cheques	Adjustment	31 May 2014 Actual \$
National Australia Bank	Muni	411,530	507	(1,830)	(1,697)	408,510
National Australia Bank	Trust	121,736	-	-	1,629	123,365
			Interest		Transfers	
National Australia Bank	Maxi Investment	791	-	-	-	791
National Australia Bank	Reserve Maxi	274,698	-	-	-	274,698

11. SUPPLEMENTARY INFORMATION

May include (not exhaustive) the following:

- Income Statement By Nature & Type;
- Income Statement By Program;
- Balance Sheet;
- Statement of Changes in Equity;
- Debtors listings;
- Creditors listings;
- Cash/Investment summaries;
- Plant reports;
- Ratio analysis; and
- Other information considered relevant.

SHIRE OF MINGENEW**INCOME STATEMENT****BY NATURE OR TYPE****FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

	NOTE	31/05/2014 Actual \$	2013 / 2014 Budget \$
REVENUES FROM ORDINARY ACTIVITIES			
Rates	8	1,468,425	1,482,573
Operating Grants, Subsidies and Contributions		696,598	684,763
Non-Operating Grants, Subsidies and Contributions		1,784,779	2,126,766
Profit on Asset Disposals		-	2,079
Proceeds on Disposal of Assets	#	-	-
Service Charges		-	-
Fees and Charges		380,271	370,210
Interest Earnings		39,457	41,310
Other Revenue		397,014	402,402
		<u>4,766,544</u>	<u>5,110,103</u>
EXPENSES FROM ORDINARY ACTIVITIES			
Employee Costs		(868,358)	(732,060)
Materials and Contracts		(1,488,427)	(1,718,387)
Utility Charges		(128,743)	(107,690)
Depreciation		(1,326,389)	(1,179,288)
Loss on Asset Disposals		(31,319)	(3,040)
Interest Expenses		(66,557)	(65,843)
Insurance		(204,245)	(264,270)
Other Expenditure		(464,061)	(485,378)
		<u>(4,578,099)</u>	<u>(4,555,956)</u>
NET RESULT		188,445	554,147

SHIRE OF MINGENEW**INCOME STATEMENT****BY PROGRAM****FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

	31/05/14	31/05/14	2013/14
	Y-T-D Actual	Y-T-D Budget	Total Budget
	\$	\$	\$
OPERATING REVENUES			
Governance	29,604	22,858	24,984
General Purpose Funding	1,782,171	2,038,294	2,041,923
Law, Order, Public Safety	26,910	26,688	26,750
Health	-	49,501	49,600
Education and Welfare	3,265	3,465	3,795
Housing	73,840	73,590	80,304
Community Amenities	37,389	35,922	36,140
Recreation and Culture	42,195	176,019	176,164
Transport	2,357,557	2,378,703	2,440,062
Economic Services	5,120	19,284	27,169
Other Property and Services	408,493	425,776	292,473
	<u>4,766,544</u>	<u>5,250,100</u>	<u>5,199,364</u>
OPERATING EXPENSES			
Governance	(157,344)	(228,899)	(266,826)
General Purpose Funding	(41,884)	(43,263)	(47,222)
Law, Order, Public Safety	(92,704)	(89,858)	(96,930)
Health	(48,732)	(64,037)	(69,801)
Education and Welfare	(28,385)	(31,116)	(32,494)
Housing	(829,120)	(787,149)	(798,608)
Community Amenities	(107,930)	(243,263)	(254,023)
Recreation & Culture	(688,663)	(777,238)	(834,490)
Transport	(2,115,153)	(1,961,102)	(2,131,779)
Economic Services	(142,394)	(157,916)	(175,387)
Other Property and Services	(325,790)	(407,619)	(262,373)
	<u>(4,578,099)</u>	<u>(4,791,460)</u>	<u>(4,969,933)</u>
NET PROFIT OR LOSS/RESULT	<u>188,445</u>	<u>458,640</u>	<u>229,431</u>

SHIRE OF MINGENEW**BALANCE SHEET****FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014**

	31 May, 2014	2013
	ACTUAL	
	\$	\$
CURRENT ASSETS		
Cash and Cash Equivalents	686,277	812,150
Trade and Other Receivables	168,084	409,721
Inventories	47,275	27,151
TOTAL CURRENT ASSETS	<u>901,636</u>	<u>1,249,022</u>
NON-CURRENT ASSETS		
Other Receivables	-	-
Inventories	90,418	90,394
Property, Plant and Equipment	6,775,994	6,710,732
Infrastructure	37,607,512	37,090,126
TOTAL NON-CURRENT ASSETS	<u>44,473,924</u>	<u>43,891,252</u>
TOTAL ASSETS	<u>45,375,560</u>	<u>45,140,274</u>
CURRENT LIABILITIES		
Trade and Other Payables	302,714	130,324
Long Term Borrowings	-	125,548
Provisions	182,755	182,755
TOTAL CURRENT LIABILITIES	<u>485,469</u>	<u>438,627</u>
NON-CURRENT LIABILITIES		
Long Term Borrowings	1,038,061	1,038,061
Provisions	31,413	31,413
TOTAL NON-CURRENT LIABILITIES	<u>1,069,474</u>	<u>1,069,474</u>
TOTAL LIABILITIES	<u>1,554,943</u>	<u>1,508,101</u>
NET ASSETS	<u>43,820,617</u>	<u>43,632,173</u>
EQUITY		
Retained Profits (Surplus)	28,306,734	28,186,969
Reserves - Cash Backed	274,698	206,019
Reserves - Asset Revaluation	15,239,185	15,239,185
TOTAL EQUITY	<u>43,820,617</u>	<u>43,632,173</u>

SHIRE OF MINGENEW
STATEMENT OF CHANGES IN EQUITY
FOR THE PERIOD 1 JULY, 2013 TO 31 MAY, 2014

	31 May 2014 Actual \$	2013 \$
RETAINED PROFITS (SURPLUS)		
Balance as at 1 July 2013	28,186,971	26,114,723
Change in Net Assets Resulting from Operations	188,443	2,078,519
Transfer from/(to) Reserves	<u>(67,606)</u>	<u>(6,271)</u>
Balance as at 30 June 2013	<u>28,307,808</u>	<u>28,186,971</u>
RESERVES - CASH BACKED		
Balance as at 1 July 2013	206,018	206,018
Amount Transferred (to)/from Surplus	<u>67,606</u>	<u>-</u>
Balance as at 30 June 2013	<u>273,624</u>	<u>206,018</u>
RESERVES - ASSET REVALUATION		
Balance as at 1 July 2013	15,239,185	15,239,185
Revaluation Increment	-	-
Revaluation Decrement	<u>-</u>	<u>-</u>
Balance as at 30 June 2014	<u>15,239,185</u>	<u>15,239,185</u>
TOTAL EQUITY	<u><u>43,820,617</u></u>	<u><u>43,632,174</u></u>

9.2.2 ACCOUNTS FOR PAYMENT

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil.
Date: 18th June 2014
Author: Julie Borrett – Senior Finance Officer

SUMMARY

Council to confirm the payment of creditors for the month of May 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 RECOMMENDATION ITEM 9.2.2

That Council confirm the accounts as presented for May 2014 from the Municipal Fund totalling \$592,095.81 represented by Electronic Funds Transfers of EFT7993-8055, Trust Cheque 425 and Cheque nos 7859-7863

Date: 06/06/2014
Time: 3:36:32PM

Shire of MINGENEW
Statement of Payments for the month of May 2014

USER: SFO
PAGE: 1

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
425	22/05/2014	MINGENEW SHIRE COUNCIL	REFUND OF INSITU RETENTION FOR DEPOT HILL, RESEAL	T		16,000.00
7859	22/05/2014	M KNOCK	GOODS	M		390.00
7860	22/05/2014	MINGENEW SHIRE COUNCIL	Payroll deductions	M		630.00
7861	22/05/2014	SYNERGY	POWER	M		49.70
7862	22/05/2014	TELSTRA	TELSTRA	M		1,828.11
7863	26/05/2014	SYNERGY	CHARGES	M		2,667.95
EFT7993	05/05/2014	MAXWELL BAILEY	Rates refund for assessment A837 18 MIDLANDS ROAD MINGENEW 6522	M		206.50
EFT7994	05/05/2014	Courier Australia	FREIGHT	M		651.32
EFT7995	05/05/2014	DONGARA DRILLING & ELECTRICAL	CHARGES	M		10,213.95
EFT7996	05/05/2014	ELDERS LIMITED	CHARGES	M		1,216.00
EFT7997	05/05/2014	VEOLIA ENVIRONMENTAL SERVICES AUSTRALIA PTY LTD	CHARGES	M		12,481.49
EFT7998	05/05/2014	Great Northern Rural Services	FERTILISER	M		3,243.50
EFT7999	05/05/2014	RELIANCE PETROLEUM	FUEL	M		4,019.50
EFT8000	05/05/2014	MIDWEST TRAFFIC CONTROLLERS	CHARGES	M		53,754.25
EFT8001	05/05/2014	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	FEES	M		1,000.00
EFT8002	05/05/2014	MINGENEW BAKERY	CATERING	M		30.00
EFT8003	05/05/2014	PARWOOD CONTRACTING	CHARGES	M		54,450.00
EFT8004	05/05/2014	SUNNY SIGN COMPANY PTY LTD	SIGNS	M		266.48

Date: 06/06/2014
Time: 3:36:32PM

SHIRE OF MINGENEW
MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 June 2014
Statement of Payments for the month of May 2014

USER: SFO
PAGE: 2

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8005	05/05/2014	TR HOMES	CHARGES	M		60,120.00
EFT8006	05/05/2014	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 137	M		10,691.03
EFT8007	05/05/2014	WESTRAC PTY LTD	CHARGES	M		2,600.90
EFT8008	05/05/2014	MINGENEW FABRICATORS	CHARGES	M		904.74
EFT8009	05/05/2014	CR MARGUERITE PEARCE	REFUND OF NOMINATION FEE	T		80.00
EFT8010	07/05/2014	Shire of Mingenew - Payroll	PAYROLL	M		30,670.26
EFT8011	07/05/2014	Australian Services Union	Payroll deductions	M		24.44
EFT8012	07/05/2014	CHILD SUPPORT AGENCY	Payroll deductions	M		264.71
EFT8013	07/05/2014	WA SUPER	Superannuation contributions	M		5,096.56
EFT8014	07/05/2014	PRIME SUPER	Superannuation contributions	M		364.95
EFT8015	14/05/2014	NAB BUSINESS VISA	CREDIT CARD	M		895.68
EFT8016	14/05/2014	MINGENEW SHIRE COUNCIL	PHOTOCOPIER	M		421.30
EFT8019	21/05/2014	Shire of Mingenew - Payroll	PAYROLL	M		30,240.12
EFT8020	21/05/2014	Australian Services Union	Payroll deductions	M		24.44
EFT8021	21/05/2014	CHILD SUPPORT AGENCY	Payroll deductions	M		264.71
EFT8022	21/05/2014	WA SUPER	Superannuation contributions	M		5,299.53
EFT8023	21/05/2014	PRIME SUPER	Superannuation contributions	M		364.95
EFT8024	21/05/2014	Australian Taxation Office	BAS	M		7,932.38
EFT8025	21/05/2014	BITUTEK PTY LTD	CHARGES	M		83,440.90

Date: 06/06/2014
Time: 3:36:32PM

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 June 2014
Statement of Payments for the month of May 2014

USER: SFO
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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8026	22/05/2014	AMPAC	FEES	M		414.11
EFT8027	22/05/2014	UHY HAINES NORTON (WA) PTY LTD	CHARGES	M		198.00
EFT8028	22/05/2014	Courier Australia	FREIGHT	M		20.81
EFT8029	22/05/2014	DONGARA DRILLING & ELECTRICAL	CHARGES	M		2,510.21
EFT8030	22/05/2014	VEOLIA ENVIRONMENTAL SERVICES AUSTRALIA PTY LTD	CHARGES	M		6,925.48
EFT8031	22/05/2014	CANINE CONTROL	FEES	M		958.38
EFT8032	22/05/2014	STARICK TYRES	TYRES	M		3,500.31
EFT8033	22/05/2014	MIDWEST TRAFFIC CONTROLLERS	CHARGES	M		1,111.00
EFT8034	22/05/2014	LANDMARK	GOODS	M		12.21
EFT8035	22/05/2014	MICHAEL CHARLES SULLY	REIMBURSEMENT	M		59.95
EFT8036	22/05/2014	TR HOMES	HOUSE	M		69,768.00
EFT8037	22/05/2014	MINGENEW FABRICATORS	CHARGES	M		310.97
EFT8038	23/05/2014	Australian Taxation Office	FBT	M		904.23
EFT8039	23/05/2014	SGFLEET	FLEET	M		837.52
EFT8040	23/05/2014	IN-SITU CONSTRUCTION & MAINTENANCE	REFUND OF DEPOT HILL PROJECT RETENTION FUNDS	T		92,166.57
EFT8041	26/05/2014	UHY HAINES NORTON (WA) PTY LTD	CHARGES	M		3,355.00
EFT8042	26/05/2014	Courier Australia	FREIGHT	M		23.71
EFT8043	26/05/2014	DONGARA BOBCAT & CONTRACTING SERVICES	CHARGES	M		319.00
EFT8044	26/05/2014	DONGARA DRILLING & ELECTRICAL	CHARGES	M		210.28

Date: 06/06/2014
 Time: 3:36:32PM

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 June 2014
 STATE OF MINGENEW
 Statement of Payments for the month of May 2014

USER: SFO
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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8045	26/05/2014	HOCKEY'S PEST SERVICE	CHARGES	M		308.00
EFT8046	26/05/2014	IRWIN PLUMBING SERVICES	CHARGES	M		2,459.60
EFT8047	26/05/2014	CANINE CONTROL	FEES	M		958.38
EFT8048	26/05/2014	MINGENEW IGA PLUS LIQUOR	GROCERIES	M		390.52
EFT8049	26/05/2014	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	FEES	M		500.00
EFT8050	26/05/2014	MINGENEW SPRINGS CARAVAN PARK	CHARGES	M		238.00
EFT8051	26/05/2014	MINGENEW BAKERY	CATERING	M		151.00
EFT8052	26/05/2014	PIRTEK (GERALDTON) PTY LTD	GOODS	M		64.58
EFT8053	26/05/2014	SHEFFIELD RESOURCES LTD	Rates refund for assessment A851 MINING TENEMENT MINGENEW 6522	M		278.11
EFT8054	26/05/2014	TUDOR HOUSE	GOODS	M		121.00
EFT8055	26/05/2014	WESTRAC PTY LTD	CHARGES	M		220.53

REPORT TOTALS

Bank Code	Bank Name	TOTAL
M	MUNI - NATIONAL AUST BANK	483,849.24
T	TRUST- NATIONAL AUST BANK	108,246.57
TOTAL		592,095.81

NATIONAL BUSINESS MASTERCARD

01 May to 31st May 2014

CEO - MIKE SULLY

Repairs to damaged light tower	\$	901.56
Adobe software system	\$	19.99
Bank Fees	\$	9.20
	\$	930.75

Work's Manager - Warren Borrett

Bank Fees	\$	9.20
	\$	9.20

Manager of Admin and Finance - Cameron Watson

Internet Fees	\$	279.85
Landgate Title search fees	\$	48.00
Bank Fees	\$	9.20
	\$	337.05

Total Direct Debit Payment made on 1st May 2014	\$	1,277.00
--	-----------	-----------------

POLICE LICENSING

Direbt Debits from Muni Account

01 May to 31st May 2014

Thursday, 1 May 2014	\$	635.80
Friday, 2 May 2014	\$	2,274.15
Monday, 5 May 2014	\$	490.20
Tuesday, 6 May 2014	\$	6,520.35
Wednesday, 7 May 2014	\$	119.35
Thursday, 8 May 2014	\$	307.70
Friday, 9 May 2014	\$	982.45
Monday, 12 May 2014	\$	1,378.75
Wednesday, 14 May 2014	\$	23,488.20
Thursday, 15 May 2014	\$	1,811.85
Friday, 16 May 2014	\$	6,324.90
Monday, 19 May 2014	\$	169.85
Tuesday, 20 May 2014	\$	138.00
Wednesday, 21 May 2014	\$	324.95
Thursday, 22 May 2014	\$	893.90

Friday, 23 May 2014	\$ 501.95
Monday, 26 May 2014	\$ 612.75
Tuesday, 27 May 2014	\$ 21.50
Wednesday, 28 May 2014	\$ 83.50
Thursday, 29 May 2014	\$ 6,279.00
Friday, 30 May 2014	\$ 103.60

\$ 53,462.70

BANK FEES

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

Total direct debited from Municipal Account **\$ 152.60**

PAYROLL

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

Wednesday, 7th May 2014 \$ 40,991.24
 Wednesday, 21st May 2014 \$ 42,223.79

\$ 83,215.03

9.3 GOVERNANCE OFFICER

9.3.1 READOPTION OF THE 2013/14 ANNUAL BUDGET AND REIMPOSE RATES

Location/Address: Shire of Mingenew
Name of Applicant: Department of Local Government & Communities
Disclosure of Interest: Nil
Date: 4 June 2014
Author: Nita Jane – Governance Officer

SUMMARY

This report makes a recommendation on readopting Council’s 2013/2014 Annual Budget and reimposing the Rates.

ATTACHMENT

Letter of approval from Department of Local Government and Communities.

BACKGROUND

Council received correspondence from the Department of Local Government and Communities (The Department) indicating the Councils 2013/2014 Annual Budget was in breach of section 6.33(3) of the Local Government Act 1995 (The Act) where Ministerial approval is required for a general rate more than twice the lowest general rate. The budgeted UV – Mining rate of 22.5 is more than twice the lowest general rate of 1.2282 applied to UV – Rural.

COMMENT

The Department referred this breach of the Act to the State Administrative Tribunal who subsequently quashed the 2013/14 Rates. The result of this is that Council needed to obtain the required Ministerial approval for the imposition of differential rates. Ministerial approval has now been granted and there are no changes required to the original rates levied and therefore the original budget that was adopted.

The following table indicates the originally applied Rate Model.

ORIGINALLY ADOPTED RATING INFORMATION – 2013/14 FINANCIAL YEAR

RATE TYPE	RATE IN \$	Number of Properties	Rateable Value \$	2013/14 Budgeted Rate Revenue \$	2013/14 Budgeted Interim Rates \$	2013/14 Budgeted Back Rates \$	2013/14 Budgeted Total Revenue \$	2012/13 Actual \$
Differential General Rate								
GRV – Mingenew Town Site – Residential	11.2598	125	1241755	134622			134622	159459
GRV – Mingenew Town Site – Commercial	11.2598	18	403926	43748			43748	0
GRV – Mingenew Town Site – Industrial	11.2598	3	21200	2107			2107	0
GRV – Yandanooka Town Site	5.6353	2	5556	829			829	1578
UV – Rural	1.2282	133	97941000	1200252			1200252	1142241
UV – Mining	22.5000	10	142305	29790			29790	18254
Sub-Total		293	99765742	1411348			1411348	1321532
Minimum Payments								
GRV – Mingenew Town Site – Residential	330	79		23100			23100	27060
GRV – Mingenew Town Site – Commercial	330	10		3300			3300	0
GRV – Mingenew Town Site – Industrial	330	1		330			330	0
GRV – Yandanooka Town Site	150	1		150			150	330
UV – Rural	450	13		5850			5850	6750
UV – Mining	750	8		6000			6000	9750
Sub Total		113		38730	0	0	38730	43890
TOTAL AMOUNT OF GENERAL RATES							1450078	1365422
Ex-Gratia Rates								1255
TOTAL RATES							1450078	1366677

CONSULTATION

Vern McKay – Department of Local Government and Communities
Cameron Watson – A/CEO

STATUTORY ENVIRONMENT

Section 6.33(3) of the Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no changes to the original rate levied amount.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.3.1

That the Council:

1. Notes that the State Administrative Tribunal has quashed the general rate imposed by the Shire of Mingenew on 17 February 2014 in accordance with s 6.82 of the *Local Government Act 1995*, as the Shire of Mingenew had not obtained Ministerial approval for;
 - a. The ‘UV Mining’ general rate under s 6.33(3) of the Act which was more than twice the lowest general rate
2. Adopts a budget for 2013/2014 in accordance with section 6.3 of the Act in the same form and manner as the annual budget adopted at the council meeting held on 26 June 2013 (Recorded as Item 9.6.2 and included as Attachments the 2013/2014 Statutory Budget document and Schedule of Fees & Charges to the minutes of that meeting, and tabled herewith).
3. Notes that the Ministerial approval required for the UV Mining general rate and the UV Mining minimum payment has now been obtained and in accordance with s 6.32(3)(b) of the Act, imposes the following general rates and minimum payments:

UV Rates

Rural	\$0.012282
Mining	\$0.225000

Minimum Payments

UV Rural	\$450
UV Mining	\$750

4. Notes that resolutions 2 and 3 above validate the general rate and minimum payments imposed for 2013/14 and as the amount yielded by the general rate to cover the budget deficiency of \$1,450,078 is unaltered, there is no effect on ratepayers.



Government of **Western Australia**
Department of **Local Government**

Our Ref: MI5-1, E1417567

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

Dear Mr Sully

I refer to the Shire's email of 5 May 2014, requesting approval to impose differential rates in 2013/14 in your unimproved value area which had been quashed by the State Administrative Tribunal as the Ministerial approval required under s 6.33(3) of the *Local Government Act 1995* (the Act) had not been obtained.

I advise that I, as the A/Executive Director, under delegated authority from the Minister for Local Government have approved, in accordance with section 6.33(3) of the Act, of the Shire imposing the following differential rates:

Differential General Rate Category	Rate in Dollar (cents)	Minimum Payment
UV - Rural	1.2282	\$450
UV - Mining	22.5000	\$750

This approval is valid for the 2013/2014 financial year.

Yours sincerely

Brad Jolly
A/EXECUTIVE DIRECTOR, SECTOR REGULATION AND SUPPORT

10 June 2014

- 9.4 HEALTH, BUILDING AND TOWN PLANNING
- 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
- 13.0 TIME AND DATE OF NEXT MEETING

That the next Ordinary Council Meeting be held on 16 July 2014

- 14.0 CLOSURE