



AGENDA FOR THE  
ORDINARY COUNCIL MEETING  
TO BE HELD ON  
WEDNESDAY  
**20<sup>TH</sup> APRIL 2011**



**SHIRE OF MINGENEW**  
**ORDINARY COUNCIL MEETING NOTICE PAPER**  
**20<sup>TH</sup> APRIL 2011**

Madam President and Councillors,

An ordinary meeting of Council is called for **Wednesday, 20<sup>th</sup> April 2011**, in the Council Chambers, Victoria Street, Mingenew, commencing at **2:00pm**.

**Ian Fitzgerald**  
**Chief Executive Officer**  
15<sup>th</sup> April 2011

**MINGENEW SHIRE COUNCIL**

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**CHIEF EXECUTIVE OFFICER**

15<sup>th</sup> April 2011

## **SHIRE OF MINGENEW**

**AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON  
20 APRIL 2011 COMMENCING AT 2:00PM.**

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
- 2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**
- 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 PUBLIC QUESTION TIME / PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**
- 5 APPLICATIONS FOR LEAVE OF ABSENCE**
- 6 DECLARATIONS OF INTEREST**
- 7 CONFIRMATION OF PREVIOUS MEETINGS MINUTES**

**That the Minutes of the Ordinary Meeting of Council held Wednesday 16<sup>th</sup> March 2011 be confirmed as a true and accurate record of proceedings.**

**That the Minutes of the AGM of Electors held Wednesday 16<sup>th</sup> March 2011 be received.**

### **8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

### **9 OFFICERS REPORTS**

#### **9.1 HEALTH, BUILDING AND TOWN**

9.1.1 Grey Water Reuse Policy

9.1.2 Policy Change to Finished Floor Level (FFL)

#### **9.2 WORKS AND SERVICES**

Nil

#### **9.3 CHIEF EXECUTIVE OFFICER**

9.3.1 Constitutional Recognition of Local Government

9.3.2 Dry Seasons Grant – Allocation of Funds

9.3.3 Draft Annual Works Programme – 2011/12

- 9.3.4 Corporate Credit Card Policy
- 9.3.5 Executive Management Committee
- 9.3.6 Sale of Surplus Items
- 9.3.7 Project Status Report
- 9.3.8 Mingenew Recreation Complex – Management of
- 9.3.9 Turf Club Stewards Tower
- 9.3.10 Lease of Land – Mingenew Sports Club & Mingenew Turf Club
- 9.3.11 Lease of Land – Mingenew Football Club
- 9.3.12 Number 3 State Barrier Fence
- 9.4 CORPORATE SERVICES**
  - Nil
- 9.5 COMMUNITY DEVELOPMENT**
  - 9.5.1 Mingenew Community Sport and Recreation Strategic Plan
  - 9.5.2 Hire of Autumn Centre – Mingenew CWA
  - 9.5.3 Hire of Autumn Centre – Mingenew Painting Group
- 9.6 FINANCE**
  - 9.6.1 Financial Statements for Month Ending 31 March 2011
  - 9.6.2 Accounts for Payment – March 2011

## 9.1 HEALTH, BUILDING AND TOWN

### 9.1.1 Grey Water Reuse Policy

**Agenda Reference:** EHO 04/11 - 01  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 18.03.2011  
**Author:** Trevor Brandy, EHO

**Signature of Author:** \_\_\_\_\_

#### SUMMARY

Council discussed at its December 2010 meeting investigate a Policy to have all new buildings within the whole of Shire to be required to connect to a Alternative Treatment Unit.

#### ATTACHMENT

Nil

#### BACKGROUND

Since December a number of weather events have taken place with the demise on one of the manufacturers going into receivership begging the question of their ability to service these units as required by the Health Department of Western Australia.

#### COMMENT

Council at its February Meeting discussed an alternative of using Grey Water Reuse Systems as an alternative to ATUs. These can be serviced by any licenced plumber

#### CONSULTATION

Health Department of Western Australia

Local Plumber

#### STATUTORY ENVIRONMENT

Health Act 1911

Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

Code of Practise for the Design, Manufacture and Operation of Aerobic Treatment Units.

### **POLICY IMPLICATIONS**

That all new buildings within the Shire of Mingenew that produce grey water are to be connected to a Grey Water Reuse System

### **FINANCIAL IMPLICATIONS**

An extra cost of approximately 5-6,000 dollars per building, this can be recouped over time with water savings.

### **STRATEGIC IMPLICATIONS**

Waste Water from Domestic Dwelling consists of around 90% Grey Water and 10% Black Water. The Grey Water can be reused for underground reticulation purposes with long term savings.

### **VOTING REQUIREMENTS**

Simple Majority

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

**That Council form a Policy that;**

**Any new or renovated building producing greywater be connected to a Grey Water Reuse System and be connected by a Licenced Plumber.**

**That the remaining black water be disposed of in an approved system of disposal.**

**9.1.2 Policy Change to Finished Floor Level (FFL)**

**Agenda Reference:** EHO 04/11 - 01  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 8.04.2011  
**Author:** Trevor Brandy, EHO

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

With the changes to weather patterns experienced in other parts of the state of Australia, it seems timely to reassess our own ability to handle extreme weather conditions. Currently there is no Council policy on Finished Floor Levels (FFL) in the Shire of Mingenew only that it is to be a minimum 0 to the crown of the road.

**ATTACHMENT**

Nil

**BACKGROUND**

To set an FFL at 300 millimetres above the crown of the road would not adversely affect the privacy of adjoining neighbours and give at least 300 millimetres flood buffer to a class one building.

**COMMENT**

The added 300 mm FFL will also add to the efficiency for the building to handle the elasticity of soil in Mingenew Shire.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Change to Councils Building Conditions

**FINANCIAL IMPLICATIONS**

The average cost to a home owner would be around \$500.00 to \$1000.00.



**STRATEGIC IMPLICATIONS**

All future class 1 buildings to be 300 millimetres above the crown of the road

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.2**

**That Council adopt a Policy that all class 1 buildings are at least 300 millimetres above the crown of the road at its nearest street frontage or to the satisfaction of Councils Health/Building Officer depending on lot contour.**

**That the new policy be documented in the Shire of Mingenew standard list of building Conditions.**

**9.3.1 CONSTITUTIONAL RECOGNITION of LOCAL GOVERNMENT**

**Agenda Reference:** CEO 4/11-1  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 12<sup>th</sup> April 2011  
**Author:** Ian Fitzgerald & Wayne Scheggia (WALGA)

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

The Federal Government has committed to a referendum on Constitutional recognition for Local Government, likely to be held in conjunction with the 2013 election.

A national position was developed at the Local Government Constitutional Summit held in Melbourne in December 2008, and has been refined by the ALGA Board to focus the referendum on financial recognition.

ALGA has requested that all Local Governments formally resolve to support the conduct of the referendum.

**ATTACHMENT**

Nil

**BACKGROUND**

There is a long history of debate on Constitutional recognition for Local Government in Australia, with referendums having previously been put before the voters in 1974 and 1988, with both being defeated.

During 2008 the ALGA actioned a strategic approach aimed at securing a referendum which involved:

- some initial resource materials to assist Local Governments to conduct a conversation at the local level on the need for Constitutional recognition
- Zone or region level discussions, where appropriate, based on WALGA agenda items
- Statewide forum to determine a state Local Government position (resolved at Local Government Convention)

- A national experts forum a National Constitution Summit (Melbourne December 2008)

In 2009/10 ALGA focused advocacy around national political forums, political parties and key influential academics, while State Associations built up state profiling campaigns to improve the image and perception of their local government jurisdictions.

The ALGA Board further refined the national position in 2010 to focus specifically on financial recognition and the WALGA position was also aligned to this focus.

### **COMMENT**

Whilst the Federal Government has said that it will run a referendum, their willingness to do so in any sort of reasonable time frame will be heavily influenced by their perceptions of its likely success. A major factor in their perceptions will be the degree to which the conversation reflects broad community engagement.

It is important that local community support is marshalled to ensure that community ownership is injected into the campaign. If the campaign is seen purely as one being run by and for the local government system, then success will be difficult to achieve.

### **CONSULTATION**

Nil

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Australian Constitution

### **POLICY IMPLICATIONS**

The national policy position is consistent with the WALGA position. Adoption of the recommendation will formalise council's policy position and align it with the national campaign.

### **FINANCIAL IMPLICATIONS**

**Local level campaign:** the costs associated with any local level campaign will be contingent on its extent and complexity. Expenditures could involve expenses such as venue hire and minor catering and administrative charges including telephone calls, printing, etc. These are likely to be minimal and manageable within the constraints of budgeted operational expenditure.

**National Campaign:** these are not defined at this stage and will depend largely on the willingness of the Federal Government to fund “YES” and “NO” campaigns. A full range of funding options needs to be developed by ALGA and WALGA before the specific implications for council can be explored.

### **STRATEGIC IMPLICATIONS**

Constitutional recognition of local government will help strengthen their role in the government process and help secure funding and a future for local government.

### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICER RECOMMENDATION – ITEM 9.3.1**

**That Council:**

- 1. support the ALGA campaign for the Constitutional recognition of local government;**
- 2. call on the Federal Government to conduct a referendum to achieve the Constitutional recognition of local government at the 2013 federal election;**
- 3. develop a local level campaign, in support of the national campaign, to inform the local community and garner its support;**
- 4. acknowledge that funding implications need to be considered as part of the ongoing financial planning process.**

**9.3.2 DRY SEASONS GRANT – ALLOCATION OF FUNDS**

**Agenda Reference:** CEO 4/11-02  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 10<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to consider a further 3 formal applications received for the use of funds allocated to the Shire of Mingenew under the Department of Agriculture and Food's Dry Season Assistance Scheme. The Shire of Mingenew was allocated \$20,000 under the scheme. At the February Council meeting \$10,000 was allocated to the Mingenew Turf Club.

**ATTACHMENT**

Nil

**BACKGROUND**

Council has received \$20,000 in Dry Seasons Grant Funding to be spent on community events. \$10,000 was allocated at the February meeting and Council resolved to advertise the availability of the remaining funding and invite submissions for consideration at the April 2011 meeting.

The main condition of the grant as outlined in the documentation is copied below for Council's information:

The Shire is to spend the grant on one or more community events in the Shire that help maintain community spirit and welfare, although it may spend up to 10% of the grant on reasonable administration costs of those events. The Shire is to work with and encourage community groups and associations such as social support groups, service clubs, grower groups, farm organisations and church groups to join in organising and conducting those events. The Shire is to make all reasonable endeavours and arrangements to ensure the events are conducted safely, responsibly and appropriately.

The grant needs to be fully expended by 5<sup>th</sup> November 2011 or any unspent funds need to be returned.

## COMMENT

The funding applications that have been received are:

*Mingenew Primary School P& C Association* (this application was considered by Council in February but no formal decision made as to whether funding would be allocated)

The P & C have indicated their requested is for \$5,000 to be used to foster music and art at the school which currently does not have access to specialist teachers in these fields.

Half of the funding would be allocated to allow music to be continued at the school using external expertise. The school choir/students regularly perform at various community events including the Mingenew Expo, Christmas Carols, Anzac Day and school assemblies.

The other half of the funding would be used on a visual arts project inviting visiting artists to visit the school and expand the imaginative side of the children and culminating in an art exhibition later in the year.

The school is a very important part of our community and both projects have merit and are supported; the question is whether the grant condition of “a community event that helps maintain community spirit and welfare” is met.

### *Irwin Polocrosse Club*

The club has requested a grant of \$5,000 to assist with their Annual Carnival with the aim of attracting more participation from local residents. This event is listed in the Annual Report as a significant local event for Mingenew.

The funding would be used to:

- a) Provide a free sausage sizzle for all residents on the Friday night
- b) Provide free tea and coffee to all residents throughout the carnival
- c) Provide free meals to the local St John Ambulance Volunteers
- d) Assist with the cost of the Saturday night entertainment
- e) Subsidise the cost of catering for local residents on the Saturday night
- f) Assist with the fee payable to the Mingenew St John's Ambulance for their attendance at the 2 day carnival

The Irwin Polocrosse Club believe their Annual Carnival helps maintain community spirit by providing a sporting and social event that all local residents can enjoy.

### *Mingenew Community Resource Centre*

The Mingenew Community Resource Centre has applied for \$10,000 to assist with the planned inaugural Mingenew Rodeo.

The Rodeo has been scheduled for Saturday 16<sup>th</sup> July.

The application does not outline specific areas where the funding would be used.

It should be noted that since this application has been received the event has not been endorsed by the Management Committee of the Mingenew Community Resource Centre and the author understands the event is now being planned by a separate committee/group of people.

As discussed at the February meeting the Shire President received an informal request from the Mingenew Irwin Group for \$5,000 to assist with the holding of their bi-annual dinner or for some other undetermined event, possibly a men's health day.

Council has time to explore further options for use of the funds as we have until November 2011 to fully expend the grant.

### **CONSULTATION**

Nil

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The \$20,000 grant has been received and it is proposed all funds be allocated to compliant projects with any administration expense absorbed by Council. An invoice has recently been received from the Mingenew Turf Club for the \$10,000 already committed by Council.

### **STRATEGIC IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority.

### **OFFICER RECOMMENDATION – ITEM 9.3.2**

**That Council consider the funding requests received to date and determine the allocation of the Dry Season Community Services Grant funds.**

**9.3.3 DRAFT ANNUAL WORKS PROGRAMME – 2011/12**

**Agenda Reference:** CEO 4/11-03  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 12<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to consider a draft Annual Works Programme for 2011/12 to allow staff to complete more detailed costings for presentation as a part of the draft 2011/12 Annual Budget.

The first draft of the programme was presented to the Councillors who attended the road inspection and has been amended to reflect discussions that occurred on the day. The final programme will not be prepared for adoption by Council until the proposed road grants are confirmed.

**ATTACHMENT**

A copy of the notes from the annual road inspection of 7<sup>th</sup> April are attached, as is an updated draft version of the Works Programme

**BACKGROUND**

Nil

**COMMENT**

The programme is broken up into 4 main sections:

*Main Roads Projects:* these projects and their funding have been provisionally approved by the Regional Road Group with final confirmation once the State Budget has been announced. The projects are funded 2/3 Main Roads 1/3 Council.

*Roads to Recovery:* Council has the choice where these funds are spent subject to the guidelines all local governments are required to abide by. The exception is the Mullewa Road bridge which is a dedicated project that cannot be altered. In the current budget the Roads to Recovery funding has been directed to the Mingenew South Road upgrade but as this has now attracted Main Roads funding it is proposed this be re-allocated to gravel sheeting and reconstruction projects.

*Shire Projects:* These projects are fully determined and funded by Council – the slight variation to this is the allocation of some of our Royalties for Regions funding for the



Midlands Road paving project. This will be a carry forward project from the current year due to the delays in receiving our royalties grant.

*Other:* this provides for the maintenance of our roads. The major expenditure is on maintenance grading but provision is also made for minor repairs and maintenance to town and rural roads.

This draft programme is some \$192,000 greater than the current year's programme due to the increase in gravel re-sheeting projects and the provision for Phillips Street and Bride Street upgrades. It is provisionally budgeted that Council will receive an additional \$28,000 from Main Roads for project grants in 2011/12 with Council required to contribute \$14,000.

## **CONSULTATION**

Councillors – Annual Road Inspection

Works Manager

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

If the full programme as presented is adopted it will have a major impact on the setting of the budget for 2011/12. It is too early to determine what carry forward amount (if any) we will have from this year that could help offset the increase in expenditure. Council may wish to begin consideration as to what project/s, if any, they wish to defer until more funding becomes available.

## **STRATEGIC IMPLICATIONS**

The maintenance and upgrade of our road network and associated infrastructure is a high priority within Council's Forward Capital Works Plan and the Plan for the Future.

## **VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION – ITEM 9.3.3**

**That Council:**

- A) Receive the notes from the Annual Road Inspection of 7<sup>th</sup> April 2011**
- B) Advise the staff of any projects they wish added to or deleted from the 2011/12 Draft Works Programme**
- C) Adopt in principle the 2011/12 Works Programme so staff may prepare detail cost estimates for the identified projects**
- D) Note that the final Works Programme will not be determined until the amount of external road grants is officially advised.**

**9.3.4 CORPORATE CREDIT CARD POLICY**

**Agenda Reference:** CEO 4/11-04  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 13<sup>th</sup> April 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to consider adopting a Corporate Credit Card Policy. The auditors noted during their recent visit that whilst Council has a Purchasing Policy and there are no issues with the management of the corporate credit cards, Council does not have a formal policy on the use of credit cards.

**ATTACHMENT**

Nil

**BACKGROUND**

Nil

**COMMENT**

Council has 2 corporate credit cards that are held by the Chief Executive Officer and the Works Manager. The limits on the cars are \$7,500 and \$2,000 respectively.

***DRAFT CORPORATE CREDIT CARD POLICY***

**General**

- An agreement shall be signed by the cardholder and the local government which sets out the cardholder's responsibilities and legal obligations when using the credit card;
- A register of all current cardholders shall be kept which includes, card number, expiry date of the credit card, credit limit and details of goods and services the cardholder has authority to purchase;
- All new and existing cardholders shall be provided with a copy of the policies in relation to the use of credit cards;
- The card is withdrawn in the event their employment ceases, an extended period of leave is taken or they are moved to a position, which does not require the use of a credit card;

- The cardholders needs to report immediately if they lose or misplace their credit card to the Bank providing the card;
- Credit cards shall not be transferred to other users;
- Cards are the property of the bank and the Bank should be responsible for the destruction of all surrendered credit cards; and
- Where the cardholder fails to meet the policy guidelines, the CEO may request that the card be withdrawn or a temporary disqualification from use of the credit card or alternative action taken by the CEO.

### **Purchasing**

Corporate credit cards shall only be used for:

- Purchasing goods and services on behalf of the local government;
- Where Council has approved the purchase of fuel and oil for an officer's private use of a Council provided vehicle subject
- Personal expenditure is prohibited;
- A credit card shall not be used for cash withdrawals;
- Maximum credit limits shall be based on the cardholder's need. These are currently;
- \$7,500 for the Chief Executive Officer
- \$2,000 for Works Manager
- Purchases by facsimile, telephone or over the Internet need to be accompanied by a tax invoice / receipt of goods purchased;

### **Payments**

- Payment of accounts should be made monthly to ensure that credit charges are minimised (currently direct debit arrangement in place with the Bank to clear the outstanding balance);
- Expenditure on entertainment shall be as per CEO's pre-approval;

### **CONSULTATION**

Shire Auditors – UHY Haines Norton

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

**POLICY IMPLICATIONS**

A new policy for inclusion in the Policy Manual is proposed.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.4**

**That Council adopts the Corporate Credit Card Policy as presented and include in the Shire of Mingenew Policy Manual.**

**9.3.5 EXECUTIVE MANAGEMENT COMMITTEE**

**Agenda Reference:** CEO 4/11-05  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to appoint a Councillor to a newly formed Executive Management Committee. Under the performance review clauses of the recently endorsed Chief Executive Officer's employment contract it is stated the reviews will be conducted by the Executive Management Committee. The Committee is to comprise of the Shire President, Deputy President and one other Councillor. At present Council has not officially appointed an Executive Management Committee.

**ATTACHMENT**

Nil

**BACKGROUND**

Nil

**COMMENT**

The relevant clauses in the Contract of Employment are as follows:

**8. PERFORMANCE REVIEWS**

- (1) The Council shall ensure that a review of the CEO's performance is conducted annually or more frequently if the Council or the CEO perceives there is a need to do so.
- (2) The Council shall give the CEO a minimum of 10 working days' notice in writing that a performance review is to be conducted to enable the CEO sufficient time to prepare.
- (3) The **Executive Management Committee comprising of the Shire President, Deputy President and 1 other appointed Councillor** shall:
  - (a) conduct each performance review; and
  - (b) give to the Council a report on each performance review.
- (4) Where an external facilitator is to be used, both parties shall agree to the nominated facilitator. An external facilitator will be used on a bi-annual basis to assist Council with the performance review process.

- (5) The CEO shall prepare and submit to the Executive Management Committee and/or facilitator an assessment of his own performance prior to the conduct of the performance review by the Committee.
- (6) Under regulation 18D of the Administration Regulations, the Council shall:
  - (a) consider the report given to it by the Executive Management Committee
  - (b) decide either to accept the report (with or without modification) or to reject the report.

The other task that logically falls to this Committee is the establishment of mutually agreed performance criteria and key performance indicators against which the Chief Executive Officer's performance can be assessed. The contract currently contains the following criteria:

## **7. PERFORMANCE CRITERIA**

- (1) Subject to sub-clause (2), the following performance criteria apply to this Contract:
  - provide accurate and timely advice to the Council;
  - work in collaboration with the Council;
  - provide innovative and visionary leadership;
  - establish effective networks;
  - maintain a work environment that facilitates the development of people and encourages them to perform at a high level;
  - ensure the effective and accountable application of financial and physical resources;
  - develop and implements change management strategies to enhance service delivery;
  - initiate the development, implementation and review of effective policies.
- (2) These performance criteria may be varied and any other criteria may be included by agreement between the parties at any time during the term of this Contract.

## **CONSULTATION**

Shire President

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

Contract of Employment – Shire of Mingenew and Chief Executive Officer

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.5**

**That Council appoints Councillor Bagley (Shire President), Councillor Hathaway (Deputy President) and Councillor \_\_\_\_\_ to the Executive Management Committee.**



**9.3.6 SALE OF SURPLUS ITEMS**

**Agenda Reference:** CEO 4/11-06  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to approve the sale of items surplus to Council's requirements as advertised in the Mingenew Matters. Council authorised the sale of surplus items at the December 2010 Council meeting.

**ATTACHMENT**

Nil

**BACKGROUND**

Nil

**COMMENT**

A number of items were identified as being surplus to Council's requirements and were offered for sale. The table below lists the items on which offers have been received and is submitted for Council approval:

ITEM	PURCHASER	OFFERED AMOUNT	RANKING
Mitsubishi Tip Truck	Jack Western	\$11,700	3
	Cosgrove Farming Co	\$20,000	2
	Lockier River Farm	\$32,500	1
John Deere Ride-on mower	Warren Borrett	\$50	3
	Darren Mills	\$400	2
	Nick Diamond	\$410	1
Massey Tractor	Warren Borrett	\$300	3
	Darren Mills	\$1250	2
	Richard Addison	\$2000	1

Air conditioner	Warren Borrett	\$300	2
	Nick Diamond	\$360	1
Cement Mixer	Richard Addison	\$355	3
	Jack Western	\$600	2
	Darema Contracting	\$2000	2
	Russell Morgan	\$4,101	1
3 travelling irrigators	Holmwood Farms	\$100	1
Wood Heater	Glenn South	\$60	1

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The sale of the tip truck was included in the budget but the amounts for the other items would be additional revenue for Council.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.6 (a)**

**That Council accepts the offer of \$32,500 from Lockier River Farm for the purchase of the Mitsubishi Tip Truck**

**OFFICER RECOMMENDATION – ITEM 9.3.6 (b)**

**That Council accepts the offer of \$410 from Nick Diamond for the purchase of the John Deere ride-on mower**

**OFFICER RECOMMENDATION – ITEM 9.3.6 (c)**

**That Council accepts the offer of \$2,000 from Richard Addison for the purchase of the Massey Tractor**

**OFFICER RECOMMENDATION – ITEM 9.3.6 (d)**

**That Council accepts the offer of \$360 from Nick Diamond for the purchase of the air conditioner**

**OFFICER RECOMMENDATION – ITEM 9.3.6 (e)**

**That Council accepts the offer of \$4,101 from Russell Morgan for the purchase of the cement mixer**

**OFFICER RECOMMENDATION – ITEM 9.3.6 (f)**

**That Council accepts the offer of \$100 from Holmwood Farms for the purchase of the 3 travelling irrigators**

**OFFICER RECOMMENDATION – ITEM 9.3.6 (g)**

**That Council accepts the offer of \$60 from Glenn South for the purchase of the wood heater**

**9.3.7 PROJECT STATUS REPORT**

**Agenda Reference:** CEO 4/11-07  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

As a part of the Chief Executive Officer's last performance review the then Resource Sharing Committee recommended a regular report on the status of major projects be prepared and presented to Council for their information. The first of these reports is presented to Council this month.

**ATTACHMENT**

Project Status Report

**BACKGROUND**

Nil

**COMMENT**

During the resource sharing arrangements with the Shire of Three Springs the then Resource Sharing Committee recommended a regular report on the status of major projects be prepared and presented to Council for their information. The idea of this report was to try and keep Council informed as to the progress with major projects or activities. It was never intended to be a report on all activities but was to ensure progress on projects such as the Royalties for Regions were regularly reported to Council.

The first of these reports is presented to Council this month. There is not a lot to report this month but once the funding is received for the Royalties for Regions it will be possible to provide an update on each individual project.

**CONSULTATION**

Shire President

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.7**

**That Council receive the Project Status Report for April 2011.**

**9.3.8 MINGENEW RECREATION COMPLEX – MANAGEMENT OF**

**Agenda Reference:** CEO 4/11-08  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to give direction to the administration as to the management of the Mingenew Recreation Complex. The administration is aware of at least one piece of correspondence that has gone direct to Councillors and has been made aware of an occasion where the facilities were used without reference to Council.

**ATTACHMENT**

Nil

**BACKGROUND**

Nil

**COMMENT**

There have been several items of correspondence received in relation to the refurbishment of the recreation centre kitchen being critical of Council.

This project was funded through the initial Royalties for Regions grant and as such the project was approved by Council. It was always intended to replace the existing cupboards to ensure health standards were met and the facility was presented to a good usable standard. As we have never received a request for the ovens to be replaced and because of budgetary constraints their replacement was not factored into the refurbishment project.

The Sportsground Advisory Committee was advised at least twice of the refurbishment project as there is reference to such in the April 2009 and June 2010 meeting minutes. There was no reference to requests for upgrades or replacement of equipment.

It is acknowledged there should have been a double bowl sink installed as was the case previously. This matter is being investigated at present and it is hoped an acceptable solution can be found in the immediate future.

One of the other issues that has been raised is the lack of locks on the new cupboards. When an organisation, and especially an external organisation, hires the entire complex they expect to be able to use the kitchen and its facilities. There have been situations where such hirers have had to come back to the office for additional keys to open cupboard and this has included Council staff when an official meeting/function is being held there. This, whilst inconvenient, is ok if the booking is for a normal working day and during office hours but

creates a problem if outside these times. I have worked at a number of local governments and never come across the situation where the crockery cupboards are locked. Cupboards with individual club property are a separate issue and unless Council property is accidentally locked away do not cause concern.

The other issue administration have is the use of the facility by local clubs without reference to Council. There recently was a function at the Turf Club building that was not booked or referred to Council. In addition chairs and tables were taken from the recreation centre and used at this function, again with no reference to Council. It is the understanding of staff that furniture is not to be taken out of the recreation centre. In the past where the Turf Club building was booked and tables and chairs were required staff provided the required equipment from that held at the Town Hall. On this occasion not only was the recreation centre equipment used but it was left out all weekend including during the rain of the Sunday night/Monday morning.

Furthermore the area was not cleaned with empty drink bottles being left laying around, food not put back into fridges and dirty dishes left around. Staff have enough problems trying to control mice in this building without this sort of incident adding to the problem.

The recreation and Turf Club buildings were both booked for the Monday. It would have been embarrassing for staff and a poor reflection on Council if the hirer turned up and was presented with unclean and untidy facilities. Luckily staff noticed the condition early enough to allow cleaning to be carried out.

As the owners of the facilities Council has a duty of care to ensure they are presented in a clean and safe condition and this is difficult if not impossible if the courtesy of a booking is not made. Council has to book the facility so why should it be different for others.

Council does a great deal for all sporting clubs and always endeavours to present the ovals and facilities in first class condition. The clubs are quick to criticise if things are not right but yet feel they “own” the facilities and can use them whenever they feel like it. If Council is to present the facilities to the required standards we need to know when they are to be used. Imagine the reaction if they turned up to use the facility and it was not cleaned or the ovals mowed.

The locks at the recreation centre and Turf Club buildings are about to be changed. This was approved in the Building Programme of the 2010/11 Budget and may give Council the opportunity to regain some control over the use of the facilities. It is not intended to prevent the facilities being used but it is considered a more co-ordinated and controlled use is required to ensure there are no clashes of bookings/use and the facilities are presented to all hirers at an acceptable standard.

## **CONSULTATION**

Administration and cleaning staff.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

## **POLICY IMPLICATIONS**

It is recommended a hire policy be prepared that requires the booking of Council facilities before they are used.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.8**

**That Council give direction to administration staff as to way Council owned facilities are to be managed.**



**9.3.9 TURF CLUB STEWARDS TOWER**

**Agenda Reference:** CEO 4/11-09  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

A request, with preliminary sketch drawings, has been received from the Mingenew Turf Club seeking approval to replace the existing Stewards/Race Callers tower at the Mingenew recreation ground. The proposed new structure would be a new but modified container type structure.

**ATTACHMENT**

Sketch drawings received as a part of the request.

**BACKGROUND**

Nil

**COMMENT**

The existing tower has been deemed unsuitable by the stewards that visit Mingenew to officiate at our annual race meet. In addition the Turf Club has concerns as to the safety of the existing structure and its durability given its age.

The Turf Club has been able to attract grant funds from the Department of Racing and Gaming to assist in the supply and erection of a new facility.

The proposal is to replace the existing tower with a fully engineered, modified container set-up to be located in the same position as the existing tower. The end doors of the container would be removed and replaced with a solid wall complete with a window, a personal access door would be cut into the rear and there would be 2 roller doors installed across the front. New steps would be constructed to provide access to the tower. It is planned, at this stage, to use the top of the existing tower on top of the new container.

The new structure would be painted in the wheat and heritage red colour of the Turf Club Bar building to blend in.

The proposed new structure would be fully engineered to ensure all standards are fully met and there are no safety issues.

The Mingenew Turf Club has advised that when complete the new tower would be available to other sports and activities including Expo, football and cricket.

There has been no request for assistance from Council with this project.

**CONSULTATION**

Robert Newton – Mingenew Turf Club

The proposal has been discussed informally at the Sportsground Advisory Committee

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Minority

**OFFICER RECOMMENDATION – ITEM 9.3.9**

**That Council gives in principle approval for the installation of a new Stewards/Race Callers tower at the Mingenew recreation ground subject to:**

- a) Engineered drawings and certification being received and**
- b) Support for the project being given by the Sportsground Advisory Committee**

**9.3.10 LEASE OF LAND – MINGENEW SPORTS CLUB & MINGENEW TURF CLUB**

**Agenda Reference:** CEO 4/11-10  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to approve the lease of part of Airport Reserve Number 27425 to the Mingenew Sports Club and Mingenew Turf Club subject to confirmation being received that they wish to renew the lease and all statutory obligations being met.

**ATTACHMENT**

Nil

**BACKGROUND**

The current lease of part of Airport Reserve 27425 to the Mingenew Sports Club and Mingenew Turf Club is due to expire on 18<sup>th</sup> May 2011.

**COMMENT**

The existing 5 year lease is due to expire in mid May 2011. A letter has been forwarded to the clubs requesting advice as to whether they wish to have the lease renewed for a further 5 years. The correspondence has only recently been sent so a response has not been received.

The Local Government Act 1995 is quite specific as to the steps to be taken by Council in the disposal of property which does include leasing. The relevant section of the Local Government Act is copied below:

**3.58. *Disposing of property***

- (1) *In this section —*  
**dispose** includes to sell, **lease**, or otherwise dispose of, whether absolutely or not;  
**property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only dispose of property to —*  
(a) *the highest bidder at public auction; or*

- (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
  - (a) *it gives local public notice of the proposed disposition —*
    - (i) *describing the property concerned; and*
    - (ii) *giving details of the proposed disposition; and*
    - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
  - and*
  - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
  - (a) *the names of all other parties concerned; and*
  - (b) *the consideration to be received by the local government for the disposition; and*
  - (c) *the market value of the disposition —*
    - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
  - (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
  - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
  - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
  - (d) *any other disposition that is excluded by regulations from the application of this section.*

A check of the Minutes of 2006 could not locate where this lease was brought to Council for their formal approval and it is therefore critical that the matter is brought to Council for approval prior to any new lease being entered into.

## **CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil as there was no lease fee charged by Council.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.10**

**That Council resolve to enter into a new 5 year lease with the Mingenew Sports Club and Mingenew Turf Club for part of Reserve 27425 subject to:**

- a) Confirmation being received from the Mingenew Sports Club and Mingenew Turf Club that they wish to renew the lease**
- b) All statutory requirements being met**
- c) No written objections being received on the proposed lease**

**9.3.11 LEASE OF LAND – MINGENEW FOOTBALL CLUB**

**Agenda Reference:** CEO 4/11-11  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 14<sup>th</sup> February 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to approve the lease of part of Rifle Range Reserve Number 16335 to the Mingenew Football Club subject to confirmation being received that they wish to renew the lease and all statutory obligations being met.

**ATTACHMENT**

Nil

**BACKGROUND**

The current lease of part of rifle Range Reserve 16335 to the Mingenew Football Club is due to expire on 18<sup>th</sup> May 2011.

**COMMENT**

The existing 5 year lease is due to expire in mid May 2011. A letter has been forwarded to the clubs requesting advice as to whether they wish to have the lease renewed for a further 5 years. The correspondence has only recently been sent so a response has not been received.

The Local Government Act 1995 is quite specific as to the steps to be taken by Council in the disposal of property which does include leasing. The relevant section of the Local Government Act is copied below:

**3.58. *Disposing of property***

- (1) *In this section —*  
**dispose** includes to sell, **lease**, or otherwise dispose of, whether absolutely or not;  
**property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) *Except as stated in this section, a local government can only dispose of property to —*  
(a) *the highest bidder at public auction; or*

- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
  - (a) it gives local public notice of the proposed disposition —*
    - (i) describing the property concerned; and*
    - (ii) giving details of the proposed disposition; and*
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
  - and*
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
  - (a) the names of all other parties concerned; and*
  - (b) the consideration to be received by the local government for the disposition; and*
  - (c) the market value of the disposition —*
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) This section does not apply to —*
  - (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
  - (d) any other disposition that is excluded by regulations from the application of this section.*

A check of the Minutes of 2006 could not locate where this lease was brought to Council for their formal approval and it is therefore critical that the matter is brought to Council for approval prior to any new lease being entered into.

## **CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil as there was no lease fee charged by Council.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.3.11**

**That Council resolve to enter into a new 5 year lease with the Mingenew Football Club for part of Reserve 16335 subject to:**

- d) Confirmation being received from the Mingenew Football Club that they wish to renew the lease**
- e) All statutory requirements being met**
- f) No written objections being received on the proposed lease**



**9.3.12 NUMBER 3 STATE BARRIER FENCE**

**Agenda Reference:** CEO 4/11-12  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Northern Country Zone - WALGA  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 15<sup>th</sup> April 2011  
**Author:** Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council is requested to consider a request from the Northern Country Zone of WALGA, of which we are a member, for a \$3,000 contribution towards the erection of an upgraded No.3 State Barrier Fence.

**ATTACHMENT**

Map provided by the Northern Country Zone

**BACKGROUND**

Nil

**COMMENT**

The No.3 State Barrier Fence helps protect farmlands from the encroachment of migrating emus from the pastoral regions.

The current fence is constructed to emu proof standard and the proposed works are to upgrade the fence to wild dog standard with the added inclusion of a lap wire which will help prevent kangaroos from burrowing under the fence.

The project involves 572kms of upgraded fencing and the State Government has funded the purchase of the required materials. A request has been forwarded for every local government to contribute \$3,000 towards the cost of erection. If every local government contributed some \$420,000 would be raised.

The request is for the funding to be provided by:

- a) Inclusion in the Regional Projects component of Royalties for Regions; or
- b) Payment from the 2010/11 budget; or
- c) Provision in the 2011/12 budget; or
- d) Provision in future Regional Projects component of Royalties for Regions

The current round of Regional Projects has closed with projects needing to be submitted by 31<sup>st</sup> December 2010. Council has not provided for a contribution in the 2010/11 Budget and is yet to determine the 2011/12 Budget where provision could be made if Council wishes. The future of the Regional Projects component of Royalties for Regions has not been announced but it is anticipated approximately \$350,000 - \$400,000 will be available for our area.

Council will need to determine if it wishes to pledge \$3,000 to the proposed project and how it wishes to fund the contribution.

#### **CONSULTATION**

Northern Country Zone of WALGA

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Council will need to determine whether they wish to contribute to this project, the year in which they wish to contribute and the preferred funding source.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple majority

#### **OFFICER RECOMMENDATION – ITEM 9.3.12**

**That Council determine whether it wishes to the erection of the new Number 3 State Barrier fence and the financial year in which the contribution is to be made.**

## 9.5 COMMUNITY DEVELOPMENT

### 9.5.1 MINGENEW SPORT AND RECREATION PLAN

**Agenda Reference:** CDO 04/11 - 01  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 8<sup>th</sup> April 2011  
**Author:** Erin Greaves and Ian Fitzgerald

**Signature of Author:** \_\_\_\_\_

#### SUMMARY

Council is requested to formally adopt the Mingenew Sport and Recreation Plan developed by Gary Clark & Associates in conjunction with the Mingenew Sports Advisory Committee and staff.

#### ATTACHMENT

A copy of the Mingenew Sport & Recreation Plan is provided as a separate document with the agenda.

#### BACKGROUND

As a part of the structural reform process funding was received to help the 4 shires develop asset management plans. The 4 shires agreed (at Structural Reform Working Group level) that the preparation of sport and recreation strategic plans was an important part of this process.

In September 2010 a public meeting / workshop was held with the Mingenew Sports Advisory Committee and interested community members, facilitated by Gary Clark, to create a list of priorities for sporting facility upgrades and maintenance as determined by the sporting groups. From this list a 5 year strategic plan was to be developed highlighting these priorities which will assist Council in decision making and planning for the future.

#### COMMENT

Gary Clark & Associates were employed to utilise information gathered at this workshop to provide a draft document for approval and a follow up meeting was held in December 2010.

In February 2011 a final draft was provided to each of the sporting groups for review and comment. The Sports Advisory Committee held a meeting on the 22<sup>nd</sup> March 2011 to discuss any comments. The Mingenew Sport and Recreation Plan was formally received and a recommendation was made to Council that the document be considered for adoption.

Comments from this meeting are displayed below;

Community Sport and Recreation Plan

*Brief discussion held on the values included for costing of projects and the purpose of the plan.*

*Erin advised that costs are inflated due to expected cost escalations and to allow for unforeseen costs which will better prepare for funding applications.*

*Cr Gledhill explained that the Plan is a guide only and is subject to change. The purpose of the plan is to; guide Council in their decision making process for allocation of funds to sport and recreation facilities, maintenance and projects; assist in planning for sport and recreation projects – which acts as a supporting document for any funding applied for; and, be a supporting document for prioritising projects in Mingenew and the region which will be applicable in the case of amalgamation.*

**MOVED: Debbie Gillam**

**SECONDED: Hans Samuel**

***That the Sports Advisory Committee formally adopt the Mingenew Sport and Recreation Strategic Plan and make a recommendation to Council that the Plan be adopted.***

**ALL IN FAVOUR**

Priorities from the Mingenew Plan were then to be combined with those from the Shires of Morawa, Perenjori and Three Springs to develop a 5 Year Strategic Plan for the four shires.

The idea of the document is to be a guide to clubs and Council in preparing budgets and projects for the maintenance and up-keep of the sporting facilities within the Shire.

The Strategic Plan has been developed to support the four communities regardless of whether amalgamation goes ahead or not.

**CONSULTATION**

Gary Clark & Associates

Mingenew Sports Advisory Committee

Chief Executive Officer

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

The plan will assist Council in future planning of recreation facilities but will have no direct policy implications.

**FINANCIAL IMPLICATIONS**

The funding for the preparation of the Mingenew Sport & Recreation Plan has come from funding provided for the structural reform process and in particular the need to develop a strong asset management plan.

**STRATEGIC IMPLICATIONS**

The plan will assist the Sports Advisory Committee and Council in their planning for future improvements to recreation facilities and also provide a support document for grant applications. In addition as a part of the process of developing this plan similar plans were prepared for Morawa, Perenjori and Three Springs and then all 4 plans have been combined into a regional plan (Billeranga).

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.5.1**

**That Council adopt the Mingenew Sport and Recreation Plan as presented.**

**9.5.2 HIRE OF AUTUMN CENTRE – MINGENEW CWA**

**Agenda Reference:** CDO 04/11 - 02  
**Location/Address:** Autumn Centre Mingenew  
**Name of Applicant:** Mingenew CWA  
**File Reference:** ADM 0230  
**Disclosure of Interest:** Nil  
**Date:** 11<sup>th</sup> April 2011  
**Author:** Erin Greaves

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

The Mingenew CWA group are requesting the use of the Mingenew Autumn Centre once a month at a minimal charge and seek Council approval. To-date the request has only been received verbally.

**ATTACHMENT**

Copy of Autumn Centre Policy on Use

**BACKGROUND**

Council adopted a policy for use of the Autumn Centre in December 2010 which requires permission from Council to be sort before approval is given to hire the premises out.

The Mingenew CWA has been meeting in the Old Railway Station however this area has become unsafe for use and they have been meeting at member's houses.

HACC utilise the Autumn Centre each Friday, the first and second Wednesday of the month is taken by Rhyme Time and potentially the Painting Group (pending approval from Council) and the Seniors Citizens have indicated they would like to use the Centre every Tuesday for bingo and other activities. The Policy states that HACC would have priority of use therefore the Mingenew CWA are happy to work into this schedule but have not yet indicated a preferred day.

**COMMENT**

The Mingenew CWA would like to utilise a room at the Autumn Centre once a month or as needed for meetings and activities. They also have some cupboards which they would like to have moved to the Centre for storage.

**CONSULTATION**

Chief Executive Officer

Mingenew Autumn Centre

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Council will gain a minimal charge for hire of the venue where none was received previously. This charge is a new fee as no annual charge for this type of activity was set when adopting fees & charges for the Autumn Centre.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Minority

**OFFICER RECOMMENDATION – ITEM 9.5.2**

**That Council grant approval for the Mingenew CWA to make use of the Autumn Centre for meetings and activities, providing they do not clash with HACCC or seniors activities, at a rate of \$110 per annum.**

**9.5.3 HIRE OF AUTUMN CENTRE – MINGENEW PAINTING GROUP**

**Agenda Reference:** CDO 04/11 - 02  
**Location/Address:** Autumn Centre Mingenew  
**Name of Applicant:** Mingenew Painting Group  
**File Reference:** ADM 0230  
**Disclosure of Interest:** Nil  
**Date:** 11<sup>th</sup> April 2011  
**Author:** Erin Greaves

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

The Mingenew Painting Group is requesting the use of the Mingenew Autumn Centre every first Wednesday of the month at a charge of \$77 per year and seeks Council approval.

**ATTACHMENT**

Nil

**BACKGROUND**

Council adopted a policy for use of the Autumn Centre in December 2010 which requires permission from Council before approval is given for this type of activity.

**COMMENT**

The Mingenew Painting Group currently use the Lesser Hall Kitchen for their monthly meet however due to increasing participation the area has become unsuitable. The kitchen area is too small and there is poor heating and cooling facilities. An annual fee of \$77 is currently paid to Council for use of the kitchen between April and September, which has already been paid in full for 2011.

The Rhyme Time group, through the library's Better Beginnings program currently runs a monthly session on the first Wednesday of each month however they have negotiated to use the Centre every second Wednesday should the Painting group gain approval for its use.

**CONSULTATION**

Chief Executive Officer

Mingenew Painting Group

**STATUTORY ENVIRONMENT**

Local Government Act 1995



**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The annual charge of \$77 has already been paid for 2011 and would therefore have no impact on Council's financial position should this charge stand for the change of venue to the Autumn Centre.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.5.3**

**Council to;**

- a) Grant approval to the Mingenew Painting Group to use the Mingenew Autumn Centre on the first Wednesday of every month between April and September providing it does not clash with any need from HACC to use the building.**
- b) Allow the \$77 annual fee already paid to stand as payment for use of the Autumn Centre for the remainder of 2011.**

**9.6 FINANCE**

**9.6.1 FINANCIAL STATEMENTS FOR MONTH ENDING 31 MARCH, 2011**

**Agenda Reference:** SFO 04/11 - 01  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 5 April, 2011  
**Author:** Kylie McGree, Senior Finance Officer

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

The Monthly Statement of Financial Activity report for the month ending 31 March, 2011 is presented to Council for adoption.

**ATTACHMENT**

Finance Report ending 31 March, 2011

**BACKGROUND**

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

**COMMENT**

Council's current operating surplus as at the 31 March, 2011 is \$459,620.00

<b>SUMMARY OF FUNDS – SHIRE OF MINGENEW</b>	
Municipal Account	\$125,073.66
Business Cash Maximiser (Municipal Funds)	\$381,281.34
Trust Account	\$60,173.10
Reserve Maximiser Account	\$557,398.69

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. \$55,467.19 remains outstanding as at 31 March, 2011 with

approximately \$20,000.00 outstanding for 30 days or more. Aimee Bendsorp is following up on these outstanding debtors and will advise accordingly.

The total outstanding rates debt is \$68,299.98 as at 31 March, 2011, 2011.

It should be noted that Rates Outstanding as at end of March, 2010 was significantly lower. The final instalment is due on 29 April, 2011. Other outstanding rates will be followed up once again.

The Statement of Financial Activities Report contains explanations of Councils variances for the 2010 / 2011 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 9.6.1**

**That Council adopts the Monthly Statement of Financial Activity for the month ending the 31 March, 2011**

**9.6.2 ACCOUNTS FOR PAYMENT – MARCH 2011**

**Agenda Reference:** AO 04/11 - 01  
**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:**  
**Disclosure of Interest:** Nil  
**Date:** 7<sup>th</sup> April 2011  
**Author:** Julie Borrett

**Signature of Author:** \_\_\_\_\_

**SUMMARY**

Council to confirm the payment of creditors for the month of March 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 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 14

**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 9.6.2**

**That Council confirm the accounts as presented for March 2011 from the Municipal Fund totalling \$392,498.46 represented by Electronic Funds Transfers of EFT4914 to EFT4990 and Cheque Nos 7342 – 7349.**

- 10 ELECTED MEMBERS/ MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
  - 11.1 ELECTED MEMBERS**
  - 11.2 STAFF**
- 12 CONFIDENTIAL ITEMS**
- 13 COUNCILLOR REPORTS**
- 14 TIME AND DATE OF NEXT MEETING**

**OFFICER RECOMMENDATION – ITEM 13.1**

**That the next Ordinary Council Meeting be held on Wednesday the 18<sup>th</sup> of May 2011.**

- 15 CLOSURE**