



AGENDA FOR THE
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
21ST JULY 2010



SHIRE OF MINGENEW
ORDINARY COUNCIL MEETING NOTICE PAPER
21ST JULY 2010

Madam President and Councillors,

An ordinary meeting of Council is called for **Wednesday, 21st July 2010**, in the Council Chambers, Victoria Street, Mingenew, commencing at **2:30pm**.

Ian Fitzgerald
Chief Executive Officer
16th July 2010

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

16th July 2010

SHIRE OF MINGENEW

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

Chief Executive Officer

Shire of Mingenew

PO Box 120

MINGENEW WA 6522

Dear Sir

Written Declaration of Interest in Matter before Council

I, _____ wish to declare an interest in the following item to be considered by Council at its meeting to be held on _____

Agenda Item _____

The type of interest I wish to declare is Financial/Proximity/Indirect/Financial/Conflict (impartiality) pursuant to Section 5.65 of the Local Government Act 1995/Clause 1.3 of Councils Adopted Code of Conduct.

The nature of my interest is _____

I wish to be present and participate in any discussion and/or decision making procedure relating to the item and therefore would like Council to declare that my interest in the matter is

The extent of my interest is _____

I understand that the above information will be recorded in the minutes of the meeting and placed in the Financial Interest Register.

Yours faithfully,

Signed

Date

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- 1 OPENING**
- 2 RECORD OF ATTENDANCE/ APOLOGIES/ LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**
- 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 PUBLIC QUESTION TIME**
- 5 APPLICATION FOR LEAVE OF ABSENCE**
- 6 PUBLIC FORUM (PETITIONS/ DEPUTATIONS/ PRESENTATIONS)**

Council conducts open Council meetings. Members of the public are asked that if they wish to address the Council they state their name and put the purpose of their address as precisely as possible. A maximum of 15 minutes is allocated for public forum. The length of time an individual can speak will be determined at the President's discretion.

- 7 CONFIRMATION OF PREVIOUS MEETING MINUTES**

That the Minutes of the Ordinary Council Meeting held on the 16th June 2010 be confirmed as true and accurate.

- 8 DISCLOSURES OF FINANCIAL AND OTHER INTERESTS**

Note: That under Section 5.65 of the Local Government Act 1995 care should be exercised by all Councillors to ensure that a "financial interest" is declared and that they refrain from voting on any matters which are considered that may come within the ambit of the Act.

- 9 REPORTS OF COMMITTEES AND OFFICERS**

- 9.1 HEALTH, BUILDING AND TOWN PLANNING**

Nil

- 9.2 WORKS AND SERVICES**

Nil

- 9.3 FINANCE AND ADMINISTRATION**

- 9.3.1 Sale of Surplus Plant**

- 9.3.2 Shared Community Emergency Services Manager**

- 9.3.3 2009/2010 End of Year Transfers**

- 9.3.4 Finance Report for June 2010**

9.3.5 Accounts Due and Submitted for Payment

- 10 ANNOUNCEMENT BY PRESIDENT AND COUNCILLORS**
- 11 ELECTED MEMBERS/ MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12 URGENT BUSINESS INTRODUCED BY DECISIONS OF THE MEETING**
 - (A) ELECTED MEMBERS
 - (B) OFFICERS
- 13 CONFIDENTIAL BUSINESS AS PER LOCAL GOVERNMENT ACT S5.23 (2)**
- 14 CLOSURE**

9.3.1 SALE OF SURPLUS PLANT

Agenda Reference: CEO 07/10 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 15 July, 2010
Author: Ian Fitzgerald

Signature of Author: _____

SUMMARY

Council has received an offer of \$15,000 plus GST for one of the tandem pig trailers currently stored at the depot.

ATTACHMENT

Nil

BACKGROUND

After Council purchased the tri-axle tipping trailer in 2006/07, a decision was made to advertise for sale one of the two tandem pig trailers.

Whilst there has been some interest shown to-date there has not been any formal offers received.

COMMENT

Council has received a formal offer from Mid Coast Civil, a Dongara based company, to purchase the tandem pig trailer for \$15,000 plus GST on an “as is” basis.

The trailer is surplus to Council’s requirements now that a tri-axle tipping trailer has been purchased which is used on major construction projects together with the second pig trailer owned by Council.

Chapman Valley Council recently sold a newer pig trailer for \$17,000. It is therefore considered the \$15,000 offered is a reasonable price.

CONSULTATION

Works Manager

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

No policy implications

FINANCIAL IMPLICATIONS

The sale proceeds will be used for future purchases of plant items, taking pressure off the Municipal account and the need to raise loans or increase rates. There will be minor savings in insurance and licensing costs.

STRATEGIC IMPLICATIONS

The trailer is surplus to Council's requirements and has previously been offered for sale. The sale will not affect Council's operations in any way.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION - ITEM NO. 9.3.1

That Council accepts the offer of \$15,000 plus GST from Mid Coast Civil for the tandem pig trailer on an "as is" basis.

9.3.2 SHARED COMMUNITY EMERGENCY SERVICES MANAGER

Agenda Reference: CEO 07/10 - 02
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 15 July, 2010
Author: Ian Fitzgerald

Signature of Author: _____

SUMMARY

The Shire of Perenjori, on behalf of the four shires proposing to amalgamate, made an application to FESA for a Shared Community Services Manager. An offer has been received from FESA for such a position to be created within the four shires with the role funded 50% by FESA and 50% by the four shires.

ATTACHMENT

Sample Memorandum of Understanding and Business Plan

BACKGROUND

FESA is currently funding some 17 of these positions across the state but predominantly with larger shires and none in the Midwest region other than Geraldton.

COMMENT

The 2010/11 State Budget allows FESA to establish up to 20 more of these positions with our four shire grouping being offered one of the new positions.

This is the first time a position has been offered to a larger group of shires but FESA has acknowledged our proposed amalgamation and how closely the shires work together on many other issues. FESA has only worked with a maximum of two shires in a partnership arrangement previously.

The attached documents provide an indication of the role of Community Emergency Services Manager would play within the four shires. It is expected the position would greatly enhance the support to our emergency services volunteers which is currently limited due to the lack of resources. This is especially the case with the Local Emergency Management Committee (LEMC) which has not met for several years and is present in name only.

FESA advises the position incurs an annual cost of around \$120,000 with 50% of that coming from FESA and 50% from the shires. On the basis that the four shires agree to

participate the cost per shire would be \$15,000 each. This is seen as a minor cost to the shires but with the potential to greatly benefit Council and the community. Our ESL funds cannot be used for this position.

The Community Emergency Services Manager would be trained by FESA and have access to all of their resources but would be managed locally. Support would be provided as required, especially in the early stages of the project.

It is proposed that subject to housing being available, the person would be based in one of the four shires and would provide support to our Chief Bush Fire Control Officer and Volunteer Brigades.

CONSULTATION

FESA, Shires of Morawa and Perenjori Chief Executive Officers

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

No policy implications

FINANCIAL IMPLICATIONS

The proposed contribution of \$15,000 has been included in the draft 2010/2011 budget.

STRATEGIC IMPLICATIONS

The establishment of a Community Emergency Services Manager will greatly enhance the support to all of our emergency volunteers and in particular our bush fire brigades and LEMC Committee.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION - ITEM NO. 9.3.2

That Council agree to be a party to the Shared Community Emergency Services Manager with the Shire's of Morawa, Perenjori and Three Springs, and with FESA and allow \$15,000 in the 2010/2011 Budget as their contribution to the project.

9.3.3 2009/2010 END OF YEAR TRANSFERS

Agenda Reference: CEO 07/10 - 03
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 15 July, 2010
Author: Ian Fitzgerald

Signature of Author: _____

SUMMARY

Council is requested to endorse the actions of the Chief Executive Officer in varying the budgeted end of year reserve transfers due to the stronger financial position than predicted at the time of adopting the 2009/10 annual budget.

ATTACHMENT

Nil

BACKGROUND

The adopted budget allowed for the following transfers from Reserve to the Municipal account:

\$27,500 from the Land and Building Reserve
\$65,000 from the Plant Reserve
\$10,000 from the APU Reserve
\$15,000 from the Rehabilitation Reserve
\$22,000 from the Industrial Land Reserve

No transfers to Reserve were budgeted for.

COMMENT

The stronger financial position at 30th June 2010 was due to a range of factors including;

- Better plant purchase prices
- Use of Royalties for Regions funds on house maintenance work
- Industrial land development not finalized
- Major refuse site rehabilitation work not completed
- More private works income than anticipated

The financial Position of the Shire of Mingenew allowed for less use of reserve funds.

The transfers that did take place were;

\$10,000	from the Plant Reserve
\$10,000	from the Industrial Land Reserve
\$5,000	from the APU Reserve
\$25,000	transferred to the Accrued Leave Reserve

The result of these transfers was to see a healthy reserve fund balance of \$538,418 as at the 30th June 2010. This will provide a funding source for some major projects in coming years.

CONSULTATION

No consultation required

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

No policy implications

FINANCIAL IMPLICATIONS

The variation in the Reserve transfers has helped strengthen the various Reserve Funds without adversely affecting the end of year position of the Municipal Account.

STRATEGIC IMPLICATIONS

The reserve funds being in a strong position helps strengthen the financial position of Council and will assist in funding major projects that Council may wish to proceed with.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION - ITEM NO. 9.3.3

That Council endorses the actions of the Chief Executive Officer in verifying the transfers to and from reserve at 30th June 2010.

9.3.4 FINANCE REPORT FOR JUNE 2010

Agenda Reference: SFO 07/10 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 15 July, 2010
Author: Kylie M^cGree, Senior Finance Officer

Signature of Author: _____

SUMMARY

The Monthly Statement of Financial Activities report for the month ending 30 June, 2010 is presented to Council for adoption.

ATTACHMENT

Monthly Statement of Financial Activities report for the month ending 30 June, 2010

BACKGROUND

Financial regulations require a monthly statement of financial activities report to be presented to Council.

COMMENT

Council's operating surplus as at the 30 June, 2010 is \$1,096,689.00

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Funds	\$139,427.01
Business Maximiser Fund (Municipal)	\$215,759.01
Trust Account	\$59,042.25
Reserve Account	\$538,418.15
Rates Outstanding	\$11,960.77

It should be noted that Rates Outstanding as at end of June, 2009 was \$6,030.77.

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. \$930,627.60 was owing to Council as at 30 June, 2010 with a couple of Debtors 60 days or more. Aimee Bendsorp is following up on these outstanding accounts.

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2009 / 2010 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

No policy implications

FINANCIAL IMPLICATIONS

Financial implications are outlined in comments.

STRATEGIC IMPLICATIONS

No strategic implications

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION - ITEM NO. 9.3.4

That Council adopts the Monthly Statement of Financial Activity for the month ending 30 June, 2010.

9.3.5 ACCOUNTS DUE AND SUBMITTED FOR PAYMENT

Agenda Reference: AO 07/10 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 7th July 2010
Author: Julie Borrett

Signature of Author: _____

SUMMARY

Council is requested to confirm the payment of creditors for the month of June 2010 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.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

STAFF RECOMMENDATION – ITEM 9.3.5

That Council confirms the accounts as presented for June 2010 from the Municipal Fund totalling \$470,049.92 represented by Electronic Funds Transfers of EFT4217 to EFT4290 and Cheque No's 7225 - 7236.