



AGENDA FOR THE
ORDINARY COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
20TH JULY 2011



SHIRE OF MINGENEW
ORDINARY COUNCIL MEETING NOTICE PAPER
20TH JULY 2011

Madam President and Councillors,

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

Ian Fitzgerald
Chief Executive Officer
15th July 2011

MINGENEW SHIRE COUNCIL

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CHIEF EXECUTIVE OFFICER

15th July 2011

SHIRE OF MINGENEW

**AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON
20 JULY 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 18th June 2011 be confirmed as a true and accurate record of proceedings.

- 8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**
- 9 OFFICERS REPORTS**
 - 9.1 HEALTH, BUILDING AND TOWN**
 - 9.2 WORKS AND SERVICES**
 - 9.3 CHIEF EXECUTIVE OFFICER**
 - 9.3.1 Mid West Regional Council Membership**
 - 9.3.2 Confidential Item**
 - 9.3.3 Draft Budget 2011/2012**
 - 9.4 CORPORATE SERVICES**
 - 9.5 COMMUNITY DEVELOPMENT**
 - 9.6 FINANCE**
 - 9.6.1 Financial Statements for the Month Ending 30th June 2011**
 - 9.6.2 Accounts for Payment – June 2011**

- 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 17th August 2011.

- 15 CLOSURE**

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Mid West Regional Council - Membership

Agenda Reference: CEO 07/11 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Mid West Regional Council
File Reference:
Disclosure of Interest: Nil
Date: 14th July 2011
Author: Ian Fitzgerald

Signature of Author: _____

SUMMARY

As of the 30th June 2011 the Shire of Mingenew is technically no longer a member of the Mid West Regional Council. Council requested the MWRC allow the resignation to be deferred for 12 months and as a result the MWRC has prepared a Deed of Variation which would allow both Mingenew and Three Springs to be re-admitted as members of the MWRC.

This report seeks council's approval for the Shire President and Chief Executive officer to execute under common seal the Deed of Variation.

ATTACHMENT

A copy of the draft Deed of Amendment of the Establishment Agreement of the Mid West Regional Council is attached.

A copy of the item from the May Council meeting is also attached.

BACKGROUND

In December 2009 Council gave notice of their intention of withdrawal from the MWRC – to take effect on 30th June 2011. 18 months notice was given as per clause 13 of the Establishment Agreement

After the collapse of the proposed four shire amalgamation Council, at the May 2011 meeting, resolved to request their resignation be deferred for 12 months subject to a review of MWRC's operations.

COMMENT

Our request was presented to the MWRC Meeting on the 29th June 2011 but could not be addressed as a decision was required from each member local government.

Legal Advice has been received by the MWRC that, by virtue of the Establishment Agreement, the 2 shires have now withdrawn and that, as a consequence, they will need to be readmitted. This requires a Deed of Amendment (of the Establishment Agreement) to be executed by the remaining shires and the 2 rejoining shires.

The Deed will provide that the 2 shires which have withdrawn are to be readmitted from and including 1 July 2011. As the Deed amends the Establishment Agreement it will also require to be approved by the Minister for Local Government. This is a requirement under section 3.65 of the Local Government Act 1995.

The MWRC has arranged for preparation of the required Deed and a copy if the Deed is attached.

It is also recommended that the council authorise the Shire President and the CEO to execute the Deed under common seal. The MWRC will arrange to obtain the Minister's approval.

It should be noted that as it is not intended to amend clause 13 of the Establishment Agreement with this Deed of Agreement it is the author's interpretation that in order to withdraw Council would have to again give 18 months notice.

The MWRC has agreed to conduct a review of the Establishment Agreement and Strategic Plan during the 2011/12 financial year. A grant from the Department of Local Government has had its purpose changed to provide funding for this review (\$50,000). It is possible as part of this review the method and notice period of withdrawal may be amended.

It is also worth noting that involvement with the MWRC and investigating amalgamation options pleases the Minister for Local Government and helps to keep grant funding coming.

CONSULTATION

Mid West Regional Council

Woodhouse Legal

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Provision has been made in the 2011/12 Budget for continuing membership of the MWRC

STRATEGIC IMPLICATIONS

It is planned a review of the MWRC Establishment Agreement and Strategic Plan will be carried out during 2011/12

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.3.1

“That:

- 1. The Shire enters into the Deed of Amendment of the Establishment Agreement for the Mid West Regional Council which is attached to and forms part of the report.**
- 2. The Council authorise the Shire President and the CEO to execute the Deed under common seal.”**

9.3 CHIEF EXECUTIVE OFFICER

9.3.2 Confidential Item

9.3 CHIEF EXECUTIVE OFFICER

9.3.3 Draft Budget 2011/12

Agenda Reference: CEO 07/11 - 03
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 14th July 2011
Author: Ian Fitzgerald

Signature of Author: _____

SUMMARY

A draft of the 2011/12 Budget is presented for Council's consideration.

ATTACHMENT

The draft budget has been provided as a separate document.

BACKGROUND

Nil

COMMENT

Each year a draft budget is presented to Council for consideration and input prior to the formal document being presented for adoption.

Detailed notes are contained within the draft budget document.

CONSULTATION

Senior staff

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The formal adoption of the budget is the formal instrument that allows Council to set rate income requirements for the financial year.

STRATEGIC IMPLICATIONS

The budget provides the direction for Council and staff for the financial year and determines which projects will proceed.

VOTING REQUIREMENTS

Simple Majority (Absolute Majority for formal adoption)

OFFICER RECOMMENDATION – ITEM 9.3.3

“That Council:

- a) Review the draft budget document and**
- b) Determine what changes they wish to make to allow preparation of the formal budget document for adoption at the August Council meeting.**

9.6 FINANCE

9.6.1 FINANCIAL STATEMENTS FOR MONTH ENDING 30 JUNE, 2011

Agenda Reference: SFO 07/11 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 15 July, 2011
Author: Kylie McGree, Senior Finance Officer

Signature of Author: _____

SUMMARY

The Monthly Statement of Financial Activity report for the month ending 30 June, 2011 is presented to Council for adoption.

ATTACHMENT

Finance Report ending 30 June, 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 30 June, 2011 is \$492,194.00

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	\$125,651.38
Business Cash Maximiser (Municipal Funds)	\$333,991.62
Trust Account	\$85,189.10
Reserve Maximiser Account	\$523,616.22

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. \$89,397.06 remains outstanding as at 30 June, 2011 with approximately \$20,000.00 outstanding for 90 days or more. The two major outstanding debtors being; Midwest Development Commission and the Mingenew Community Resource

Centre with the first debtor paid since then. Still awaiting any payment plan for the Mingenew Community Resource Centre after a letter had been sent in March. Ian Fitzgerald is following up with them regarding this.

The total outstanding rates debt is \$18,264.26 as at 30 June 2011.

It should be noted that Rates Outstanding as at end of June, 2010 was \$13,990.41.

The Statement of Financial Activities Report contains explanations of Councils variances for the 2010 / 2011 financial year.

It should also be noted that there will be some changes to the June financials due to end of year processes; mainly depreciation on roads, movement in excess rates and stock take movements. These will all be reflected in the Annual Report.

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 30 June, 2011.

9.6 FINANCE

9.6.2 ACCOUNTS FOR PAYMENT – JUNE 2011

Agenda Reference: AO
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date:
Author: Julie Borrett

Signature of Author: _____

SUMMARY

Council to confirm the payment of creditors for the month of June 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 June 2011 from the Municipal Fund totalling \$351507.32 represented by Electronic Funds Transfers of EFT5160 to EFT5247 and Cheque Nos 7379 – 7398, Trust Cheques 384-385.