



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

**Wednesday 17 May 2017**

**SHIRE OF MINGENEW**

# Shire of Mingenew

## Ordinary Council Meeting Notice Paper

17 May 2017

Madam President and Councillors,

An ordinary meeting of Council is called for Wednesday, 17 May 2017, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm.

**Martin Whitely**  
**Chief Executive Officer**

13 May 2017

**MINGENEW SHIRE COUNCIL**

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**CHIEF EXECUTIVE OFFICER**  
**13 MAY 2017**



**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/Madam,

**Re: Written Declaration of Interest in Matter before Council**

I, (1) \_\_\_\_\_ wish to declare an interest in the following item to be considered by Council at its meeting to be held on

(2) \_\_\_\_\_

Agenda Item (3) \_\_\_\_\_

The type of interest I wish to declare is (4)

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section to 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to regulation 11 of the Local Government (Rule of Conduct) Regulations 2007

The nature of my interest is (5)

\_\_\_\_\_

The extent of my interest is (6)

\_\_\_\_\_

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

Yours faithfully,

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

1. Insert Name
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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## **SHIRE OF MINGENEW**

### **AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON 17 May 2017 COMMENCING AT 4.30pm**

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE**
- 6.0 DECLARATIONS OF INTEREST**
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**
  - 7.1.1 ORDINARY MEETING HELD 19 APRIL 2017**



**MINUTES FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON**

**Wednesday 19 April 2017**

**SHIRE OF MINGENEW**

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## SHIRE OF MINGENEW

### MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 19 April 2017 COMMENCING AT 4.30pm

#### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President, Cr Bagley, declared the meeting open at 4.30pm and welcomed all in attendance.

#### 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MA Bagley	President	Rural Ward
HM Newton	Councillor	Town Ward
GJ Cosgrove	Councillor	Rural Ward
MP Pearce	Councillor	Town Ward
KL Criddle	Councillor	Rural Ward
LM Eardley	Councillor	Town Ward
CR Lucken	Councillor	Town Ward

#### STAFF

MG Whitely	Chief Executive Officer
D Ojha	Finance Manager

#### APOLOGIES

Nil

#### 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

#### 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

There being no members of public the President proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 4:46pm

#### 5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

#### 6.0 DECLARATIONS OF INTEREST

Nil

#### 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

##### 7.1.1 ORDINARY MEETING HELD 15 MARCH 2017

**COUNCIL DECISION – ITEM 7.1.1**

Moved Cr Eardley

Seconded Cr Criddle

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 15 March 2017 be confirmed.

**CARRIED: 7/0**

**7.1.2 AUDIT COMMITTEE MEETING HELD 15 MARCH 2017**

**COUNCIL DECISION – ITEM 7.1.2**

**Moved Cr Newton**

**Seconded Cr Eardley**

**That the minutes of the Audit Committee of the Shire of Mingenew held in the Council Chambers on 15 March 2017 be confirmed.**

**CARRIED: 7/0**

**7.1.3 SPECIAL MEETING HELD 29 MARCH 2017**

**AMENDMENT**

**Moved Cr Newton**

**Seconded Cr Pearce**

**That the wording for the Council Decision to re-open the meeting to the public be amended from “Carried 6/0” to “Carried 7/0”**

**CARRIED 7/0**

**COUNCIL DECISION – ITEM 7.1.3**

**Moved Cr Newton**

**Seconded Cr Pearce**

**That the minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 29 March 2017 be confirmed.**

**CARRIED: 7/0**

**7.1.4 BUSH FIRE ADVISORY MEETING HELD 27 MARCH 2017**

**COUNCIL DECISION – ITEM 7.1.4**

**Moved Cr Pearce**

**Seconded Cr Criddle**

**That the minutes of the Bush Fire Advisory Meeting held in the Council Chambers on 27 March 2017 be received.**

**CARRIED: 7/0**

## 8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

## 9.0 OFFICERS REPORTS

### 9.1 CHIEF EXECUTIVE OFFICER

#### 9.1.1 DONGARA HEALTH CARE DEVELOPMENT

**Location/Address:** Shire of Irwin  
**Name of Applicant:** WA Country Health Services  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0131  
**Date:** 11 April 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends the appointment of 2 delegates to the Dongara Health Care Redevelopment Project User Group.

#### **Attachment**

Dongara Health Care Redevelopment Project User Group Terms of Reference

#### **Background**

A letter has been received by WA Country Health inviting the Shires of Irwin and Mingenew to have a representative on the Dongara Health Care Redevelopment Project User Group. The Group will consist of 8 members being;

- 2 members from the Midwest WA Country Health Services
- 2 members from the District Health Advisory Committee
- 2 members from local government being 1 from the Shire of Irwin and 1 from the Shire of Mingenew
- 2 members from the community being 1 from Irwin and 1 from Mingenew

#### **Comment**

The invitation to have 2 representatives on the Project User Group is a good opportunity for the Mingenew community to have some input into the Dongara Health Care Redevelopment. The Shire representatives can be either an elected member or officer and there are no restrictions on the community representative although it would make sense that the community representative be someone that already has an involvement with health services within Mingenew.

#### **Consultation**

If Council chose not to elect or approach a community representative to be part of the User Group then the invitations could be extended to the public.

#### **Statutory Environment**

Nil

**Policy Implications**

**Policy No. 1003**

**ELECTION TO COMMITTEES**

Nomination of Councillor/s to Positions in Council/Committees - Prior to any nomination being made the person being nominated be advised of the proposal, and appointment to the position will be subject to the approval of the nominee.

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – To be strong advocates representing the Shire's interests

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.1**

**That Council nominate 2 delegates for the Dongara Health Care Redevelopment Project User Group**

**COUNCIL DECISION – ITEM 9.1.1**

**Moved Cr Pearce**

**Seconded Cr Cosgrove**

**That Council nominate call for expressions of interest for a community representative for the Dongara Health Care Redevelopment Project User Group and present the item back to Council when the expressions of interest have closed.**

**The Presiding Person advised the meeting that the reason for the change would need to be recorded in the minutes.**

**Moved Cr Pearce**

**Seconded Cr Cosgrove**

**That the reason the officer recommendation was changed was because Council thought it was appropriate for invitations to be extended to the public for the community representative.**

**CARRIED 7/0**

### 9.1.2 2017/18 INSURANCE RENEWAL DECLARATION

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0372  
**Date:** 13 April 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends the endorsement of adjustments to property valuations proposed within the 2017/18 Property Schedule as part of the insurance renewal declaration.

#### Attachment

2017/18 Property Schedule

#### Background

Council have discussed on different occasions the amount of insurance premiums paid on a yearly basis. For the commencement of the 2015/16 financial year the decision was made to increase the insurance excess for the Shire's property schedule from \$1,000 to \$5,000. This decision resulted in savings of approximately \$20,000 a year with the savings being transferred into an Insurance Reserve. The Shire will have a \$40,000 balance in the Insurance Reserve at the end of the 2016/17 financial year.

Council discussions also revolved around looking at some of the property valuations contained within the property schedule to see if any of these valuations could be reduced to meet the needs of Council and to effectively lower the amount of the insurance premiums. Each year an insurance review is carried out with Local Government Insurance Services ("LGIS") and as part of the standard review an extensive review of the property schedule was carried out and the proposed amendments from this review are tabled for Council discussion.

#### Comment

As part of the Fair Value accounting requirements valuations for all buildings and property were completed by Craig Butler from NS Advisory. Craig Butler carried out the previous assessment in 2014 when the firm was called Integral Project Creation Pty Ltd. The valuations completed include "Fair Value" and "Insurance" valuations. The Fair Value valuations are used for accounting purposes and determine the written down value of the asset and the depreciation calculations while the Insurance valuations provide an indicative value for the replacement of the asset in the event that they are destroyed by a fire or similar event.

The methodology for the extensive insurance review that I have carried out is as follows. Firstly, the insurance valuations provided were used as a starting point for the valuations to be used in the property schedules. This meant that all valuations were adjusted to reflect the valuations provided for the replacement of the assets contained in the property schedule. Some of the current values were increased while others were reduced. In summary, as a result of the valuations provided it meant that Council did not insure any assets for a value greater than their assessed value.

Secondly, the review identified that some assets from the insurance valuations had excluded from the schedule and needed to be included. Most notably were the two Karara houses which are leased by the Shire. Although the Shire does not own the assets the lease agreement does state that the Shire is responsible for the building insurance costs, as such these properties were added to the scheduled. These items are displayed in the table below.

**Items not included under Insurance Values Included on Register**

Description	Location	Value
Depot No. 2 Shelter / Shed	Mingenew Mullewa Rd	\$30,000
Dwelling	109 Victoria Street, Mingenev (Karara House)	\$400,000
Dwelling	114 Shenton Street, Mingenev (Karara House)	\$400,000

Following discussions with Andrew Greig at LGIS it was suggested that a number of smaller assets currently insured did not require to be insured on an individual basis and could be included under a blanket cover. These assets were removed and are shown separately in the schedule under Miscellaneous Plant.

**Items Covered Under Miscellaneous Plant (Not Insured Separately)**

Description	Location	Value
Men's Shed Ablution Block	Donald Street, Mingenev	\$24,000
Bowling Club Shed	Bride Street	\$90,000
Plant Nursery, Depot 1	Linthorne St.	\$7,400
Cemetery - Limestone Entry Statement	Cemetery, Midlands Road	\$25,000
Cemetery - Fencing (Ringlock)	Cemetery, Midlands Road	\$5,500
Cemetery - Fencing (Pine log post and rail)	Cemetery, Midlands Road	\$4,100
Cemetery - Fencing (Metal Mesh)	Cemetery, Midlands Road	\$5,500
Cemetery - Information Board	Cemetery, Midlands Road	\$6,900
Cemetery - Shelter	Cemetery, Midlands Road	\$12,000
Cemetery - Niche Wall	Cemetery, Midlands Road	\$8,300
Cemetery - Poly Water Tank on metal stand	Cemetery, Midlands Road	\$2,800
Depot Hill - Information Board	Depot Hill Road	\$6,900
Depot Hill - Pine Log Fencing	Depot Hill Road	\$5,500
Depot Hill - Metal Entry Statement	Depot Hill Road	\$2,500
Depot Hill - Metal Picnic Setting	Depot Hill Road	\$2,300
Depot Hill - Entry Statement for walk	Depot Hill Road	\$4,100
Depot Hill - Information Board	Depot Hill Road	\$6,200
Drovers Rest - Shelter	Mingenew Mullewa Road	\$8,000
Standpipe - Linthorne Street	Linthorne St.	\$3,300
Samuel Pole Phillips Park - Banner Poles	Linthorne St.	\$2,800
Depot - Metal Mesh perimeter fencing	Linthorne St.	\$26,000
Tennis/Bowling Playground - Limestone edging	Bride Street	\$8,300
Cecil Newton Park - Picnic Settings (3)	Shenton Street	\$10,000
Cecil Newton Park - Shade Sail	Shenton Street	\$6,900
Cecil Newton Park - Limestone edging around gardens	Shenton Street	\$8,700
Cecil Newton Park - Colourbond fencing	Shenton Street	\$12,000
Cecil Newton Park - BBQ	Shenton Street	\$11,000
Cecil Newton Park - Wheat Stalks	Midlands Road, Mingenev	\$21,000

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Information Bay	Midlands Road, Mingenew	\$8,300
Sportsground Road - Flag Poles (4)	Sportsground Road (Memorial)	\$17,000
Entry Statement - Midlands Road	Midlands Road, Mingenew	\$8,300
Entry Statement - Mingenew Mullewa Road	Mingenew Mullewa Road	\$8,300
Entry Statement - Midlands Road	Midlands Road, Mingenew	\$9,000
Bowling Green - Timber park seats (6)	Bride Street	\$10,000
Bowling Green - Metal bowling shelter	Bride Street	\$10,000
Bowling Green - Metal shelter (2)	Bride Street	\$2,800
Bowling Green - Metal park seat (3)	Bride Street	\$6,700
Standpipe - Victoria Street	Victoria Street	\$2,800
Caravan Dump Point (Dump Ezy)	Midlands Road, Mingenew	\$12,000
Railway Reserve - Truck Ballast & town map	Midlands Road, Mingenew	\$4,100
Railway Reserve - Tourist Street Signs	Midlands Road, Mingenew	\$17,000
Railway Reserve - Timber Bench Seats	Midlands Road, Mingenew	\$9,100
Railway Reserve - Flagpole	Midlands Road, Mingenew	\$1,100
Polocrosse Grounds - Poly water tank	Ernest St	\$6,200
Polocrosse Grounds - Poly water tank on metal stand	Ernest St	\$9,700
Skatepark - Hardstand	Shenton Street	\$69,000
Skatepark - Basketball backboard	Shenton Street	\$2,800
Skatepark - Shade Sail post	Shenton Street	\$3,300
Integrated Play Equipment - Samuel Pole Phillips Park	Linthorne St.	\$28,000
Triple Swing Set - Samuel Pole Phillips Park	Linthorne St.	\$3,400
Pendulum Swing - Samuel Pole Phillips Park	Linthorne St.	\$6,900
Integrated Play Equipment - Tennis Club	Bride Street	\$39,000
Spring Rocker - Tennis Club	Bride Street	\$1,900

It is important to note that these assets tabled above are still insured up to a total value of \$374,754 as per the figure included at line 206 of the Property Schedule.

Next, I made the assumption that since we have an excess of \$5,000 that it was not necessary to insure all assets included within the schedule. The rationale used was that any asset under the value of \$7,500 would not be insured and if necessary the replacement of these assets, if required, would be deducted from the insurance reserve. It was noted that a number of assets previously insured were under \$5,000 which would not be claimed in any event since the premium would be greater than the replacement value. As an example, if there was an asset in the schedule worth \$7,000 that needed to be replaced the Shire would only receive \$2,000 after the premiums were deducted so it would be best to self-insure these items. Items under \$7,500 that have been included from the schedule are tabled below.

**Items Under \$7,500 Not Insured**

<b>Description</b>	<b>Location</b>	<b>Value</b>
Ticket Box	Recreation Ground	\$4,500
Switchboard Room-Sportsground incl. contents	Mingenew	\$4,300
Depot Hill - Information Board	Depot Hill Road	\$6,200
Tennis Courts - Poly Water Tank	Bride Street	\$6,200
Bowling Club - Fencing	Bride Street	\$6,700
Hockey Nets	Sportsground Road	\$3,400
Hockey Field - Metal Spectators Benching	Sportsground Road	\$6,700
Hockey Field - Poly water tank	Sportsground Road	\$5,500
Recreation Centre - Main Oval - Lighting (7 x 8m)	Sportsground Road	\$6,900
Recreation Centre - Colourbond fencing	Sportsground Road	\$4,100
Recreation Centre - Pump Shed	Sportsground Road	\$4,900
Depot 2 - Poly water tank	Mingenew Mullewa Road	\$6,300
Spring Rocker - Recreation Centre	Sportsground Road	\$4,800
Twin Swing Set - Recreation Centre	Sportsground Road	\$3,400

Finally and probably most importantly, the valuations of specific buildings and infrastructure were assessed on an individual basis to see if the value currently insured was actually required by Council. This process involved the assumption that in the event of some buildings or assets being destroyed that they would either (1) not be replaced or (2) be replaced but not to the same extent that the replacement cost of the asset was valued. As an example, The Shire Office, Chambers and old Lesser Hall kitchen are valued at \$3,620,000 in the property schedule, however I have made the assumption that if the Shire Office, Chambers and old Lesser Hall kitchen were to be burnt down then Council would not replace the building back to its original condition and that an amount of \$1,000,000 would be sufficient to build a fit for purpose Shire Administration building.

For some other assets the assumption was made that if that building was destroyed that it would not be replaced. An example being the Yandanooka Hall which is currently insured for \$793,000. I have made the assumption that if the Yandanooka Hall was to be burnt down that the Shire would not replace the building back to its original condition, therefore there is no point insuring the building for the full value. However, by applying \$100,000 cover for the Yandanooka Hall then this would probably be adequate to cover any incidental damage that may be sustained.

This methodology was applied to other similar assets and in some cases the assumption was made that if an asset was destroyed that it would not be replaced at all, therefore it would not be insured. In some instances the valuations were reduced to reflect what I felt was a more realistic cost to replace with a like for like asset and in other cases the assets had been duplicated so they were removed.

These items are tabled below and it is important that Council are comfortable with the methodology used as the insurance coverage will be limited the revised insurance valuations. As a comparison, the insurance premium for the property insurance for 2016/17 was \$77,935 and based on the insurance premiums being the same as 2016/17 the premium for the 2017/18 financial year would be \$40,052.

It is also prudent to mention that in addition to the insurance premiums charged, LGIS also provide the Shire with a number of other free and/or subsidised services such as counselling, risk management and health and well-being.



**Insurance Valuations adjusted as per Council Resolution**

<b>Description</b>	<b>Location</b>	<b>Assessed Value</b>	<b>Insured Value</b>
Yandanooka Hall & Ablutions	Yandanooka	\$793,000	\$100,000
Mingenew Town Hall	Victoria Street	\$1,520,000	\$500,000
Shire Office, Chambers & Kitchen	Victoria Street	\$3,620,000	\$1,000,000
Workshop & Store	Linthorne Street	\$310,000	\$0
Workshop Plant Shed	Linthorne Street	\$380,000	\$150,000
Silver Chain Ambulance Shelter	Phillip Street	\$91,000	\$0
Netball Shed	Mingenew Sportsground	\$140,000	\$50,000
Oil Recycling Shed	Mingenew Mullewa Road	\$15,000	\$0
Recycling Shed	Mingenew Mullewa Road	\$66,000	\$0
Turf Club Shed	Mingenew Sportsground	\$170,000	\$0
Depot No. 2 Store Shed	Mingenew Mullewa Road	\$66,000	\$30,000
Depot Workshop	Linthorne Street	\$380,000	\$200,000
Dwelling	Lot 89 Victoria Street (Noel)	\$270,000	\$150,000
Dwelling	Lot 66 Shenton Street (CEO)	\$530,000	\$400,000
Dwelling	5 Field Street (Works)	\$450,000	\$400,000
Dwelling	Lot 90 William Street (Durga)	\$380,000	\$300,000
Dwelling	13 Moore Street (Paulette)	\$370,000	\$300,000
Turf Club Bar	Mingenew Sportsground	\$660,000	\$300,000
Old Post Office (MIG Office)	Midlands Road	\$960,000	\$500,000
Tennis Pavilion	Bride Street	\$260,000	\$100,000
Rural Transaction Centre (CRC, Post Office, NAB)	Midlands Road	\$1,590,000	\$1,000,000
Senior Citizen Building	Phillip Street	\$670,000	\$300,000
Men's Shed	Donald Street	\$140,000	\$70,000
Basketball/Netball Court Lights	Mingenew Sportsground	\$93,000	\$40,000
Refuse Site / Transfer Station	Mingenew South Road	\$74,000	\$0
Disused Tennis Courts	Bride Street	\$100,000	\$0
Multi-purpose Court Lighting	Mingenew Sports Ground	\$140,000	\$40,000
Multi-purpose Court Lighting	Mingenew Sports Ground	\$47,000	\$20,000
Recreation Centre Water Tanks (2)	Mingenew Sports Ground	\$96,000	\$40,000
Shire Carport	Victoria Street	\$55,000	\$25,000
Refuse Site / Rifle Club Shed	Mingenew South Road	\$67,000	\$0

I will be recommending that Council endorse the proposed changes tabled above and that the savings resulting from the proposed changes be transferred into the Shire's Insurance Reserve.

**Consultation**

Craig Butler, NS Advisory  
Andrew Greig, LGIS

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

The proposed amendments will result in savings of approximately \$35-40k per annum for Council. It is proposed that these savings be transferred into the Shire's Insurance Reserve.

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.3 – Provide long term strategic leadership

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.2</b>
--

**That Council**

1. Endorse the proposed changes to the insurance valuations as per the attached 2017/18 Property Schedule, and
2. That any savings resulting from the reduction in property insurance premiums be transferred into the Insurance Reserve.

**MOTION**

**Moved Cr Cosgrove**

**Seconded Cr Pearce**

**That Council**

1. Endorse the proposed changes to the insurance valuations as per the attached 2017/18 Property Schedule, and
2. That any savings resulting from the reduction in property insurance premiums be transferred into the Insurance Reserve.

**CARRIED 7/0**

**AMENDMENT**

**Moved Cr Newton**

**Seconded Cr Pearce**

**That the 2017/18 Property Schedule be amended so that the Expo Shed and Turf Club Shed are both insured to the value of \$75,000 instead of the tabled insured values of \$150,000 for the Expo Shed and \$0 for the Turf Club Shed.**

**CARRIED 7/0**

**AMENDMENT**

**Moved Cr Pearce**

**Seconded Cr Newton**

**That the items listed under Plant less than \$7,500 not insured be reinstated to the 2017/18 Property Schedule and insured for the values listed under the Building (Insurance Limit of Liability) column.**

**CARRIED 7/0**

**The Presiding Person put the amended motion;**

**That Council**

- 1. Endorse the proposed changes to the insurance valuations as per the attached 2017/18 Property Schedule, and**
- 2. That the 2017/18 Property Schedule be amended so that the Expo Shed and Turf Club Shed are both insured to the value of \$75,000 instead of the tabled insured values of \$150,000 for the Expo Shed and \$0 for the Turf Club Shed**
- 3. That the items listed under Plant less than \$7,500 not insured be reinstated to the 2017/18 Property Schedule and insured for the values listed under the Building (Insurance Limit of Liability) column, and**
- 4. That any savings resulting from the reduction in property insurance premiums be transferred into the Insurance Reserve.**

**CARRIED 7/0**

### 9.1.3 NATIVE SEED COLLECTION

**Location/Address:** Pilbara Street, Jane Brook, Perth  
**Name of Applicant:** Ms Jeanette Taylor  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0013  
**Date:** 14 April 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that Council consider an application for the collection of salt bush seeds and quandong fruit with the Shire of Mingenew.

#### Attachment

Letter from Jeanette Taylor

#### Background

A letter has been received from a Jeanette Taylor seeking permission to collect native salt bushes and quandong fruit within the Shire of Mingenew. A copy of the letter is attached.

#### Comment

It is not unusual for applicants to write to Shire's requesting to collect native seeds within reserve land occupied by the Shire. I do have some concerns that the applicant is seeking to remove whole salt bush plants, as such I think it needs to be stipulated that only salt bush seeds may be removed. There is also a requirement that the applicant obtain a license under the Wildlife Conservation Act 1950 which will form part of the condition in approving the request.

#### Consultation

Nil

#### Statutory Environment

Wildlife Conservation Act 1950

#### Policy Implications

### 6001 PICKING WILDFLOWERS

Collection of flora (including fire wood) from land under control of Council (i.e. road reserves, vested reserves, freehold etc) is prohibited unless.

- Approval granted subject to applicant obtaining approval from the Department of Environment and CALM
- Collection of flora must be undertaken in accordance with the Environmental Protection Act and Regulations Information on legislative requirements can be obtained from Department of Environment.

#### Financial Implications

Nil

#### Strategic Implications

Community Strategic Plan

Outcome 2.1.1 – Support and promote environmental management practises.

#### Voting Requirements

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.3**

That Council approve the request from Jeanette Taylor to collect salt bush seeds and quandong fruit from reserves vested in the Shire of Mingenew under the following terms and conditions;

1. All person collecting seeds and fruit are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of the license, and
2. Permission is for the period of the date of approval to 30 June 2018, and
3. Collection is only to be undertaken by Jeanette Taylor, or persons directly employed by her that have obtained a license under the Wildlife Conservation Act 1950
4. Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds, and
5. All care will be taken not to avoid the disturbance of fauna habitat, and
6. All care will be taken to avoid any disturbance that may lead to soil degradation
7. A fee of \$110 will apply for each financial year that the request is approved

**COUNCIL DECISION – ITEM 9.1.3**

Moved Cr Cosgrove

Seconded Cr Criddle

That Council approve the request from Jeanette Taylor to collect salt bush seeds and quandong fruit from reserves vested in the Shire of Mingenew under the following terms and conditions;

1. All person collecting seeds and fruit are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of the license, and
2. Permission is for the period of the date of approval to 30 June 2018, and
3. Collection is only to be undertaken by Jeanette Taylor, or persons directly employed by her that have obtained a license under the Wildlife Conservation Act 1950
4. Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds, and
5. All care will be taken not to avoid the disturbance of fauna habitat, and
6. All care will be taken to avoid any disturbance that may lead to soil degradation
7. A fee of \$110 will apply for each financial year that the request is approved

**CARRIED 7/0**

#### 9.1.4 FEES & CHARGES - NATIVE SEED COLLECTION

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0100  
**Date:** 14 April 2017  
**Author:** Martin Whitely, Chief Executive Officer

##### Summary

This report recommends that Council introduce a fee for the collection of native seeds and other associated plant requests within the Shire of Mingenew.

##### Attachment

Nil

##### Background

Council do not have any provision within the current Schedule of Fees & Charges to charge a fee for the collection of native seeds. The introduction of a new fee requires an Absolute Majority of Council and the new fee will also need to be advertised to the public.

##### Comment

The introduction of a fee for the collection of native seeds within the Shire will ensure that people making requests are genuine in their request to Council's and intend to comply with the conditions imposed with the permits granted.

##### Consultation

Nil

##### Statutory Environment

**Local Government Act 1995 states**

#### 6.16. Imposition of fees and charges

- (1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

*\* Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
  - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
  - (b) supplying a service or carrying out work at the request of a person;
  - (c) subject to section 5.94, providing information from local government records;
  - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
  - (e) supplying goods;
  - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
  - (a) imposed\* during a financial year; and

- (b) amended\* from time to time during a financial year.

\* *Absolute majority required.*

#### **6.17. Setting level of fees and charges**

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
  - (a) the cost to the local government of providing the service or goods; and
  - (b) the importance of the service or goods to the community; and
  - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
  - (a) under section 5.96; or
  - (b) under section 6.16(2)(d); or
  - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
  - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
  - (b) limit the amount of a fee or charge in prescribed circumstances.

#### **6.18. Effect of other written laws**

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
  - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
  - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

#### **6.19. Local government to give notice of fees and charges**

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

#### **Policy Implications**

Nil

#### **Financial Implications**

The imposition of a collection fee will have a minimal impact on the Shire's Fees & Charges.

#### **Strategic Implications**

Community Strategic Plan

Outcome 4.5.2 – Maintain, review and ensure relevance of Council policies and local laws.

**Voting Requirements**

Absolute Majority

**OFFICER RECOMMENDATION – ITEM 9.1.4**

**That Council;**

- 1. Introduce a fee for the collection of native seeds and/or plant fruit, and**
- 2. The fee charged will be \$110 per annum, and**
- 3. Gives local public notice of the proposed introduction of a fee for the collection of native seeds under s6.19 of the Local Government Act 1995**

**COUNCIL DECISION – ITEM 9.1.4**

**Moved Cr Cosgrove**

**Seconded Cr Pearce**

**That Council;**

- 1. Introduce a fee for the collection of native seeds and/or plant fruit, and**
- 2. The fee charged will be \$110 per annum, and**
- 3. Gives local public notice of the proposed introduction of a fee for the collection of native seeds under s6.19 of the Local Government Act 1995**

**CARRIED 7/0**



### 9.1.5 RESTRICTED BURNING

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Bush Fire Advisory Committee  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0147  
**Date:** 14 April 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that Council consider a motion from the Bush Fire Advisory Meeting held on 27 March 2017 relating to the current ban on burning in the Shire on Sunday's.

#### Attachment

Nil

#### Background

At the Ordinary Council Meeting held on 21 April 2010 Council moved a motion to make Sunday a burning free day throughout the entirety of the year. The motion moved was as such;

100414

**MOVED:** Cr PJ Gledhill

**SECONDED:** Cr MP Pearce

**That Council declares that the Shire of Mingenew will have Sunday's as a burn free day all year round.**

**CARRIED**

**Voting 7/0**

#### Comment

The Chief Executive Officer raised at the Concept Forum in November 2016 that it had been brought to his attention that the current fire notices distributed did not make mention of the no burning on Sunday motion previously endorsed by Council. As discussed at the November 2016 Council Forum the matter was raised at the next Bush Fire Advisory held on 27 March 2017 where the following motion was passed;

**Moved Justin Bagley**

**Seconded Ben Cobley**

**That burning on Sunday is allowed once the fire season had been declared open.**

**CARRIED**

#### Consultation

Mingenew Bush Fire Advisory Committee

#### Statutory Environment

Nil

#### Policy Implications

Nil

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – To be strong advocated representing the Shire's interests

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.5**

**That Council**

1. Support the motion moved by the Bush Fire Advisory Committee to allow burning on Sundays during the opening burning season, and
2. That the decision to allow burning on Sundays during the open season comes into effect as of the date of the Council Resolution

**COUNCIL DECISION – ITEM 9.1.5**

Moved Cr Cosgrove

Seconded Cr Eardley

**That Council**

1. Support the motion moved by the Bush Fire Advisory Committee to allow burning on Sundays during the opening burning season, and
2. That the decision to allow burning on Sundays during the open season comes into effect as of the date of the Council Resolution

**CARRIED 6/1**

### 9.1.6 MURCHISON REGIONAL ABORIGINAL CORPORATION

**Location/Address:** 25 Crawford Street, Geraldton  
**Name of Applicant:** Murchison Aboriginal Regional Corporation  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0034  
**Date:** 14 April 2016  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council consider a request from the Murchison Regional Aboriginal Corporation for a rates exemption.

#### **Attachment**

Murchison Regional Aboriginal Corporation Submission

#### **Background**

A request has been received from the Murchison Regional Aboriginal Corporation (“MRAC”) seeking an exemption for property owned by MRAC and leased to a third party on the basis that the property does not constitute rateable land since it is used exclusively for charitable purposes.

#### **Comment**

Section 6.26(2) of the Local Government Act 1995 stipulates land that is considered as not rateable MRAC argue that land within the Shire of Mingenew is exempt under Section 6.26(2)(g) since the land is used exclusively for charitable purposes.

The definition of a charitable purpose is generally required to fall under one of the following areas;

- The relief of poverty, age and impotence
- The advancement of education
- The advancement of religion, and
- Other purposes beneficial to the community

A person may make an objection under Section 6.76(1)(a)(ii) of the Local Government Act 1995 on the basis that the land or part of the land is not rateable land.

Section 6.76(2)(a) clearly identifies that an objection is to be made to the local government in writing within 42 days of service of a rates notice under Section 6.41 of the Local Government Act 1995.

Section 6.76(4) of the Local Government Act 1995 allows the local government to extend the time for making the objection for such period as it thinks fit.

As the objection is dated 28 February 2017 and was received by the Shire of Mingenew on 2 March 2017, this clearly falls outside of the 42 day period as specified under Section 6.76 of the Local Government Act 1995. There is no requirement for Council to consider objections outside of this period under Section 6.76 of the Local Government Act 1995.

The applicant has the right under Section 6.78 of the Local Government Act 1995 to apply to the State Administrative Tribunal for a review of the decision of the local government to refuse to extend the time for making an objection against the rate record.

MRAC own two properties in the Shire of Mingenew, a house located at 14 Field Street and vacant land located at 2 View Street. An exemption is only sought for the property at 14 Field Street which is currently tenanted to Ms Imelda Jones. Shire rates levied on this property in 2016/17 were \$1,448.52.

**Consultation**

Nil

**Statutory Environment**

**Local Government Act 1995**

**6.26. Rateable land**

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
  - (a) land which is the property of the Crown and —
    - (i) is being used or held for a public purpose; or
    - (ii) is unoccupied, except —
      - (I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
      - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;
  - and
  - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
  - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
  - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
  - (e) land used exclusively by a religious body as a school for the religious instruction of children; and
  - (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*; and
  - (g) land used exclusively for charitable purposes; and
  - (h) land vested in trustees for agricultural or horticultural show purposes; and
  - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the *Financial Management Act 2006*) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and
  - (j) land which is exempt from rates under any other written law; and
  - (k) land which is declared by the Minister to be exempt from rates.

- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the *Gazette*.
- (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

*[Section 6.26 amended by No. 36 of 1999 s. 247; No. 77 of 2006 Sch. 1 cl. 102; No. 24 of 2009 s. 506 (correction to reprint in Gazette 7 Sep 2012 p. 4329).]*

#### **6.76. Grounds of objection**

- (1) A person may, in accordance with this section, object to the rate record of a local government on the ground —
  - (a) that there is an error in the rate record —
    - (i) with respect to the identity of the owner or occupier of any land; or
    - (ii) on the basis that the land or part of the land is not rateable land;
  - or
  - (b) if the local government imposes a differential general rate, that the characteristics of the land recorded in the rate record as the basis for imposing that rate should be deleted and other characteristics substituted.
- (2) An objection under subsection (1) is to —
  - (a) be made to the local government in writing within 42 days of the service of a rate notice under section 6.41; and
  - (b) identify the relevant land; and
  - (c) set out fully and in detail the grounds of objection.
- (3) An objection under subsection (1) may be made by the person named in the rate record as the owner of land or by the agent or attorney of that person.
- (4) The local government may, on application by a person proposing to make an objection, extend the time for making the objection for such period as it thinks fit.
- (5) The local government is to promptly consider any objection and may either disallow it or allow it, wholly or in part.
- (6) After making a decision on the objection the local government is to promptly serve upon the person by whom the objection was made written notice of its decision on the objection and a statement of its reason for that decision.

#### **6.78. Review of decision to refuse to extend time for objection**

A person who is dissatisfied with a decision of the local government to refuse to extend the time for making an objection against the rate record may apply to the State Administrative Tribunal for a review of the decision.

*[Section 6.78 amended by No. 55 of 2004 s. 695.]*

**Policy Implications**

Nil

**Financial Implications**

If Council agree to the rates exemption an amount of \$1,448.52 in rates will be refunded.

**Strategic Implications**

Community Strategic Plan

Outcome 4.5.1 – Ensure compliance with local, town planning, building and health and all other legislation.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.6**

That Council do not accept the notice of objection from the Murchison Aboriginal Regional Corporation for rateable properties within the Shire of Mingenew for the 2016/17 financial year as the notice of objection falls outside of the prescribed timeframe in accordance with Section 6.76 (2)(a) of the Local Government Act 1995.

**MOTION**

Moved Cr Cosgrove

Seconded Cr Pearce

That Council do not accept the notice of objection from the Murchison Aboriginal Regional Corporation for rateable properties within the Shire of Mingenew for the 2016/17 financial year as the notice of objection falls outside of the prescribed timeframe in accordance with Section 6.76 (2)(a) of the Local Government Act 1995.

**CARRIED 7/0**

**AMENDMENT**

Moved Cr Pearce

Seconded Cr Eardley

That a second part be added to the recommendation “That a request be made to the Northern Country Zone to consider obtaining a legal opinion on exempt land under Section 6.26(2)(g) used exclusively for charitable purposes on behalf of all Shires within the zone and that the Northern Country Zone seek WALGA to pursue the matter on behalf of all local governments.”

**COUNCIL DECISION – ITEM 9.1.6**

The Presiding Person put the amended motion;

That Council;

1. Do not accept the notice of objection from the Murchison Aboriginal Regional Corporation for rateable properties within the Shire of Mingenew for the 2016/17 financial year as the notice of objection falls outside of the prescribed timeframe in accordance with Section 6.76 (2)(a) of the Local Government Act 1995.

2. That a request be made to the Northern Country Zone to consider obtaining a legal opinion on exempt land under Section 6.26(2)(g) used exclusively for charitable purposes on behalf of all Shires within the zone and that the Northern Country Zone seek WALGA to pursue the matter on behalf of all local governments.

**CARRIED 7/0**

The Presiding Person advised the meeting that the reason for the change would need to be recorded in the minutes.

**Moved Cr Pearce**

**Seconded Cr Eardley**

That the reason the officer recommendation was changed was to raise, as a matter of importance, with the Northern Country Zone the long term repercussions of the financial impact that could result from organisations registering as charitable organisations to obtain rates exemptions under the Local Government Act 1995.

**CARRIED 7/0**

## 9.2 FINANCE

### 9.1.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 MARCH 2017

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM0304
<b>Date:</b>	13 April 2017
<b>Author:</b>	Durga Ojha, Manager of Finance
<b>Senior Officer:</b>	Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 March 2017 is presented to Council for adoption.

#### Attachment

Finance Report for period ending 31 March 2017

#### Background

The Monthly Financial Report to 31 March 2017 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

#### Comment

<b>SUMMARY OF FUNDS – SHIRE OF MINGENEW</b>	
Municipal Account	\$1,645,832
Business Cash Maximiser (Municipal Funds)	0
Trust Account	\$116,236
Reserve Maximiser Account	\$330,920



## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 19 April 2017

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 31 March 2017:

	<b>Current</b>	<b>30+ Days</b>	<b>60+ Days</b>	<b>90+ Days</b>	<b>TOTAL</b>
Amount	64,510	1,723	40	351	66,624

Rates Outstanding at 31 March 2017 were:

	<b>Current</b>	<b>Arrears</b>	<b>TOTAL</b>
Rates	171,335	24,175	195,510
Rubbish	5,222	1,351	6,573
ESL	1,781	349	2,130
Payment Plan Fees	160	0	160
<b>TOTAL</b>	<b>178,798</b>	<b>25,875</b>	<b>204,373</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/17 financial year.

### Consultation

Martin Whitely, Chief Executive Officer

### Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

**committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- (b) budget estimates to the end of the month to which the statement relates; and
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

**Policy Implications**

Nil

**Financial Implications**

Financial implications are outlined in comments.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.2.1</b>
--

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 March 2017 be received.**

<b>COUNCIL DECISION – ITEM 9.2.1</b>
--------------------------------------

**Moved Cr Newton**

**Seconded Cr Eardley**

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 31 March 2017 be received.**

**CARRIED 7/0**

### 9.1.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 MARCH 2017

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 13 April 2017  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council confirm the payment of creditors for the month of March 2017 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**

Martin Whitely, Chief Executive Officer

#### **Statutory Environment**

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

#### **Policy Implications**

Payments have been made under delegation.

#### **Financial Implications**

Funds available to meet expenditure.

#### **Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.2.2**

That Council confirm the accounts as presented for March 2017 from the Municipal & Trust Fund totalling \$282,632.36 represented by Electronic Funds Transfers of EFT 10644 to EFT10732, Direct Deduction DD7993.1, 2,3 and 4 DD8011.1, 2,3,4&5, Trust Cheque 501,502 & 503, Trust EFT 10719 Municipal Cheque numbers 8131-8136.

**COUNCIL DECISION – ITEM 9.2.2**

Moved Cr Newton

Seconded Cr Lucken

That Council confirm the accounts as presented for March 2017 from the Municipal & Trust Fund totalling \$282,632.36 represented by Electronic Funds Transfers of EFT 10644 to EFT10732, Direct Deduction DD7993.1, 2,3 and 4 DD8011.1, 2,3,4&5, Trust Cheque 501,502 & 503, Trust EFT 10719 Municipal Cheque numbers 8131-8136.

**CARRIED 7/0**

**9.3 ADMINISTRATION**

Nil

**9.4 TOWN PLANNING**

Nil

**9.5 BUILDING**

Nil

**10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

**11.1 ELECTED MEMBERS**

**11.2 STAFF**

**12.0 CONFIDENTIAL ITEMS**

**12.1 RANGER & EMERGENCY SERVICES OFFICER**

This matter will be dealt with as a confidential item in accordance with Section 5.23 of the Local Government Act as it contains information about a matter affecting an employee and/or a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**COUNCIL DECISION – MEETING CLOSED TO PUBLIC**

**Moved Cr Pearce**

**Seconded Cr Eardley**

**That the meeting be closed to members of the public in accordance with section 5.23 of the Local Government Act as it contains information about a matter affecting an employee and/or a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.**

**CARRIED 7/0**

**The meeting was closed to the public at 5:00pm.**

**COUNCIL DECISION – MEETING REOPENED TO PUBLIC**

**Moved Cr Eardley**

**Seconded Cr Cosgrove**

**That the meeting be reopened to members of the public.**

**CARRIED 7/0**

**The meeting was re-opened to the public at 5:09pm.**

**COUNCIL DECISION – ITEM 12.1**

**Moved Cr Cosgrove**

**Seconded Cr Eardley**

**That Council;**

- 1. Gives notice to Canine Control that the Shire will not be extending the current contract beyond 30 June 2017, and**
- 2. Advises DFES, Shire of Three Springs, Shire of Morawa and the Shire of Perenjori that the Shire of Mingenew will not be renewing the Memorandum of Understanding for the provision of a shared Community Emergency Services Manager and that 3 months' notice is given as per Clause 17 of the Memorandum of Understanding, and**
- 3. Authorises the Chief Executive Officer to write to the Shire of Carnamah and Three Springs informing these local governments that Council are committed to the shared services arrangement of a Ranger & Emergency Services Officer on the basis that the Shire of Mingenew would be allocated up to 20% of the resources available to a maximum of \$25,000 per annum**

**CARRIED 5/2**

Full details of Item 12.1 Ranger & Emergency Services Officer are held in the Shire of Administration office in a "Confidential Items" file.

**13.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 17 May 2017 commencing at 4.30pm.

**14.0 CLOSURE**

The Presiding Person closed the meeting at 5:10pm.

**8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

**9.0 OFFICERS REPORTS**

## 9.1 CHIEF EXECUTIVE OFFICER

### 9.1.1 DONGARA HEALTH CARE DEVELOPMENT

**Location/Address:** Shire of Irwin  
**Name of Applicant:** WA Country Health Services  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0131  
**Date:** 9 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends the appointment of 2 delegates to the Dongara Health Care Redevelopment Project User Group.

#### Attachment

Nil

#### Background

In late March 2017 the Shire received a letter from WA Country Health inviting the Shires of Irwin and Mingenew to have a representative on the Dongara Health Care Redevelopment Project User Group ("User Group"). The User Group will consist of 8 members being;

- 2 members from the Midwest WA Country Health Services
- 2 members from the District Health Advisory Committee
- 2 members from local government being 1 from the Shire of Irwin and 1 from the Shire of Mingenew
- 2 members from the community being 1 from Irwin and 1 from Mingenew

The matter was discussed at the April 2017 Ordinary Meeting where Council resolved to call for expressions of interest for a community representative for the Dongara Health Care Redevelopment Project User Group and present the item back to Council when the expressions of interest have closed.

#### Comment

Expressions of interest for the community representative was displayed on the Shire's public notice board on 21 April 2017 and advertised in the Mingenew Matters the following week. Expressions of Interest closed on 8 May 2017 and no submissions were received.

I attended the Dongara Health Care Redevelopment Project User Group on Tuesday 9 May 2017 and there were 6 people at the meeting, with only the one representative from Irwin and Mingenew. From the meeting on Tuesday the impression I was given is that the focus of the group will be to (1) look at the logistics of the layout of the existing Dongara Health Centre and (2) oversee the tender process and project management.

Given that the User Group consists of staff from the Dongara Health Centre my thoughts are that these people are best placed to provide input into the design of the building from an operation point of view. I do see some value in the Shire of Mingenew being involved in this process and more so with the tender process and project management as we will be able to provide some valuable input in these areas. I don't necessarily see that not having a community representative as part of the User Group will disadvantage Mingenew in any way, however I am in no way opposed to a community representative being involved. Given that no expressions of interest were received for the community representative position my thoughts are that the Chief Executive Officer attend the meetings and if any of the Councillors are interested in attending the User Group then they be nominated for the community representative position.



**Consultation**

Community consultation for the community representative was carried out.

**Statutory Environment**

Nil

**Policy Implications**

**Policy No. 1003**

**ELECTION TO COMMITTEES**

Nomination of Councillor/s to Positions in Council/Committees - Prior to any nomination being made the person being nominated be advised of the proposal, and appointment to the position will be subject to the approval of the nominee.

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – To be strong advocates representing the Shire's interests

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.1</b>
--

**That Council nominate 2 delegates for the Dongara Health Care Redevelopment Project User Group**

### 9.1.2 REVIEW OF DELEGATIONS REGISTER

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0342  
**Date:** 2 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends the review and adoption of the Delegations Register.

#### Attachment

Register of Delegations

#### Background

Local Governments are required to keep a register of delegations and to review the delegations at least once every financial year, as per Local Government Act 1995 sections 5.18 and 5.46. These delegations include those from Council to the Chief Executive Officer and Committees, and the Chief Executive Officer to other staff. Council last reviewed the Delegations Register in February 2017.

#### Comment

The recommended changes to the Register of Delegations have been highlighted in yellow. A summary of the proposed changes are shown below;

- All references to Works Manager changed to Works Supervisor
- All references to Finance Officer deleted
- All reference to Customer Service Officer deleted
- All dates changed to reflect the date of review and to show when each delegation has been amended
- Delegation No. 2 – Reduced purchase order authorisation for Level 2 from \$60,000 to \$10,000
- Delegation No.2 – Addition of Governance Officer as a Level 2 person
- Delegation No. 7 – Addition of Council Policy 5007 – Reimbursement of Utility Charges as resolved at the August 2016 Ordinary Council Meeting
- Delegation No. 27 – Addition of Council Policy 7007 as resolved at the February 2017 Ordinary Council Meeting
- Delegation No. 39 – Reference to Public Health Act 1911 changed to Public Health Act 2016 as resolved at the February 2017 Ordinary Council Meeting
- Delegation No. 40 – Reference to Public Health Act 1911 changed to Public Health Act 2016 as resolved at the February 2017 Ordinary Council Meeting

#### Consultation

Nil

#### Statutory Environment

Local Government (Functions & General) Regulations 1996

Local Government Act 1995 states;

#### **5.18. Register of delegations to committees**

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

**Policy Implications**

Shire of Mingenew Register of Delegations and all policy associated with this document.

**Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 4.5.1 - Ensure compliance with local, town planning, building and health and all other relevant legislation.

Outcome 4.5.2 - Maintain, review and ensure relevance of Council policies and local laws.

.

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.2</b>
--

**That Council;**

- 1. Review and Adopt the amended Delegations Register as presented, and**
- 2. The Chief Executive Officer to provide in writing powers and duties allocated to other persons as per section 5.44 (2) of the Local Government Act 1995**



# Register Of Delegations

**May 2017**

Reviewed by Shire of Mingenew – February 2017  
Reviewed by Shire of Mingenew – October 2016  
Reviewed by Shire of Mingenew – December 2015  
Reviewed by Shire of Mingenew – June 2015

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## **SUMMARY OF DELEGATIONS BY OFFICER**

### **INTRODUCTION**

#### **1. General**

The Local Government Act 1995 allows for a local government to delegate to the Chief Executive Officer (sections 5.42 and 5.43) the exercise of any of its powers or the discharge of any of its duties under the Act.

The Act allows for the Chief Executive Officer to delegate any of his powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if he desires. The powers cannot, however, be further sub-delegated.

The purpose of this document is to detail which authorities have been delegated by Council to the Chief Executive Officer, and which the Chief Executive Officer has further delegated to respective staff.

The manual details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council. This enables easier cross referencing.

#### **2. Limits on Delegations to the CEO**

The following are decisions that can not be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government;
- Appointing an auditor
- Acquiring or disposing of any property valued at an amount determined by the local government;
- Any of the local government's powers under Section 5.98, 5.99 and 5.100 of the Act;
- Borrowing money on behalf of the local government;
- Hearing or determining an objection of a kind referred to in Section 9.5;
- Any power or duty that requires the approval of the Minister or Governor; or
- Such other duties or powers that may be prescribed by the Act.

#### **3. Register of, and Records Relevant to, Delegations**

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- How the person exercised the power or discharges the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes or persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

All employees with delegated authority will be issued with a register where a record of each occasion the persons exercises their delegated authority is recorded. The onus is on the person exercising delegated authority to ensure that a record is made.

#### **4. Transfer of Authority Due to Absence**

Where an Officer not named has been appointed by Council or by an Officer authorised to make the appointment to act in a position to which the named Officer is appointed, the authority shall transfer to the Officer acting as appointed, for the duration of Council authorisation.

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

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

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

- Chief Executive Officer
- Finance Manager

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

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

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

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

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

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



**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 15 February 2017

**02 PURCHASE ORDER AUTHORISATION**

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

This delegation includes authorisation for the CEO to accept a tender for purchase up to an amount of \$150,000 (Local Government Act 1995 section 5.43 (b)).

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

Level 1 - Chief Executive Officer  
 Level 2 – Finance Manager  
 Level 2 – Works Supervisor  
 Level 2 – Governance Officer  
 Level 3 - Community Development Officer  
 Level 4 – Nil

**Conditions:** Limits on amounts:

- a) Level 1 - \$150,000 excluding the purchase of freehold land and real estate.
- b) Level 2 - up to \$10,000 excluding the purchase of freehold land and real estate.
- c) Level 3 - Within area of responsibility up to a maximum of \$500 excluding Capital items.
- d) Level 4 - Within area of responsibility up to a maximum of \$200 excluding Capital items.

**Record of Use:**

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

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

**Reference:** S5.42 Local Government Act 1995

**Council Policy:** Policy 3007 – Purchasing Policy

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
15 February 2017

**Date Reviewed and Amended:** 17 May 2017

**03 INVESTMENTS**

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:**

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

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

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

**Council Policy:** 3002 - Investments

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
17 May 2017

**Date Reviewed and Amended:** 15 February 2017

**04 POWER TO WAIVE OR WRITE OFF DEBTS**

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

**Delegated to:** Chief Executive Officer

**On delegated to**

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

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

**Record of Use:**

- Concept Forum Notes.
- Retention of file copy of relevant correspondence.

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

**Reference:** S5.42 & 5.44 Local Government Act 1995

**Council Policy:** 3006 – Debt Collection

**Date Adopted:** 18 June 2014

**Date Reviewed:**

- 18 June 2014
- 17 June 2015
- 16 December 2015
- 19 October 2016
- 17 May 2017

**Date Reviewed and Amended:** 15 February 2017

**05 RATE BOOK**

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:** Nil.

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

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

**Reference:** S5.42 & S5.42 Local Government Act 1995

**Council Policy:** 3006.1 – Debt Collection - Rates

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
17 May 2017

**Date Reviewed and Amended:** 15 February 2017

**06 MINOR DONATIONS – MONETARY**

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to approve minor donations of \$100 or less.

**Delegated to:** Chief Executive Officer

**On delegated to:** N/A.

**Conditions:**

- Subject to Council Policy 3004 – Donations.
- Report to Council at the next Concept Forum Meeting.
- All donations to be by cheque or bank transfer only.

**Record of Use:**

- Concept Forum Notes.
- Record to be kept on appropriate file and payment voucher.

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

**Reference:** S5.42 Local Government Act 1995.

**Council Policy:** 3004 - Donations

**Date Adopted:** 18 June 2014

**Date Reviewed:**

- 18 June 2014
- 17 June 2015
- 16 December 2015
- 19 October 2016
- 15 February 2017
- 17 May 2017

**Date Reviewed and Amended:** 18 June 2014



**42 DEBT RECOVERY ACTION**

<b>Function to be performed:</b>	To collect all monies owing to the Shire of Mingenew in a timely and cost effective manner.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	Compliance with the Local Government Act 1995, s5.46(3)
<b>Record of Use:</b>	In line with requirements of the Local Government Act 1995, s.5.46(3)
<b>Reference:</b>	S5.42, s5.44 & s5.45 - Local Government Act 1995. Local Government (Financial Management) Regs 1996
<b>Council Policy:</b>	3006 - Debt Collection
<b>Date Adopted:</b>	15 October 2014
<b>Date Reviewed:</b>	17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	15 October 2014

## STAFF

## 07 STAFF HOUSING

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:** N/A

**Conditions:**

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

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

**Reference:** S5.42 Local Government Act 1995.

**Council Policy:**

- 5001 – Allocation of Staff Housing
- 5002 – Residential Rentals / Leases
- 5003 – Telephones in Council and Staff Houses
- 5004 – Water Charges in Staff Housing (Council Owned)
- 5005 – Water Charges for Staff (Occupying Non - Council Property)
- 5006 – Water Charges for Non - Staff Persons Occupying Council Property
- 5007 – Reimbursement of Utility Charges

**Date Adopted:** 18 June 2014

**Date Reviewed:**

- 18 June 2014
- 17 June 2015
- 16 December 2015
- 19 October 2016
- 15 February 2017

**Date Reviewed and Amended:** 17 May 2017

**08 CONFERENCES, SEMINARS AND TRAINING COURSES**

<b>Function to be performed:</b>	Section 5.41 (g) of the Local Government Act 1995 provides that it is a CEO's function to "be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees)."  Council acknowledges that this function includes the authority and power to approve the attendance of Council staff at conferences, seminars and training courses. Attendance is to enhance the professional or occupational development of the officer, provide benefits to the individual or the Council and be relevant to the duties and responsibilities of the officer.
<b>Delegated to:</b>	Chief Executive Officer.
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	1) In exercising this function, the Chief Executive Officer shall have regard to Council Policy 4006 – Professional Development. 2) This function is not to be on delegated
<b>Record of Use:</b>	Conference, Seminar or Training outcome documentation to be kept on Personnel Files
<b>Reference:</b>	S5.42 Local Government 1995.
<b>Council Policy:</b>	4006 – Professional Development 4006.1 – Payment of Expenses
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

**Record of Use:** Applications and approvals to be kept in Filing System.

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

**Reference:** S5.42 Local Government 1995

**Council Policy:** 6002 – Hall & Recreation Centre Hire

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
17 May 2017

**Date Reviewed and Amended:** 15 February 2017

**10 CONTRACT VARIATIONS**

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to approve minor variations to contracts entered into by Council.

**Delegated to:** Chief Executive Officer

**On delegated to:** N/A.

**Conditions:**

- Monetary variations to contracts are not to exceed the amount set aside in the budget adopted by Council.
- Report to Council at the next Concept Forum Meeting

**Record of Use:**

- Record to be kept on appropriate file and Contract Register.
- Concept Forum Notes.

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

**Reference:** S5.42 & S5.44 Local Government 1995

**Council Policy:** N/A.

**Date Adopted:** 18 June 2014

**Date Reviewed:**

- 18 June 2014
- 17 June 2015
- 16 December 2015
- 19 October 2016
- 15 February 2017
- 17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**11 LEGAL ADVICE**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

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

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

**Reference:** S5.41, 5.42 & S5.44 Local Government Act 1995

**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:**  
18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
17 May 2017

**Date Reviewed and Amended:** 15 February 2017

**12 ENFORCEMENTS AND LEGAL PROCEEDINGS**

<b>Function to be performed:</b>	<ol style="list-style-type: none"> <li>1) To appoint persons or classes of person to be authorised for the purposes of performing particular functions in regard to the enforcement of laws.</li> <li>2) To issue to each person authorised to enforce laws a certificate stating that the person is so authorized and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorized person.</li> <li>3) To extend the time period within which infringement notices may be paid (S9.19 of the Act)</li> <li>4) Use discretion to withdraw any infringement notice issued by an Authorised Office under the Act, following consideration of any submissions of special circumstances relating to it received from the Authorised Office, the notice recipient or other persons (S9.20 of the Act)</li> </ol>
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	Compliance with: Local Government Act 1995, S9.23 Dog Act 1976 Bush Fire Act 1954 Health Act 1911 Miscellaneous Provisions Act 1960
<b>Record of Use:</b>	Retention of File copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	<ul style="list-style-type: none"> <li>- S5.42, S5.44, S9.10, S9.19, S9.20 and S9.23 Local Government Act 1995</li> <li>- Section 44.9 Miscellaneous Provisions Act 1960</li> </ul>
<b>Council Policy:</b>	N/A.
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**13 EXPENDITURE PRIOR TO ADOPTION OF BUDGET**

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

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:** Nil.

**Record of Use:** Retention of documentation involved

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

**Reference:** S5.42 Local Government Act 1995

**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
15 February 2017

**Date Reviewed and Amended:** 17 May 2017



**14 CERTAIN THINGS TO BE DONE IN RESPECT OF LAND**

<b>Function to be performed:</b>	Council delegates its authority and power to the Chief Executive Officer to issue notices pursuant to Section 3.25 of the Local Government Act 1995.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	<ol style="list-style-type: none"><li>1. Subject to the express provisions contained in the applicable Act, Council's Resolutions and Policies.</li><li>2. Applicant being advised of objections and/or appeal rights.</li></ol>
<b>Record of Use:</b>	Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	S3.25 Local Government Act 1995
<b>Council Policy:</b>	N/A.
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**15 IMPOUNDING GOODS – AUTHORISED EMPLOYEE**

<b>Function to be performed:</b>	The Chief Executive Officer is delegated authority to: <ol style="list-style-type: none"> <li>1. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding;</li> <li>2. Take appropriate action in respect to impounded non perishable goods in accordance with Section 3.42;</li> <li>3. Give notice in accordance with Section 3.44 to collect goods;</li> <li>4. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46;</li> <li>5. Take action to recover expenses in accordance with Section 3.48</li> </ol>
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	
	<i>The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Environmental Health Officer and Ranger.</i>
<b>Conditions:</b>	Subject to the express provisions contained in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Pt 6.
<b>Record of Use:</b>	Report to Council.
<b>Reference:</b>	Local Government 1995 Act (As Amended) – S5.42 Local Government 1995 Act – Sections 3.39, 3.42, 3.44, 3.46 and 3.48
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

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

<b>Function to be performed:</b>	Council delegates its authority and power to the Chief Executive Officer to dispose of any vehicles, animals or goods that have been impounded/seized/confiscated under the provisions of Section 3.47 and 3.58 of the Local Government Act 1995.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A
<b>Conditions:</b>	<ol style="list-style-type: none"> <li>1. The Chief Executive Officer may dispose of the above only after calling public tenders in accordance with Part 4 of the Local Government (Functions and General) Regulations.</li> <li>2. The Chief Executive Officer is authorised pursuant to Section 5.43(B) of the Local Government Act 1995 to accept any tender up to the value of \$5,000.</li> <li>3. Tenders for amounts exceeding \$5,000 shall be referred to the Council for consideration.</li> </ol>
<b>Record of Use:</b>	Report to Council at the next Concept Forum Meeting.
<b>Reference:</b>	Local Government Act 1995 – S3.47, S3.58, S5.42 & S5.43. Local Government (Functions and General) Regulations, Pt 4.
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**17 PROCEEDINGS UNDER DOG ACT**

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

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

*This delegation not to be on delegated.*

**Conditions:** Nil.

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

**Reference:** Dog Act 1976 – S.44 & S.29

**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:**  
18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**18 OPENING FENCES AND GATES**

<b>Function to be performed:</b>	Council delegates its authority and power to the Chief Executive Officer to approve the opening of fences and the erection of gates on road surveys on both boundary and internal fencing of properties.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A
<b>Conditions:</b>	<ul style="list-style-type: none"><li>- In any circumstances considered controversial, the applications are to be referred to Council.</li><li>- All requirements of Section 3.36 to be applied</li></ul>
<b>Record of Use:</b>	Retention of file copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	<ul style="list-style-type: none"><li>- Local Government Act 1995, S3.36</li><li>- Provisions of the Local Government Act 1995, Schedule 3.2</li></ul>
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**19 OFFENCES – BUSH FIRES ACT**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

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

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

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

**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:**  
18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**20 BURNING – VARIATION TO RESTRICTED AND PROHIBITED BURNING**

<b>Function to be performed:</b>	That pursuant to Section 17 (10) and 18 (5) of the Bush Fires Act, the Shire President and Chief Executive Officer, in consultation with the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officers are delegated authority jointly, the Council's powers and duties under the Bush Fires Act 1954 in respect to varying the prohibited burning times and the restricted burning times.
<b>Delegated to:</b>	Chief Executive Officer and Shire President
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	Nil
<b>Record of Use:</b>	Retention of file copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Bush Fires Act 1954 – S.17(10) & S.18(5)
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**ENGINEERING****21 TRAFFIC REGULATORY SIGNS**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:**

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

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

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

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

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:**  
 18 June 2014  
 17 June 2015  
 16 December 2015  
 19 October 2016  
 15 February 2017  
 17 May 2017

**Date Reviewed and Amended:** 18 June 2014



**22 EVENTS ON ROADS – CLOSING OF THOROUGHFARE**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

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

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

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

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

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

<b>Function to be performed:</b>	Council delegates its authority and power to the Chief Executive Officer, to take what action is deemed necessary in achieving the purpose for which a notice was given pursuant to Section 3.25 and 3.26 of the Local Government Act from persons who failed to comply with the said notice and for the recovery of costs.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A
<b>Conditions:</b>	Nil.
<b>Record of Use:</b>	Retention of file copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Local Government Act 1995 S5.42 & S3.25 Local Government Act 1995, Schedule 3.1 - Division 1 Local Government Act 1995, Schedule 3.1 - Division 2
<b>Council Policy:</b>	Nil
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**24 NOTIFICATION TO AFFECTED OWNERS ABOUT PROPOSALS**

<b>Function to be performed:</b>	Council delegates its authority and power to the Chief Executive Officer to ensure the requirements of Section 3.51 of the Local Government Act 1995, are observed relating to affected land owners of land works being notified of proposals and allowed a reasonable time to make submissions in order that such may be considered.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A
<b>Conditions:</b> Regulations 1996.	Compliance the Local Government (Functions and General)
<b>Record of Use:</b>	Retention of file copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Local Government Act 1995, S5.42 & S3.51(3) Local Government (Functions & General) Regulations 1996
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**25 ENSURING PUBLIC ACCESS MAINTAINED**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

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

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

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

**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**26 POWERS OF ENTRY ONTO LAND**

<b>Function to be performed:</b>	Council delegates its authority and power to the Chief Executive Officer to undertake the functions and duties required under Part 3 - Subdivision 3 - (Power of Entry) of the Local Government Act 1995 in respect of Section 3.39 - Appointment of Authorised Persons for the purpose of removing and impounding goods that are involved in the contravention which can lead to impounding. Section 3.40 - Removal of Vehicle and impounding of goods by an authorised person. Section 3.42 - Action required in respect to impounding of non-perishable goods. Section 3.44 - The Issue of Notices regarding collection of goods if not confiscated. Section 3.46 - Withholding of goods pending payment of costs. Section 3.47 - The Disposal of confiscated goods. Section 3.48 - Recovery of Costs incurred in the impounding exercise.
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A
<b>Conditions:</b>	Compliance with the Local Government (Functions and General) Regulations 1996.
<b>Record of Use:</b>	Retention of file copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Local Government Act 1995 (As Amended) – S5.42, S3.39, S3.40, S3.44, S3.46 & S3.47 Local Government (Function & General) Regulations 1996
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**27 ROAD CLOSURES - TEMPORARY**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

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

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

**Reference:** Local Government Act 1995 – S5.42, S3.50 & S3.51  
Local Government (Function & General) Regulations 1996  
Road Traffic Act 1974

**Council Policy:** 7007 – Road Closure Policy

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**28 DISPOSAL OF SURPLUS EQUIPMENT, MATERIALS, TOOLS ETC**

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's depot, or any other fair means, items of surplus equipment, materials, tools etc which are no longer required, or are deemed outmoded or are no longer serviceable.

**Delegated to:** Chief Executive Officer

**On delegated to:** N/A

**Conditions:** This delegation applies only to items with a written down value of less than \$5,000. Any sale organised by the Chief Executive Officer under this delegated authority shall be advertised by placing notices on appropriate notice boards within the Mingenew Township.

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

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

**Reference:** Local Government (Miscellaneous Provisions) Act 1960

**Council Policy:** N/A

**Date Adopted:** 18 June 2014

**Date Reviewed:**  
18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**29 ROAD TRAINS AND EXTRA MASS PERMITS**

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

**Delegated to:** Chief Executive Officer

**On delegated to**

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

**Conditions:** Nil.

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

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

**Reference:** Local Government Act 1995 - S5.42

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014



**TOWN PLANNING & BUILDING****30 BUILDING NOTICES**

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to issue notices pursuant to the provisions of the Building Act 2011 and Building Regulations 2012.

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:**

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

**Record of Use:** File copies of notices issued.

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

**Reference:** Building Act 2011  
Building Regulations 2012

**Council Policy:** Policy Manual – Section 9000 – Building Approvals

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 19 October 2016

**31 BUILDING LICENCES**

<b>Function to be performed:</b>	Council delegates its authority and power to the "Building Surveyor" in accordance with S374 (1b) of the Local Government (Miscellaneous Provisions) Act 1960 in respect of:- <ol style="list-style-type: none"> <li>1. Approval or refusal of plans and specifications relating to applications for building licences and the authority to issue or refuse building licences, including the authority to impose conditions as appropriate.</li> <li>2. The authority to extend, for a period not exceeding twelve months, time for an applicant who has been issued a licence, to complete construction.</li> <li>3. The authority to approve or refuse amended plans and/or specifications including the authority to impose conditions as appropriate.</li> </ol>
<b>Delegated to:</b>	Building Surveyor
<b>On delegated to:</b>	N/A
<b>Conditions:</b>	<ol style="list-style-type: none"> <li>1. Subject to the provisions of the Building Act 2011 and Building Regulations 2012 and subject to the relevant building codes, Local Laws, Council's Policies and specific Resolutions of Council.</li> <li>2. Prior to issuing a building licence in respect of an outbuilding which exceeds 75m<sup>2</sup> in area or 3m in height, the application shall be submitted to Council for consideration.</li> <li>3. Applicant being advised of objection and/or appeal rights.</li> </ol>
<b>Record of Use:</b>	<p>Licences and correspondence issued.</p> <p>Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.</p>
<b>Reference:</b>	Building Act 2011 and Building Regulations 2012
<b>Council Policy:</b>	Policy Manual – Section 9000 – Building Approvals

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 19 August 2015

**32 DEMOLITION LICENCES**

**Function to be performed:** The Chief Executive Officer is delegated authority to approve the issue of a demolition licence Building Act 2011 to take down a building or a part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:** Nil.

**Record of Use:** Licences and correspondence issued.

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

**Reference:** Building Act 2011  
Building Regulations 2012

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 19 August 2015

**33 BUILDING – EXTENSIONS OF TIME TO COMPLETE**

<b>Function to be performed:</b>	Council delegates its authority and power to the Building Surveyor in accordance with the Building Act 2011 to approve of an extension of time where it was not possible to complete the building within the period specified in the Building Licence.
<b>Delegated to:</b>	Building Surveyor
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	Subject to the payment of an additional Building Licence fee calculated in the following manner:-  The fee payable is to be in proportion to the extent of the building to be completed for example:  <ul style="list-style-type: none"> <li>- if 25% of the building is completed, then 75% of the fee is charged</li> <li>- if 50% of the building is completed, then 50% of the fee is charged</li> <li>- if 75% of the building is completed, then 25% of the fee is charged</li> </ul>
<b>Record of Use:</b>	Licences and correspondence issued.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Building Act 2011 Building Regulations 2012
<b>Council Policy:</b>	
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	19 August 2015

**34 WORKS – UNLAWFUL**

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to issue stop work where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.

The Chief Executive Officer is to withdraw stop work notices where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:**

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

**Record of Use:** Notices and correspondence issued.

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

**Reference:** Building Act 2011  
Building Regulations 2012

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 19 August 2015

**35 BUILDINGS - DANGEROUS**

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to carry out the following functions :-

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

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

**Record of Use:** Certificates, notices and correspondence issued.

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

**Reference:** Building Act 2011  
Building Regulations 2012

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 19 August 2015

**36 CERTIFICATES OF CLASSIFICATION**

**Function to be performed:** The Chief Executive Officer is delegated authority to issue Certificates of Classification of Buildings in accordance with the Building Act 2011.

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:** Nil.

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

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

**Reference:** Building Act 2011

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 19 August 2015



**37 DANGEROUS EXCAVATION IN OR NEAR PUBLIC THOROUGHFARES**

<b>Function to be performed:</b>	The Chief Executive Officer is delegated authority to take all appropriate action in accordance with Local Government (Uniform Local Provisions) Regulation No. 11 to remove, or have removed, any dangerous excavation in a public thoroughfare or land adjoining a public thoroughfare
<b>Delegated to:</b>	Chief Executive Officer
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	Nil.
<b>Record of Use:</b>	Retention of file copy of relevant correspondence.  Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Local Government Act 1995 – S5.42
<b>Council Policy:</b>	N/A
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

**38 DEVELOPMENT APPLICATIONS - ADVERTISING**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:** Nil.

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

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

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

**Council Policy:** Nil

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

## HEALTH

## 39 HEALTH ACT – NOTICES AND ORDERS

**Function to be performed:** Council delegates its authority and power to the Chief Executive Officer to exercise and discharge all of the following powers and functions under the Health Act 2016 (as amended):-

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

**Delegated to:**

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

**On delegated to:** No on delegation permitted.

**Conditions:**

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

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

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

**Reference:** Health Act 2016

**Council Policy:** Nil.

**Date Adopted:** 18 June 2014

**Date Reviewed:** 18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**40 TREATMENT OF SEWERAGE AND DISPOSAL OF LIQUID WASTE**

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

**Delegated to:** Chief Executive Officer

**On delegated to:**

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

**Conditions:** Nil.

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

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

**Reference:** Health Act 2016

**Council Policy:** N/A.

**Date Adopted:** 18 June 2014

**Date Reviewed:**  
18 June 2014  
17 June 2015  
16 December 2015  
19 October 2016  
15 February 2017  
17 May 2017

**Date Reviewed and Amended:** 18 June 2014

**41 AUTHORISED PERSONS**

<b>Function to be performed:</b>	Council appoints the Chief Executive Officer and the Environmental Health Officer under Section 17(1) of the Caravan Parks & Camping Grounds Act 1995 to be an authorised person for the purpose of the Act.
	Council appoints the Chief Executive Officer and the Environmental Health Officer to issue infringement notices and appoints the Chief Executive Officer to withdraw notices under Section 23(1) of the Caravan Parks and Camping Grounds Act 1995
<b>Delegated to:</b>	Chief Executive Officer and Environmental Health Officer
<b>On delegated to:</b>	N/A.
<b>Conditions:</b>	Nil.
<b>Record of Use:</b>	Notices and correspondence issued.
	Records to be kept under the provisions of <b><u>General Disposal Authority for Local Government Records</u></b> Legislation.
<b>Reference:</b>	Caravan Parks and Camping Regulations 1997
<b>Council Policy:</b>	N/A.
<b>Date Adopted:</b>	18 June 2014
<b>Date Reviewed:</b>	18 June 2014 17 June 2015 16 December 2015 19 October 2016 15 February 2017 17 May 2017
<b>Date Reviewed and Amended:</b>	18 June 2014

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Delegation 41 - End of Register

**SUMMARY OF DELEGATIONS – By Officer****Chief Executive Officer**

<b>Section</b>	<b>No.</b>	<b>Delegation Title</b>
Finance	01	Payments from Trust and Municipal Funds
Finance	02	Purchase Order Authorisation
Finance	03	Investments
Finance	04	Power to Waive or Write Off Debts
Finance	05	Rate Book
Finance	06	Minor Donations
Finance	42	Debt Recovery Action
Staff	07	Staff Housing
Staff	08	Conferences, Seminars and Training Courses
Administration	09	Liquor – Sale and Consumption (Council Property)
Administration	10	Contract Variations
Administration	11	Legal Advice
Administration	12	Enforcements and Legal Proceedings
Administration	13	Expenditure Prior to Adoption of Budget
Administration	14	Certain things to be done in Respect of Land
Administration	15	Impounding Goods – Authorised Employee
Administration	16	Sale of Impounded/Seized/Confiscated Vehicles, Animals or Goods
Administration	17	Proceedings under Dog Act
Administration	18	Opening Fences and Gates
Administration	19	Offences – Bush Fires Act
Administration	20	Burning – Variation to Restricted and Prohibited Burning
Engineering	21	Traffic Regulatory Signs
Engineering	22	Events on Roads – Closing of Thoroughfare
Engineering	23	Certain things to be done by Owners or Occupiers of Land
Engineering	24	Notification to Affected Owners About Proposals
Engineering	25	Ensure Public Access Maintained
Engineering	26	Powers of Entry onto Land
Engineering	27	Road Closures – Temporary
Engineering	28	Disposal of Surplus Equipment, Materials, Tools etc
Engineering	29	Road Trains and Extra Mass Permits
Town Planning & Building	30	Building Notices
Town Planning & Building	32	Demolition Licences
Town Planning & Building	34	Works – Unlawful
Town Planning & Building	35	Buildings – Dangerous
Town Planning & Building	36	Certificates of Classification
Town Planning & Building	37	Dangerous Excavation in or near Public Thoroughfares
Town Planning & Building	38	Development Applications – Advertising
Health	39	Health Act – Notices & Orders
Health	40	Treatment of Sewerage and Disposal of Liquid Waste
Health	41	Authorised Persons

**Works Supervisor**

Section	No.	Delegation Title
Finance	02	Purchase Order Authorisation
Administration	13	Expenditure Prior to Adoption of Budget
Engineering	21	Traffic Regulatory Signs
Engineering	22	Events on Roads – Closing of Thoroughfare
Engineering	25	Ensure Public Access Maintained
Engineering	27	Road Closures – Temporary
Engineering	29	Road Trains and Extra Mass Permits

**Finance Manager**

Section	No.	Delegation Title
Finance	01	Payments from Trust and Municipal Funds
Finance	02	Purchase Order Authorisation
Finance	03	Investments
Finance	04	Power to Waive or Write Off Debts
Finance	05	Rate Book
Administration	09	Liquor – Sale and Consumption (Council Property)
Administration	11	Legal Advice
Administration	13	Expenditure Prior to Adoption of Budget

**Community Development Officer**

Section	No.	Delegation Title
Finance	02	Purchase Order Authorisation

**Governance Officer**

Section	No.	Delegation Title
Finance	02	Purchase Order Authorisation

**Environmental Health Officer**

Section	No.	Delegation Title
Administration	15	Impounding Goods – Authorised Employee
Health	39	Health Act – Notices & Orders
Health	40	Treatment of Sewerage and Disposal of Liquid Waste
Health	41	Authorised Persons



**Ranger**

Section	No.	Delegation Title
Administration	15	Impounding Goods – Authorised Employee
Administration	17	Proceedings under Dog Act

**Community Emergency Services Manager**

Section	No.	Delegation Title
Administration	19	Offences – Bush Fires Act

**Building Surveyor**

Section	No.	Delegation Title
Town Planning & Building	30	Building Notices
Town Planning & Building	31	Building Licences
Town Planning & Building	32	Demolition Licences
Town Planning & Building	33	Building – Extensions of Time to Complete
Town Planning & Building	34	Works – Unlawful
Town Planning & Building	35	Buildings – Dangerous
Town Planning & Building	36	Certificates of Classification

**Planning Officer**

Section	No.	Delegation Title
Town Planning & Building	30	Building Notices
Town Planning & Building	38	Development Applications – Advertising

### 9.1.3 REVIEW OF PURCHASING POLICY

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0133  
**Date:** 8 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends proposed changes to the Shire's Purchasing Policy.

#### **Attachment**

Draft Purchasing Policy - with proposed changes highlighted in yellow.

#### **Background**

The Shire's Purchasing Policy was last reviewed and amended at the December 2015 Ordinary Council Meeting after the State Government passed legislation to increase the tender threshold from \$100,000 to \$150,000 and legislative amendments dealing with the tendering process for good and services within Local Government were made to the Local Government (Functions & General) Regulations 1996.

#### **Comment**

A review of the current Purchasing Policy was completed in May 2017 and attached for Council consideration are the changes which are highlighted in yellow.

The review recommends changes to part 4.3 of the Purchasing Policy which deals with purchasing thresholds and the changes are summarised as follows;

- First threshold criteria reduced from \$9,999 to \$4,999
- Expenditure under \$5,000 does not require official quotations however must follow a series of value for money principles
- Third criteria reduced from \$49,999 to \$39,999
- Three Quotations are now required for amounts greater than \$40,000
- Reference to the amended thresholds changed within the document

The only other amendment is at the bottom page 6 under "Public Tender" information where the wording has been simplified to read "Tenders are to be opened in accordance with Regulation 16 of the Local Government (Functions & General) Regulations 1996."

The proposed changes will result in less administration burdens for staff purchasing items of a lower value and place greater emphasis on the need to obtain additional quotations when purchasing items of a greater value.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995  
Local Government (Functions & General) Regulations  
State Records Act 2000 (WA)

**Policy Implications**

Shire's Purchasing Policy

**Financial Implications**

Reducing the threshold not to obtain quotations under \$5,000 will result in less administration burdens on staff and result in greater operating efficiencies.

**Strategic Implications**

Community Strategic Plan

Outcome 4.5.1 - Ensure compliance with local, town planning, building and health and all other relevant legislation.

Outcome 4.5.2 - Maintain, review and ensure relevance of Council policies and local laws.

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.3</b>
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**That Council review and adopt the Purchasing Policy as presented.**

## 3007 PURCHASING POLICY

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

### 1. OBJECTIVES

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

### 2. ETHICS & INTEGRITY

#### 2.1 Code of Conduct

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

#### 2.2 Purchasing Principles

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

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Local Government policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

### 3. VALUE FOR MONEY

#### 3.1 Policy

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

#### 3.2 Application

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

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

### 4. PURCHASING THRESHOLDS AND PROCESSES

#### 4.1 Legislative / Regulatory Requirements

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

#### 4.2 Policy

Purchasing that is **below \$150,000** in total value (excluding GST) must utilise a Request for Quotation process, either direct to the market or through a panel of pre-qualified suppliers.

Purchasing that **exceeds \$150,000**, in total value (excluding GST) must be put to public Tender **unless** a regulatory Tender exemption is utilised by the Local Government. Tender exemptions to be applied must be in accordance with Regulation 11A of the *Local Government (Functions and General) Regulations 1996*.

#### Application of a tender

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

- The extent to which it could be reasonably expected that the Local Government will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased, or

- The actual or expected value of a contract over the full contract period (including all options to extend)

#### 4.3 Purchasing Thresholds - Requirements

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

Purchasing Thresholds (ex GST)	Purchasing Requirements
Up to \$4,999	<p>No quotations are required if the expenditure is approved in the Budget however officers are bound to value for money principles. The following factors are to be considered in the decision making process;</p> <ul style="list-style-type: none"> <li>• Value for money</li> <li>• Knowledge of general cost of item / service</li> <li>• Buy local principles</li> <li>• Ongoing good relationship with supplier</li> <li>• Reliability of supplier</li> </ul>
\$5,000 - \$9,999	<p>Obtain at least one (1) verbal or written quotation from suppliers. The following factors are to be considered in the decision making process;</p> <ul style="list-style-type: none"> <li>• Value for money</li> <li>• Knowledge of general cost of item / service</li> <li>• Buy local principles</li> <li>• Ongoing good relationship with supplier</li> <li>• Reliability of supplier</li> </ul>
\$10,000 - \$39,999	<p>Obtain at least two (2) written quotations (e.g. email, fax or original copy).</p> <p>OR</p> <p>Obtain quotations directly from a pre-qualified panel of suppliers. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a simple quotation process either through eQuotes or directly in writing.</p>

<p>\$40,000 - \$149,999</p>	<p>Obtain at least three (3) written quotations (e.g. email, fax or original copy) from suppliers containing price and specification of goods and services. The procurement decision is to be based on all value for money considerations in accordance with the definition stated within this Policy.</p> <p>OR</p> <p>Obtain quotations directly from a pre-qualified panel of suppliers. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.</p>
<p>\$150,000 and above</p>	<p>Conduct a public Tender process in accordance with this policy. The procurement decision is to be based on value for money considerations in accordance with the definition stated within this Policy.</p> <p>OR</p> <p>Obtain quotations directly from a Tender exempt and pre-qualified panel of suppliers. It is recommended that wherever possible, the Local Government source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.</p>

Where considered necessary, a Local Government may consider calling public Tenders in lieu of undertaking a Request for Quotation for purchases under the \$150,000 threshold (excluding GST). This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through a pre-qualified panel of suppliers.

If a decision is made to undertake a public Tender for contracts of less than \$150,000, a Request for Tender process entailing all the procedures for tendering outlined in this Policy must be followed in full.

#### 4.4 Purchasing Procedures

##### 4.4.1 Tender or Request for Quotation through Tender Exempt Panels (\$150,000 or over in value)

For the procurement of goods, services or works where the value exceeds \$150,000, the Local Government must either undertake:

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

##### Using a Tender Exempt Panel of Pre-Qualified Suppliers

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

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

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

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

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

### Request for Quotation Process

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

The Request for Quotation documentation must include:

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

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

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

The responsible officer is expected to demonstrate due diligence when conducting a Request for Quotation process and must comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with Regulation 11A of the Local Government (Functions & General) Regulations 1996.

### Public Tender

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



- Before Tenders are publicly invited, the Local Government must record the decision to invite Tenders (which is to be recorded in the Tender Register) and must determine in writing the criteria for deciding which tender should be accepted.
- The Evaluation Panel must be established prior to the advertising of the Tender and include a mix of skills and experience relevant to the nature of the purchase. For Tenders with a total estimated value (ex GST) of **between \$40,000** and \$149,999, the Evaluation Panel must contain a minimum of two (2) members. For Tenders with a total estimated value (ex GST) of \$150,000 and above, the Evaluation Panel must contain a minimum of three (3) members.
- A Tender Notice must be advertised in a State wide publication e.g. “The West Australian” newspaper (Local Government Tenders section), preferably on a Wednesday or Saturday.
- The Tender must remain open for at least 14 days after the date the Tender is advertised. Care must be taken to ensure that 14 **full** days are provided as a minimum.

The Tender Notice must include:

- a brief description of the goods or services required;
- information as to where and how Tenders may be submitted;
- the date and time after which Tenders cannot be submitted; and
- a contact person to supply more detailed information if required.

The detailed information must include:

- such information as the Local Government decides should be disclosed to those interested in submitting a Tender response;
- detailed specifications of the goods or services required;
- the criteria for deciding which Tender response should be accepted;
- whether or not the Local Government has decided to submit a Tender response; and

Tenders must not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation. If clarifications, addendums or further communication are required prior to the close of Tenders, all potential Tenderers must have equal access to this information in order for the Local Government not to compromise its duty to be fair.

If, after the Tender has been publicly advertised, any changes, variations or adjustments to the Tender document and/or the Conditions of Tender are required, the Local Government may vary the initial information by taking reasonable steps to give each person who has sought copies of the Tender documents notice of the variation.

A Tender response that is not received in full in the required format by the advertised Tender Deadline must be rejected.

No tenders are to be removed from the Tender Box or opened (read or evaluated) prior to the Tender Deadline.

**Tenders are to be opened in accordance with Regulation 16 of the Local Government (Functions & General) Regulations 1996.**

The details of all Tender responses received and opened must be recorded in the Tender Register. Tender responses are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the Tender opening, and price information should be regarded as *commercial-in-confidence* to the Local Government. Members of the public are entitled to be present.

The Tenderer's offer form, price schedule and other appropriate pages from each Tender shall be date stamped and initialled by at least two (2) Local Government officers present at the opening of Tender responses.

Where the Local Government has invited Tender responses and no compliant submissions have been received; direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations
- the specification for goods and/or services remains unchanged; and
- purchasing is arranged within six months of the closing date of the lapsed Tender.

Tender responses that have not been rejected must be assessed by the Local Government by means of a written evaluation against the pre-determined criteria. The Evaluation Panel must assess each Tender response that has not been rejected to determine which response is most advantageous.

If after the Tender has been publicly advertised and a successful Tenderer has been chosen, and before the Local Government and Tenderer have entered into a contract, a minor variation may be made by the Local Government. A minor variation may **not** alter the nature of the goods and/or services procured, nor may it materially alter the specification or structure provided for by the initial Tender.

Each Tenderer shall be notified of the outcome of the Tender following Council resolution or appropriate delegated authority. Notification must include:

- The name of the successful Tenderer.
- The total value of consideration of the winning offer.

The details and total value of consideration for the winning offer must be entered into the Tenders Register at the conclusion of the Tender process.

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

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

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

#### 4.4.2 Request for Quotation (\$40,000 or over to \$149,999 in value)

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$149,999, it is recommended that at least three (3) written quotations be obtained from the market or from a pre-qualified panel of suppliers.

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

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

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

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

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

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with Regulation 17 of the Local Government (Functions & General) Regulations 1996.

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

##### Written Requests for Quotations

For the procurement of goods or services where the value is under \$40,000, it is recommended that at least two (2) written quotations be obtained from the market or from a pre-qualified panel of suppliers.

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

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

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

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

##### Verbal Requests for Quotations

For the procurement of goods or services where the value is over \$5,000 the Local Government may undertake a verbal Request for Quotation process.

At least one (1) quotation must be obtained from the market or the Local Government may purchase from a Tender exempt panel of pre-qualified suppliers.

The requirements relating to verbal quotations are:

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

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

## 5. RECORDS MANAGEMENT

### Policy

Records of all Tenders and Requests for Quotation must be retained in compliance with the *State Records Act 2000 (WA)* and in accordance with Regulation 17 of the Local Government (Functions & General) Regulations 1996.

### Application

All records associated with the Tender process must be recorded and retained in the Tender Register in accordance with Regulation 17 of the Local Government (Functions & General) Regulations 1996.

All records associated with a Request for Quotation must include:

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

## 6. SUSTAINABLE PROCUREMENT AND CORPORATE SOCIAL RESPONSIBILITY

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

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

### Policy

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

### Application

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

- have been determined as necessary;
- demonstrate environmental best practice in energy efficiency/and or consumption which can be demonstrated through suitable rating systems and eco-labelling;
- demonstrate environmental best practice in water efficiency;
- are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, are free of toxic or polluting materials and consume minimal energy during the production stage;
- can be refurbished, reused, recycled or reclaimed. Those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste will be given priority;

- demonstrate a regard for the local economy and a supply chain that supports local business development;
- are ethically sourced from sustainable and fair trade supply chains;
- (with regards to motor vehicles) feature the highest fuel efficiency available, based on vehicle type and within the designated price range; and
- (with regards to new buildings and refurbishments) use renewable energy and technologies where available.

Policy Amendment – 16 April 2014 (Resolution 140402)

Policy Amendment – 18 June 2014 (Resolution 140606)

Policy Amendment – 16 December 2015 (Council Decision 9.1.2)

Policy Amendment – 17 May 2017 (Council Decision 9.1.6)

DRAFT

#### 9.1.4 MINGENEW IRWIN GROUP TIDY TOWNS NOMINATION

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Mingenew Irwin Group  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0204  
**Date:** 10 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

##### **Summary**

This report recommends that Council endorse a request from the Mingenew Irwin Group to make a submission for the Tidy Towns Sustainable Community Awards 2017.

##### **Attachment**

Draft Application Form

##### **Background**

The Shire has received a request from the Mingenew Irwin Group (“MIG”) to submit an application for the Tidy Towns Sustainable Community Awards 2017. The application will be for the garden project that MIG completed outside of the MIG Bankwest Centre and applications close 1 June 2017.

##### **Comment**

Initially I had some concerns when I was informed that MIG was looking to make a submission to be included in the Tidy Towns 2017 as I felt this should be a decision of Council, however in looking at the request from MIG the application they are proposing to submit falls into one of the Tidy Towns categories, being the Sustainable Community Awards rather than the overall banner of Tidy Towns.

MIG have commenced the application, which is attached and would like Council endorsement before proceeding with making a formal application. I have no objections with MIG making a submission for their garden project under the Tidy Towns Sustainable Community Awards 2017.

##### **Consultation**

Ella Budrikis, Community Development Officer

##### **Statutory Environment**

Nil

##### **Policy Implications**

Nil

##### **Financial Implications**

Nil

##### **Strategic Implications**

Community Strategic Plan

Outcome 2.1.1 – Support and promote environmental management practises

##### **Voting Requirements**

Simple Majority

#### **OFFICER RECOMMENDATION – ITEM 9.1.4**

**That Council endorse the request from the Mingenew Irwin Group to make a submission for the Tidy Towns Sustainable Community Awards 2017**



## Tidy Towns Sustainable Communities Awards 2017

### Submission Form

Congratulations on entering Keep Australia Beautiful's iconic Tidy Towns award program!

You may attach **up to 4 high quality images per category** to support your submission. If you attach supporting documents **please ensure they are in JPEG format and annotated and referenced** in the 400 words written for the related category.

Please submit this form, photos and any supporting documents via email to [tidytowns@kabc.wa.gov.au](mailto:tidytowns@kabc.wa.gov.au) by **1 June 2017**. The deadline is the same if you decide to post it to Tidy Towns Sustainable Communities, Locked Bag 33, Cloisters Square, 6850. Please telephone the Tidy Towns team on 6467 5132 if you need assistance.

Community Name	Mingenew
Local Government Authority	Shire of Mingeneu
Name of Tidy Towns Committee	Mingenew-Irwin Group
Primary Contact	Anna Maxted
Postal address	P.O. Box 6, Mingeneu, Western Australia
Postcode	6522
Telephone	08 9928 1645
Mobile	0427 281 001
Email	anna@mig.org.au
Secondary Contact	Debbie Gilliam
Address	P.O. Box 6, Mingeneu, Western Australia, 6522
Telephone	08 9928 1645
Email	debbie@mig.org.au



### Categories Entered:

Please tick the category or categories you are entering:

- |   |   |
|---|---|
| <input type="checkbox"/> Community Action and Wellbeing         | <input type="checkbox"/> Heritage and Culture               |
| <input type="checkbox"/> Environmental Sustainability           | <input checked="" type="checkbox"/> Environmental Education |
| <input type="checkbox"/> Litter Prevention and Waste Management | <input type="checkbox"/> Young Legends                      |

***Please note: Judges only assess projects that have been planned, maintained or started during the period  
1 May 2016 to 1 June 2017.***

### General Information:

What is the population of your community? 471

How many volunteers were involved in the projects in this submission and what was the number of hours they worked collectively over the year?

4 volunteers 20 hours

(nb: Number of volunteers, number of volunteer hours eg 50 Volunteers, 500 hours over all projects)

How many of your Tidy Towns projects were specifically aimed at engaging youth?

### Photograph Use Authorisation

I Anna Maxted give permission to Keep Australia Beautiful Council WA to use (free of cost) any photographs or images presented as part of the submission. I understand that they may appear in publications, websites and audio-visual presentations promoting the program. If any children or other parties appear in the photographs their permission or parent/guardian permission has been granted.

Signed \_\_\_\_\_ Date \_\_\_\_\_

You can enter one or as many categories as you wish. These categories assist communities to plan, achieve and evaluate local sustainability initiatives and enable Keep Australia Beautiful WA to gather case studies that help educate, inform and enthuse other communities.

# Community Action and Wellbeing

Recognises achievements in creating a healthy, vibrant community that actively engages groups from all sectors.

# Litter Prevention and Waste Management

Recognises innovation and achievements in litter prevention, reducing and managing waste.

# ***Environmental Sustainability***

Recognises outstanding community achievements in adaptation to environmental change.

In 400 words please tell us either about **1 project/activity/ group**

OR

a short overview of projects specializing in **each** of the areas mentioned below.

**Project/Activity/Group**

**Nature Conservation** initiatives and activities focusing on the preservation and enhancement of the natural environment and support of biodiversity.

**Water** management and education within communities. Combined innovative water conservation and water reuse initiatives at private, industrial and municipal levels, to the benefit of society and nature.

**Energy** management and education which focuses on innovative energy efficiency measures and climate change issues, aiming to reduce energy use and greenhouse gas emissions.

## Heritage and Culture

Recognises outstanding commitment to the conservation and celebration of a community's indigenous and non-indigenous heritage and culture.

## Young Legends

Recognises achievement by an individual or group/s of young people (under 25) who have contributed to the sustainability of their community.

## Environmental Education

Recognises an outstanding initiative, organisation or community for its innovative environmental advocacy and/or awareness program across any/all criteria.

The *Mingenew Goes Native!* native garden project was completed by the Mingeneew-Irwin Group with funds from the Northern Agricultural Catchments Council (NACC). The grant from NACC was used to build garden beds outside the Mingeneew-Irwin Group Bankwest Centre.

The garden beds were planted up with locally indigenous flora species such as Catspaws and Tar Bushes, which consume less water than non-natives. Educational signs were also put up and give visitors information on each species including their scientific name, height and biological importance. The garden and signs will remain a part of Mingeneew for many years to come and will provide an example the way a native garden could be set up, as well as plants which are suitable for the area.

The project culminated with a native garden workshop where local guest speakers Sharon Greaves, Nan Broad and Stan Maley shared their gardening experiences and tips. Sharon and Nan both live in Dongara and are passionate about gardening and finding inspiration for one's own garden within local bushland. Stan is part of the Friends of Geraldton Gardens group and founded the Fitzgerald Community Garden. He spoke about how gardening has brought his community together. These guest speakers, who have lived in the Northern Agricultural Region for many years, were able to give advice on gardening based on their own experiences in the region, making the workshop highly relevant to guests.

The project highlights the importance of home gardens in the ongoing quest to conserve native flora and fauna species. Native birds, insects and small mammals all appreciate the food and shelter provided by native plants in home gardens. The project also focused on low water requirements of natives, which makes them ideal for the Northern Agricultural Region's dry climate. The combination of the garden and the workshop has given people more information and understanding when it comes to native gardening, so they may move towards natives when selecting plants in the future. By creating a living educational showcase, the garden is an innovative way of encouraging community members to plant natives in their gardens, and with most houses being stand alone with large gardens this will have a major impact on flora and fauna conservation in the area.



### 9.1.5 LOCAL GOVERNMENT LEGISLATIVE BURDENS

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0147  
**Date:** 8 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that Council consider a motion be put forward to the Northern Country Zone of the Western Australian Local Government Association (WALGA) to address the issue of legislative and compliance burdens placed on Western Australian local government authorities.

#### Attachment

List of Legislative Burden Issues

#### Background

At the Western Australian Local Government (WALGA) Northern Country Zone (“NCZ”) meeting held on 20 February 2017 concern was expressed on the continual legislative burdens being placed on local government authorities. The burden was seen as being a combination of the plethora of additional legislative impost being introduced, the existing superfluous legislation already in place and the interpretation of the legislation by the executive arm of government on how the requirements of the Act and Regulations should be implemented.

As a result of the discussion at the NCZ meeting the CEOs were requested to develop a list of legislative burdens to be presented back to the Zone for consideration on further action.

The CEOs (and other Senior Staff) met on 9 March 2017 to compile a list of agreed legislative burden issues. Garry Keeffe, CEO Shire of Northampton has taken the lead on the issue and has compiled the CEO’s consensus list, which is provided in the **Attachment** for Council information and determination. Not all the items presented to the CEOs meeting were retained, however the majority of items presented were included on the consensus list.

The Shire of Chapman Valley presented their case at the NCZ Meeting on Monday 24 April 2017 and support has been requested from all other local governments within the zone.

#### Comment

The CEOs felt that the best approach to take in regards to the legislative burden issues (bearing in mind we are only dealing with the *Local Government Act and Regulations* at this time) was to recommend the NCZ take these concerns to each individual WALGA Zone in the first instance to:

- Seek any additional items they consider being a burden to be added to the list; and to approach the WALGA State Council from the bottom up, rather than going directly from the NCZ to WALGA and having WALGA take control of the item, making it a top-down approach.
- Co-opt the services of someone with local government experience undertake an analysis of what the legislation says and what the Department of Local Government is interpreting how the legislation should be implemented.

There is a fear amongst some CEOs that the issue may be glossed over at a WALGA State Council level unless there is not pre-determined support from the Zones in the first instance, hence the strategy to work this through the Zones in the first instance before going to the WALGA State Council.

There is also concern amongst the CEOs over the way the Department of Local Government & Communities (DLGC) interpret the Local Government Act and Regulations. Such interpretations invariably surface as DLGC Guidelines or Best Practice Procedures, which are passed down the local government authorities to implement. A classic example of this is the recent DLGC Guidelines on how to review the Integrated Planning and Reporting documents currently in place across the industry which places a significant burden on already stretched resources in our Shires.

### **Consultation**

As previously mentioned, the NCZ has briefly discussed the issue, requesting the NCZ CEOs work on a list a strategy to promote the mater of legislative burdens.

The NCZ CEOs and other Senior Staff have discussed their concerns and developed the list legislative burdens associated with the Local Government Act & Regulations only (at this stage).

The intention is for all NCZ member local government authorities to discuss the matter and bring their positions to the next NCZ meeting for consideration.

### **Statutory Environment**

*Local Government Act, 1995 & associated Regulations.*

There appears to be an appetite from the recently elected Labour State Government to undertake a review of the *Local Government Act, 1995 & Associated Regulations*. However; the informal feedback coming from the DLGC is any such review should be minimalistic. The DLGC suggested approach to a review is not supported by a majority of NCZ CEOs with our feeling being a wholesale review needs to be undertaken to address the legislative burdens already in place under the legislation.

### **Policy Implications**

No existing Policies/Procedures effected.

### **Financial Implications**

The financial Implications associated with superfluous overburdening legislation has not been formally measured or analysed. However; in a presentation given in the early 2000's by Shane Silcox, CEO City of Melville, indicated the costs of legislative compliance in local government is approximately \$12m per annum. Below is an extract from the Shane's presentation:

*"In Western Australia the growth in legislation from the 1960s as documented in the Business Regulation Action Plan by the Business Council of Australia has been some 185% to a staggering 20,000 pages of primary legislation in 2000. That is from approximately 7,000 pages of primary legislation in 1960's, 11,000 pages in 1970's, 14,000 pages in the 1980's, 18,000 pages in the 1990's and 20,000 pages in the 2000's.*

*Unfortunately, many regulations conceived to fix one problem often lead to unintended consequences, sometimes requiring more legislation...and the cycle goes on!*

*And the cost of this exponential growth, or exuberance, is estimated at 8% of GDP. In fact the cost of regulation for small and medium-sized Australian businesses in 1998, suggests the OECD, is estimated at more than \$17 billion. Additionally, the Federal government alone spent some \$4.5 billion on the administrative costs of Commonwealth regulatory bodies.*

*Studies in the USA have identified that the cost of compliance is about 1.5% of revenues...in Western Australia the combined Local Government revenues is some \$829m hence the cost of compliance in this state alone is over \$12m.*

*Overall it is unfortunate that compliance has dominated debate since the 1990's with our society becoming more litigious in the process. Australian taxpayers, consumers and ratepayers ultimately pay the price of this exuberance both from a compliance and risk management perspective."*

It would fair to state the issue has worsened significantly since the early 2000's and I am sure the legislation cost across the local government sector would closer to \$20m per annum. However, as you would imagine, ascertaining the actual costs burden would be a major exercise and one I am sure this Shire alone (or even the NCZ member LGAs) could not afford to the time or resources to undertake.

### **Long Term Financial Plan (LTFP):**

The Shire's LTFP must take into account the operational costs of the organisation, which then must take into account the costs to ensure compliance with legislative requirements and the implementation of legislation as it is being determined by the DLGC (i.e. *Best Practice*).

I am sure that anyone that has been involved in the industry for an extended period of time can state, without fear, the administrative burdens placed on the organisations has been significant over this period of time. These administrative burdens are invariably directly associated with the legislative (and DLGC interpretation) burdens place on local governments during this period. It would also be fair to state the Financial Assistance Grants which are designed to funds made available to local government to provide services to constituents, has not kept pace with the legislative imposition place on local government.

### **Strategic Implications**

Community Strategic Plan

Outcome 4.2.2 – To be strong advocated representing the Shire's interests

Outcome 4.5.1 – ensure compliance with local, town planning, building and health and all other legislation.

Outcome 4.5.2 - Maintain, review and ensure relevance of Council policies and local laws

### **Voting Requirements**

Simple Majority

## **OFFICER RECOMMENDATION – ITEM 9.1.5**

**Council advises the Northern Country Zone of the Western Australian Local Government Association (WALGA) the following in regards to the issue of legislative and compliance burdens placed on Western Australian local government authorities:**

- 1. It supports the list of legislative issue, which need to be reviewed as presented by the NCZ Chief Executive Officers and Senior Staff;**
- 2. Recommends the Northern Country Zone local government authorities co-opt the service of an appropriately qualified and experienced individual or organisation to analyse the legislative requirements of the Local Government Act and associated Regulations in comparison to the interpretation of this legislation by the executive arm of State Government;**
- 3. Recommends the Northern Country Zone approach all WALGA Zones seeking any additional items to be added to (or expanded upon) the current list of legislative issue, which need to be reviewed as presented by the Northern Country Zone Chief Executive Officers and Senior Staff;**
- 4. Recommend an approach not be made to the WALGA State Council on this matter until feedback has been obtained from all WALGA Zones to ensure this matter is presented to the State Council with prior Zone support and/or input.**



subregulation —

- (a) by the day specified in column 2 of the Table; and
- (b) by the expiry of each 3 yearly interval after that day.

<b>Class of asset</b>	<b>Day</b>
Plant and equipment	30 June 2016
Land, buildings and infrastructure for which the fair value was shown in the local government's annual financial report for the financial year ending on 30 June 2014	30 June 2017
All other classes of asset	30 June 2018

- (5) A revaluation under subregulation (4) must be based on the value of the asset as at a time that is as close as possible to the day by which the revaluation is due.

[Regulation 17A inserted in Gazette 20 Apr 2012 p. 1699-700; amended in Gazette 21 Jun 2013 p. 2451.]

Asset Revaluations (Fair Value) – Remove the need for assets (i.e. Building; Plant & Infrastructure) to be revalued every three years.

In most small LGAs this is an excessive cost to the Rate payers, when values do not vary much (if at all). This also distorts the Financial Statements as values (particularly Infrastructure Assets) can change significantly as this is subject to the individual Valuer.

**Recommend that Asset Revaluations only be required to be undertaken every five years, as is the Queensland requirement.**

**If five years is not to be considered then an alternative recommendation is that the Salaries Administrative Tribunal bands be used, ie if in Band 4 only require revaluation every “x” amount of years**

**Recommend that it is questionable the benefit of valuing assets which cannot be sold and infrastructure of assets. Does not give a true reflection of the Councils financial situation as the value of these assets only inflates the financial position but in reality those assets cannot be sold**

2 Section 2.1, Schedule 2.1; & Constitution Reg. - Provisions about creating, changing the boundaries of, and abolishing districts

Amend legislation to ensure poll option is required for boundary adjustment if required by an affected local government authority.

The issue is that Clause 8 of Schedule 2.1 only allows poll provisions for the amalgamation of two or more districts, not for boundary adjustments.

The argument is a district(s) could be merged with its neighbour simply by adjusting boundaries and not wholesale amalgamation of two districts.

		<p>Local Governments have been staked in the past on such boundary adjustment concepts however there is no poll provisions allowed under the legislation in such instances.</p> <p><b>Recommendation is that Schedule 2.1 needs to be amended to ensure any LGA with boundary adjustments being imposed or suggested, that they have the right to poll their constituents as they do with an amalgamation.</b></p>
3	Section 2.1; Schedule 2.2; & Constitution Reg. - Ward Representation	<p>The current State Government position of +/- 10% of Electors to Elected Members is unfair when the rate/revenue contribution of the various area of LG district is not taken into account as well.</p> <p>Unable to determine if the ratio is set by legislation, which sets the +/- 10% ratio and believe this is simple a position of the State Government, probably at the recommendation of Executive Government, which has then been a direction to the Local Government Advisory Board.</p> <p>In the Shire of Somewhere as an example the Electors are approximately 50:50 under the current Ward system, whereas the rate revenue is significantly weighted to the UV areas (i.e. 82% UV – v – 18% GRV).</p> <p>It is being suggested the Rate Revenue only should be the basis of revenue source of an LGA and the WALGGC population ratio linked to FAGS revenue would also need to ne included into the calculations.</p> <p>A combination of a number of criteria needs to be included as part of the Ward Representation ratio rather than just using the Electors – v – Elected members in isolation.</p> <p>Regional &amp; remote LGAs opposed the State at the time they introduced the <i>One Vote – One Value</i> procedure for establishing State Electoral boundaries, yet we did not fight against the same concept for our own Ward Boundary representation, which is based on the same concept.</p> <p><b>Recommend that the appropriate body, be it the DLGC or WALGA investigate the possibility of a criteria being developed to accommodate the above</b></p> <p><b>Note this is not legislated but a directive. In addition the calculating of rate revenue as a basis is not in keeping with the definition of “electors”</b></p>
4	Section 2.31 – Resignation of Elected Member	<p>Section 2.31 (3) requires</p> <p><i>Written notice of resignation is to be signed and dated by the person who is resigning and delivered to the CEO.</i></p> <p><b>Recommendation that his section be amended to reflect an emailed resignation with undisputed proof the email is from the Elected Member should satisfy the requirements of being a signed &amp; dated resignation delivered to the CEO.</b></p>
5	Division 2– Subdivision1& Functions & General Regs. – Local Laws made under the Act	<p>The Local law process is extremely complex and difficult. This whole area needs to be reviewed to simplify the process of adopting new and/or reviewing existing local laws.</p> <p><b>Recommend that the DLGC undertake a comprehensive review with industry input on the process in reviewing Local Laws. The process needs simplification and an alternative needs to be established and</b></p>

		<b>considered by the sector.</b>
6	Section 3.53 – Control of certain unvested facilities	<p>Section 3.53(2) states:</p> <p><i>“A local government is responsible for controlling and managing every <u>otherwise unvested facility</u> within its district unless subsection (5) states that this section does not apply.”</i></p> <p>The interpretation of <u>otherwise unvested facility</u> in the Act is:</p> <p><i>“<b>otherwise unvested facility</b> means a thoroughfare, bridge, jetty, drain, or watercourse belonging to the Crown, the responsibility for controlling or managing which is not vested in any person other than under this section.”</i></p> <p>The issue with this legislation is the LGA is responsible for all unallocated crown land (e.g. fire control, removal of abandoned vehicles, etc.)</p> <p><b>Recommend that this section needs to be removed or, if LGAs are to remain responsible for this land then they should be able to either rate the Crown or seek reimbursement of costs from the crown for works that are required.</b></p>
7	Part 4 – Elections & Other Polls (Section 4.62)& Election Regs	<p>If an LGA is conducting a Postal Election or Referendum then the need to man a Polling Place on the day of the Election/Referendum should be removed.</p> <p>It is an added expense to have the WAEC &amp; staff sitting at a Polling Place all day for limited or no votes collected.</p> <p>The Counting of Votes should still be held after 6pm on the election/referendum day.</p> <p><b>Recommend that the requirement to man a polling place when undertaking an election by postal vote be removed.</b></p>
8	Subdivision 4 – Electors Meetings	<p>Amend this legislation to allow a LGA to determine if they want (or don't want) to conduct an Electors Meeting.</p> <p>Remove set number of days (i.e. 56) a LGA must hold an Electors meeting after accepting the Annual Report.</p> <p>Remove requirement for Minutes of an Electors meeting having to be presented to the <b>first ordinary meeting after the Electors Meeting</b>. This is not always possible. Perhaps state the minutes need to go to Council no more than three meetings after the Electors meeting being held.</p> <p><b>Recommend that the above changes be undertaken</b></p>
9	Section 5.37 – Senior Employees	<p>Remove section 5.37(2) regarding:</p> <p><i>“....and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.”</i></p> <p>This does not make sense and the CEO should only be required to advise Council of his/her decision to employ/dismiss a Senior Employee.</p>

		<p>Also remove sections 5.37(3) &amp; (4A) i.e.</p> <p>(3) <i>Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.</i></p> <p>(4A) <i>Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.</i></p> <p>The way the CEO advertises and fills any position (senior or not) should be considered operational and be at the discretion of the CEO.</p> <p><b>Recommend that the above changes be undertaken</b></p>
10	5.38. - Annual review of certain employees' performances	<p>Section 5.38 states</p> <p><i>The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.</i></p> <p>It is interpreted that this requires all employees to be reviewed annually. In smaller local authorities it appears to be a non-sense to have this requirement. Senior staff/supervisors predominantly know the performance of all employees due to their close working relationship with them. Further this legislative requirement is again regulating an operational process and reviews should be at the discretion of the individual LGA.</p> <p>For CEO and Senior Employees, they have performance reviews stipulated in their contracts.</p> <p><b>Recommend that this section be deleted as is an operational matter and should not be legislated.</b></p>
11	5.56. Planning for the future -Integrated Planning & Reporting	<p>The current requirements for Integrated Planning &amp; Reporting (IPR) are too onerous, specifically for smaller LGAs with limited resources.</p> <p>The most recent review undertaken by the DLGC has only exacerbated the resource requirements on LGAs to review their IPR.</p> <p>There must be different levels of requirements placed on LGAs of different sizes &amp; resource capacity. The current IPR set up has resulted in smaller LGAs having to increase rate revenue to obtain external services/consultants to step these LGAs through the process.</p> <p>Long Term Financial Plans and Asset Management Plans linked to basic Strategic Community Plans is all that should be required.</p> <p>Corporate Business Plans &amp; Workforce Plans are superfluous.</p> <p><b>Agreed, however it was noted that it is not the actual legislation but the Department and their one size fits all 'guidelines' that are the problem. Guidelines using 'banding' to reflect capacity of local governments would be better. Noted that Strategic Community Plans legislation in Queensland was abolished as the plans were unrealistic and unachievable financially for many rural local governments</b></p> <p><b>Also a concern that directives coming from DLGC are telling LG what they should do. It's a LG decision not the DLGC.</b></p>



12	Division 9 & Rules of Conduct Regs. – Conduct of certain officials	<p>Penalties for breaches (other than a <i>serious breach</i>) under the Act and Code of Conduct need to be harsher as in instances this has not deterred an elected member for continuing a breach.</p> <p><b>5.110 Dealing with complaint of minor breach</b></p> <p>(5) If a standards panel finds that a council member has committed a minor breach, the standards panel is required to give the council member an opportunity to make submissions about how the breach should be dealt with under subsection (6).</p> <p>(6) The breach is to be dealt with by —</p> <ul style="list-style-type: none"> <li>(a) dismissing the complaint; or</li> <li>(b) ordering that — <ul style="list-style-type: none"> <li>(i) the person against whom the complaint was made be publicly censured as specified in the order; or</li> <li>(ii) the person against whom the complaint was made apologise publicly as specified in the order; or</li> <li>(iii) the person against whom the complaint was made undertake training as specified in the order;</li> </ul> </li> </ul> <p style="text-align: center;">or</p> <ul style="list-style-type: none"> <li>(c) ordering 2 or more of the sanctions described in paragraph (b).</li> </ul> <p>5.113. Punishment for recurrent breach If, on an allegation under section 5.112, the State Administrative Tribunal finds that a person committed a recurrent breach, it may make any of the orders described in section 5.117</p> <p>5.117. Punishment for serious breach</p> <p>(1) If, on an allegation under section 5.116(2), the State Administrative Tribunal finds that a person committed a serious breach, it may —</p> <ul style="list-style-type: none"> <li>(a) order that — <ul style="list-style-type: none"> <li>(i) the person against whom the allegation was made be publicly censured as specified in the order; or</li> <li>(ii) the person against whom the allegation was made apologise publicly as specified in the order; or</li> <li>(iii) the person against whom the allegation was made undertake training as specified in the order; or</li> <li>(iv) the person against whom the allegation was made is suspended for a period of not more than 6 months specified in the order; or</li> <li>(v) the person against whom the allegation was made is, for a period of not more than 5 years specified in the order, disqualified from holding office as a member of a council;</li> </ul> </li> </ul> <p>Current penalties are to weak and lack consequence for inappropriate actions by Elected Members</p> <p><b>Recommend that the DLGC review all penalties for breaches under</b></p>
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		<b>Rules of Conduct Regulations.</b>
13	6.33. Differential general rates; 6.36. Local government to give notice of certain rates; and Financial Management Regs.	<p>Process of advertising and advertising intention to impose differential rates is unwieldy, specifically the timing issues and having to determine a rate in the dollar before the property revaluations are available. These rates are unavailable incorrect as it isn't possible to determine property valuation prior to Landgate releasing these figures, therefore making it necessary to report the rates variations in the Budget.</p> <p>An easier process needs to be introduced.</p> <p><b>Recommend that the DLGC undertake a complete review of the WA rating system make it comparable to the methodology of other States.</b></p>
14	Admin Reg. 10 - Revoking or changing decisions (Act s. 5.25(1)(e))	<p>Regulation 10 states:</p> <ol style="list-style-type: none"> <li>(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported — <ol style="list-style-type: none"> <li>(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or</li> <li>(b) in any other case, by at least <math>\frac{1}{3}</math> of the number of offices (whether vacant or not) of members of the council or committee,</li> </ol> <p>inclusive of the mover.</p> </li> <li>(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least <math>\frac{1}{3}</math> of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.</li> <li>(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made — <ol style="list-style-type: none"> <li>(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or</li> <li>(b) in any other case, by an absolute majority.</li> </ol> </li> <li>(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.</li> </ol> <p><i>[Regulation 10 amended in Gazette 31 Mar 2005 p. 1030.]</i></p> <p>It is questionable that a majority of local governments would follow the above process and would simply move a motion to revoke/change a motion. The process is cumbersome and needs to be changed.</p> <p><b>Recommend that Regulation 10 be amended to remove the notice to be signed by all elected members and simply require a Council to change or revoke a motion by a motion with an absolute majority to pass that motion.</b></p>

15	Admin Reg. 14A - Attendance by telephone etc. (Act s. 5.25(1)(ba))	<p>This section is too restrictive and needs to be relaxed (e.g. the 150km distance is unrealistic).</p> <p>14A. Attendance by telephone etc. (Act s. 5.25(1)(ba))</p> <p>(1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —</p> <p>(a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and</p> <p>(b) the person is in a suitable place; and</p> <p>(c) the council has approved* of the arrangement.</p> <p>(2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.</p> <p>(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.</p> <p>(4) In this regulation —</p> <p><b>disability</b> has the meaning given in the <i>Disability Services Act 1993</i> section 3;</p> <p><b>suitable place</b> —</p> <p>(a) in relation to a person with a disability — means a place that the council has approved* as a suitable place for the purpose of this paragraph; and</p> <p>(b) in relation to any other person — means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located —</p> <p>(i) in a townsite or other residential area; and</p> <p>(ii) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;</p> <p><b>townsite</b> has the same meaning given to that term in the <i>Land Administration Act 1997</i> section 3(1).</p> <p>With current technology local government should be embracing the opportunity to have Councillors participate, irrespective of distance or type of location (i.e. townsite).</p> <p><b>Recommend that the 150km limit be removed from regulation 14A.</b></p>
16	Admin Reg. 18F - Remuneration and benefits of CEO to be	The purpose of this regulation is questioned due to the remuneration of CEO's are set by the Salaries & Allowances Tribunal.

	advertised	<b>Recommend that this section be deleted as serves no purpose in the governance of a LG</b>
17	Audit Reg. 15 - Compliance audit return	<p>Recommend this requirement be removed sue to the plethora of other audits required.</p> <p><b>Agreed and question why it is a legislative requirement that it has to go to an Audit Committee</b></p> <p><b>Further the actual legislative need for an Audit Committee is questioned when the whole Council can undertake the same role.</b></p>
18	Audit Reg. 17 - CEO to review certain systems and procedures	<p>The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —</p> <ul style="list-style-type: none"> <li>(a) risk management; and</li> <li>(b) internal control; and</li> <li>(c) legislative compliance.</li> </ul> <p>This is onerous and should be removed or amended. Not sure why this would need to go to the Audit Committee then to Council. If retained then should go directly to Council with the Council then determines if any items raised needs further investigation and then putting this to the Audit Committee.</p> <p>In many instances the process is very onerous on the CEO and therefore external assistance is used which comes at a cost to the Council.</p> <p><b>Recommend that there should be different requirements for different 'bands' of local governments and DLGC's expectations need to be amended to allow reviews to be done in house.</b></p>
19	Annual Reports	<b>Recommend that there should be different levels of requirements for different 'bands' of local governments</b> <b>Also question the actual need for them considering little are read by electors.</b>
20	Annual Financial Reporting	<p>Currently there is a one size fits all model for the annual financial process and Corporate Business Planning Process. Could a scenario where there is a tiered process that requires a higher level of reporting for larger LG's, similar to the tiered approach that exists with company reporting.</p> <p><b>Recommend that the DLGC develop a "tiered" process on the level of reporting for each LG and on the level of compliance</b></p>
21	Annual Returns	<p>Where a Councillor or designated employer has had no change to their previous Annual Return, they are required to place "No change" "nil" "none" within each box of the return. This does not occur in many cases and Auditors are determining that a Annual Return is not complete due to some boxes in the return have not been marked "none", "nil" or "no change."</p> <p><b>Recommend that the Annual Returns be changed to introduce the ability to declare 'no change from previous year' instead of having to mark every area. This will also assist in the storing of annual returns where only one page needs to be kept on record and not four as is the current case. This does not sound like an issue, however when you have a member that has been on Council for many years, the accumulation of four pages of an annual report does build up.</b></p>
22	Tender Regulations	<p>Operating issues with current regulations, road building materials such as bitumen, asphalt and aggregate should be exempt as are fuel and oils.</p> <p><b>Recommend that road building materials should be exempt from Tender provisions</b></p> <p>Concern that auditors and the DLGC are interpreting the \$150,000 threshold</p>

		<p>can go over more than two, three or even more financial years which is an issue with the provision of some services, ie tyres from the one firm. Industry belief it only relates to a financial year</p> <p><b>Recommend that the \$150,000 threshold should be per financial year or per project if a project spans more than one financial year.</b></p>
23	Section 3.5.8 Disposal of Property	<p>Issue is that if a LG gets a Real Estate Agent to sell land on its behalf and that land is sold, then the LG still has to go through the advertising process</p> <p><b>Recommend be changed to allow disposal through real estate agent (without having to go through 3.58 advertising provisions, ie be an exemption) as advertising has been undertaken and the public are well informed of the proposal to sell.</b></p>
24	Exemption of rates	<p><b>Recommend be changed to allow Council to decide whether or not to allow exemption to each 'charitable organisation' and any other organisation (eg CBH)</b></p>
25	Financial Workshops	<p>The Department needs to assist local government more rather than being a policeman all the time. One example is where the Department will send you a letter if you forget to supply them with a copy of the annual financials. Instead of waiting for the deadline they could be more helpful and send a reminder prior to the deadline. Most smaller LG's generally rely on one person to undertake this type of function, if they get sick or are on leave there is generally no one to do the role. Also the audit partner could send the annuals document when they advise the Department that the audit has been signed off.</p> <p><b>Recommend that the Department should be providing templates for annual reports, budgets etc, instead of Councils having to pay Moore Stephens to attend workshops, receive templates. Generally the Department should have more of a focus on "helping", not "policing"</b></p>
	General Compliance Requirements	<p><b>Many of the difficulties experienced are as a result of Departmental Guidelines/expectations as opposed to the actual Local Government Act 1995 and Regulations. It is recommended that a tiered approach towards compliance needs to be taken by the Department, and not apply a one size fits all as many smaller local governments do not have the staff or financial resources to ensure the compliance strictly in accordance with the DLGC expectations. It appears that DLGC go over and beyond what the actual legislative requirements are.</b></p>

**9.1.6 REFINANCING OF LOANS**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0139  
**Date:** 10 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council consider refinancing the current loans into the one loan facility.

**Attachment**

WA Treasury Loan Repayment Schedules

**Background**

Currently the Shire has 10 different loan facilities. These loan facilities range in rates of interest being paid, ranging from 3.21% to 6.73% and the length of term with the most current loan due to be paid out on 5 September 2018 and the last of the loans due to be paid out on 21 April 2029. A breakdown of the 10 loans is included in the attachment.

**Comment**

I have made some enquiries to WA Treasury with regards to refinancing our existing loans into one loan and fixing this loan for a period of 5, 7 and 10 years. Tabled below are the principal and interest repayments for the various options.

<b>Year</b>	<b>Existing Loans</b>	<b>Fixed for 5 Years</b>	<b>Fixed for 7 Years</b>	<b>Fixed for 10 Years</b>
<b>2016/17</b>	\$18,537			
<b>2017/18</b>	\$171,646	\$171,761	\$126,866	\$94,021
<b>2018/19</b>	\$163,044	\$171,761	\$126,866	\$94,021
<b>2019/20</b>	\$135,906	\$171,761	\$126,866	\$94,021
<b>2020/21</b>	\$86,962	\$171,761	\$126,866	\$94,021
<b>2012/22</b>	\$78,897	\$171,761	\$126,866	\$94,021
<b>2022/23</b>	\$45,151		\$126,865	\$94,021
<b>2023/24</b>	\$40,759		\$126,865	\$94,021
<b>2024/25</b>	\$36,361			\$94,021
<b>2025/26</b>	\$36,361			\$94,021
<b>2026/27</b>	\$36,361			\$94,020
<b>2027/28</b>	\$21,233			
<b>2028/29</b>	\$21,233			
<b>TOTAL</b>	<b>\$892,451</b>	<b>\$858,805</b>	<b>\$888,060</b>	<b>\$940,208</b>

Unfortunately as a result of the existing loans all being fixed at interest rates higher than the current market, there are penalty rates which would need to be paid when refinancing the loans into any of the 3 options tabled below. The total cost of refinancing the existing loans would be \$73,021 and this penalty amount has been included in the figures provided above.

As you can see there are only small cost savings in looking to refinance over 5 years (\$33,646) and 7 years (\$4,391), while the 10 year option will actually incur an addition \$47,757 in costs if this option was chosen. While there are not significant cost savings with the 7 year loan option, the repayments in the first 3 years will result in positive cash flows for the Shire and the loans will be repaid in full in the 2023/24 financial year which is 5 years earlier than the current loan arrangements.

The Indicative Loan Repayments Schedules are based on Semi Annual Compounding Annuities. There is an option to have Quarterly or Monthly Compounding Annuities, which based on the 7 year fixed loan term would result in additional interest savings of \$2,768.54 and \$4,617.73 respectively. Although the savings are relatively insignificant over the period of the loan, they are still savings and the added benefit of paying more regular payments is that the payment of the 0.7% loan guarantee is also reduced as this component is calculated semi-annually on the balance of the loan so the more payments that are being paid then the less the loan guarantee payment will be.

It is my recommendation that Council look at refinancing the current loans into 1 loan fixed for a period of 7 years at 2.78% per annum, or similar depending on the frequency of payments chosen.

Traditionally, the months of May and June in each year have been the busiest time for processing local government loan applications so WA Treasury have advised local governments that should they wish to raise new loans, or in our situation refinance existing loans that the requests be made prior to the end of the financial year.

Since the term of the loan is being affected and Council would be refinancing the penalty payments, the refinancing of the loan would be considered as a major variation under the Local Government (Financial Management) Regulations 1996 therefore public notice of the proposed loan refinancing is required.

### Consultation

Tamara Marsh, WA Treasury

### Statutory Environment

#### **Local Government Act 1995**

#### **6.20. Power to borrow**

- (1) Subject to this Act, a local government may —
  - (a) borrow or re-borrow money; or
  - (b) obtain credit; or
  - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (**power to borrow**) and details of that proposal have not been included in the annual budget for that financial year —
  - (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
  - (b) the resolution to exercise that power is to be by absolute majority.
- (3) Where a local government has exercised a power to borrow and —
  - (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
  - (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,

the local government may resolve\* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

\* *Absolute majority required.*

- (4) A local government is not required to give local public notice under subsection (3) —
  - (a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or
  - (b) in such other circumstances as are prescribed.
- (5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.

#### **6.21. Restrictions on borrowing**

- (1) Where, under section 6.20(1), a regional local government borrows money, obtains credit or arranges for financial accommodation to be extended to the regional local government that money, credit or financial accommodation is to be secured only —
  - (a) by the regional local government giving security over the financial contributions of the participants to the regional local government's funds as set out or provided for in the establishment agreement for the regional local government; or
  - (b) by the regional local government giving security over Government grants which were not given to the regional local government for a specific purpose; or
  - (c) by a participant giving security over its general funds to the extent agreed by the participant.
- (1a) Despite subsection (1)(a) and (c), security cannot be given over —
  - (a) the financial contributions of a particular participant to the regional local government's funds; or
  - (b) the general funds of a particular participant,

if the participant is not a party to the activity or transaction for which the money is to be borrowed by, the credit is to be obtained for, or the financial accommodation is to be extended to, the regional local government.
- (2) Where, under section 6.20(1), a local government borrows money, obtains credit or arranges for financial accommodation to be extended to the local government that money, credit or financial accommodation is only to be secured by giving security over the general funds of the local government.
- (3) The Treasurer or a person authorised in that behalf by the Treasurer may give a direction in writing to a local government with respect to the exercise of its power under section 6.20(1) either generally or in relation to a particular proposed borrowing and the local government is to give effect to any such direction.
- (4) In this section and in section 6.23 —

**general funds** means the revenue or income from —

  - (a) general rates; and
  - (b) Government grants which were not given to the local government for a specific purpose; and
  - (c) such other sources as are prescribed.

#### **Local Government (Financial Management) Regulations 1996**

20. When local public notice not required for exercise of power to borrow (Act s. 6.20(2)(a))
  - (1) A local government is not required to give local public notice of a proposal to exercise a power to borrow when the power is to be exercised to re-finance a loan or to continue other financial



accommodation (whether with the same or another bank or financial institution) except where the re-financing or continuation is a major variation.

(2) In this regulation —

**major variation** means a variation in the terms of a loan or other financial accommodation which is —

- (a) a capitalisation of interest accruals; or
- (b) an increase in the term of the loan or other financial accommodation;

**re-finance** in relation to a loan or other financial accommodation (the **existing loan**), means to borrow an amount (the **new loan**) which is, at the date of the new loan —

- (a) equal to the principal amount owing on the existing loan; or
- (b) not more than \$5 000 more or less than the principal amount owing on the existing loan,

for the principal purpose of paying out the existing loan or preserving the credit originally provided by the existing loan.

**21. When local public notice not required for change of use of borrowed money  
(Act s. 6.20(4)(b))**

A local government is not required to give local public notice of a proposed change of use of money borrowed where the amount to be used for a purpose other than the purpose for which it was borrowed —

- (a) does not exceed \$5 000 in a financial year; or
- (b) where the money proposed to be borrowed by the local government is to be used to meet expenditure authorised by the mayor or president

**Policy Implications**

Nil

**Financial Implications**

The recommendation to refinance the current loans into one facility fixed for 7 years will have negligible saving over the period of the new loan, however it will free up some cash flow in the first three years of the loan.

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.3 – Provide long term strategic leadership

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.6</b>
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**That Council;**

1. Roll the existing loans 133, 134, 136, 137, 138, 139, 141, 142, 144 and 145 with the West Australian Treasury Corporation into one consolidated loan amount, and
2. The existing loans are refinanced with the West Australian Treasury Corporation, and
3. The loan is fixed for a period of 7 years, and
4. Chief Executive Officer be authorised to negotiate the rate of the interest calculated on the loan and the frequency of the payments (Currently 2.78% per annum calculated on a semi-annual compounding basis) , and
5. The loan refinancing is completed as soon as is practically possible, and
6. The Shire gives local public notice of the proposed loan refinancing in accordance with Section 6.20 of the Local Government Act 1995

# TREASURY CORPORATION

## Indicative Loan Repayment Schedule

**Client:** Shire of Mingenew (the "Borrower") -  
**Interest Rate:** 2.5300% p.a. \* (Semi Annual Compounding)  
 1.2650% \* effective Semi Annual  
**Lending Date:** 08 May 2017  
**Maturity Date:** 08 May 2022  
**Loan amount:** \$801,956.90  
**Schedule Basis:** 10 Semi Annual repayments

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
08 Nov 2017	726,221.16	75,735.74	10,144.75	85,880.49
08 May 2018	649,527.37	76,693.79	9,186.70	85,880.49
08 Nov 2018	571,863.40	77,663.97	8,216.52	85,880.49
08 May 2019	493,216.98	78,646.42	7,234.07	85,880.49
08 Nov 2019	413,575.68	79,641.30	6,239.19	85,880.49
08 May 2020	332,926.92	80,648.76	5,231.73	85,880.49
09 Nov 2020	251,257.96	81,668.96	4,211.53	85,880.49
10 May 2021	168,555.86	82,702.08	3,178.41	85,880.49
08 Nov 2021	84,807.62	83,748.26	2,132.23	85,880.49
09 May 2022	0.00	84,807.62	1,072.82	85,880.44
	<b>Totals:</b>	<b>801,956.90</b>	<b>56,847.95</b>	<b>858,804.85</b>

**Notes:**

The interest rate quoted and this Loan Repayment Schedule are based on rates applying as at 08 May 2017  
 Interest rates do not include Government Guarantee Fee, which is invoiced separately by WATC on behalf of the Treasurer of the State of Western Australia and is subject to change in accordance with government policy.

**TREASURY CORPORATION****Indicative Loan Repayment Schedule**

**Client:** Shire of Mingenew (the "Borrower") -  
**Interest Rate:** 2.7800% p.a. \* (Semi Annual Compounding)  
 1.3900% \* effective Semi Annual  
**Lending Date:** 08 May 2017  
**Maturity Date:** 08 May 2024  
**Loan amount:** \$801,956.90  
**Schedule Basis:** 14 Semi Annual repayments

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
08 Nov 2017	749,671.25	52,285.65	11,147.20	63,432.85
08 May 2018	696,658.83	53,012.42	10,420.43	63,432.85
08 Nov 2018	642,909.54	53,749.29	9,683.56	63,432.85
08 May 2019	588,413.13	54,496.41	8,936.44	63,432.85
08 Nov 2019	533,159.22	55,253.91	8,178.94	63,432.85
08 May 2020	477,137.28	56,021.94	7,410.91	63,432.85
09 Nov 2020	420,336.64	56,800.64	6,632.21	63,432.85
10 May 2021	362,746.47	57,590.17	5,842.68	63,432.85
08 Nov 2021	304,355.80	58,390.67	5,042.18	63,432.85
09 May 2022	245,153.50	59,202.30	4,230.55	63,432.85
08 Nov 2022	185,128.28	60,025.22	3,407.63	63,432.85
08 May 2023	124,268.71	60,859.57	2,573.28	63,432.85
08 Nov 2023	62,563.20	61,705.51	1,727.34	63,432.85
08 May 2024	0.00	62,563.20	869.63	63,432.83
	<b>Totals:</b>	<b>801,956.90</b>	<b>86,102.98</b>	<b>888,059.88</b>

**Notes:**

The interest rate quoted and this Loan Repayment Schedule are based on rates applying as at 08 May 2017  
 Interest rates do not include Government Guarantee Fee, which is invoiced separately by WATC on behalf of the Treasurer of the State of Western Australia and is subject to change in accordance with government policy.

**TREASURY CORPORATION****Indicative Loan Repayment Schedule**

**Client:** Shire of Mingenew (the "Borrower") -  
**Interest Rate:** 3.1300% p.a. \* (Semi Annual Compounding)  
 1.5650% \* effective Semi Annual  
**Lending Date:** 08 May 2017  
**Maturity Date:** 08 May 2027  
**Loan amount:** \$801,956.90  
**Schedule Basis:** 20 Semi Annual repayments

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
08 Nov 2017	767,497.11	34,459.79	12,550.63	47,010.42
08 May 2018	732,498.02	34,999.09	12,011.33	47,010.42
08 Nov 2018	696,951.19	35,546.83	11,463.59	47,010.42
08 May 2019	660,848.06	36,103.13	10,907.29	47,010.42
08 Nov 2019	624,179.91	36,668.15	10,342.27	47,010.42
08 May 2020	586,937.91	37,242.00	9,768.42	47,010.42
09 Nov 2020	549,113.07	37,824.84	9,185.58	47,010.42
10 May 2021	510,696.27	38,416.80	8,593.62	47,010.42
08 Nov 2021	471,678.25	39,018.02	7,992.40	47,010.42
09 May 2022	432,049.59	39,628.66	7,381.76	47,010.42
08 Nov 2022	391,800.75	40,248.84	6,761.58	47,010.42
08 May 2023	350,922.01	40,878.74	6,131.68	47,010.42
08 Nov 2023	309,403.52	41,518.49	5,491.93	47,010.42
08 May 2024	267,235.27	42,168.25	4,842.17	47,010.42
08 Nov 2024	224,407.08	42,828.19	4,182.23	47,010.42
08 May 2025	180,908.63	43,498.45	3,511.97	47,010.42
10 Nov 2025	136,729.43	44,179.20	2,831.22	47,010.42
08 May 2026	91,858.83	44,870.60	2,139.82	47,010.42
09 Nov 2026	46,286.00	45,572.83	1,437.59	47,010.42
10 May 2027	0.00	46,286.00	724.38	47,010.38
	<b>Totals:</b>	<b>801,956.90</b>	<b>138,251.46</b>	<b>940,208.36</b>

**Notes:**

The interest rate quoted and this Loan Repayment Schedule are based on rates applying as at 08 May 2017  
 Interest rates do not include Government Guarantee Fee, which is invoiced separately by WATC on behalf of the Treasurer of the State of Western Australia and is subject to change in accordance with government policy.

# Market Valuation Report

WESTERN AUSTRALIA  
TREASURY CORPORATION

**Client:** Shire of Mingenew **Pricing Date:** 08 May 2017

**Facility:** Debenture **Settlement Date:** 08 May 2017

**Account:** All

**Loan:** All

## Market Valuation Report - Debenture Facility

Loan No:	Maturity Date	Capital	Accrued Interest*	Premium / Discount	Valuation
139 - 298222W	05 Sep 2018	24,254.63	276.71	916.44	25,447.78
145 - 396293W	21 Nov 2019	105,229.33	1,567.63	1,440.39	108,237.35
141 - 325604W	26 Feb 2020	82,242.87	988.80	5,037.54	88,269.21
133 - 222930W	28 Aug 2021	61,765.65	792.33	6,176.79	68,734.77
142 - 355280W	12 Mar 2022	56,154.02	435.76	3,673.37	60,263.15
144 - 355284W	12 Mar 2022	56,154.02	435.76	3,673.37	60,263.15
134 - 223900W	12 Sep 2023	46,481.06	439.89	5,297.47	52,218.42
136 - 277024W	23 Mar 2027	110,735.16	878.96	17,889.89	129,504.01
138 - 309224W	21 Apr 2029	87,968.02	245.97	14,162.67	102,376.66
137 - 309226W	21 Apr 2029	91,633.40	256.22	14,752.78	106,642.40
<b>Totals:</b>		<b>\$722,618.16</b>	<b>\$6,318.03</b>	<b>\$73,020.71</b>	<b>\$801,956.90</b>

\* Note - accrued interest is calculated to 08 May 2017

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 133

6.73% p.a. \*(Semi Annual Compounding) 3.365% p.a. \* effective Semi Annual

31 08 2001

28 08 2021

01 02 2017

\$67,546.01

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
28 08 2017	55,787.89	5,977.76	2,078.42	8,056.18
28 02 2018	49,605.99	6,181.90	1,877.27	8,059.17
28 08 2018	43,212.97	6,393.02	1,669.24	8,062.26
28 02 2019	36,601.63	6,611.34	1,454.11	8,065.45
28 08 2019	29,764.52	6,837.11	1,231.65	8,068.76
28 02 2020	22,693.92	7,070.60	1,001.58	8,072.18
28 08 2020	15,381.86	7,312.06	763.65	8,075.71
01 03 2021	7,820.09	7,561.77	517.60	8,079.37
30 08 2021	0.00	7,820.09	263.15	8,083.24
<b>Total</b>		<b>\$61,765.65</b>	<b>\$10,856.67</b>	<b>\$72,622.32</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 134

6.11% p.a. \*(Semi Annual Compounding) 3.055% p.a. \* effective Semi Annual

12 09 2003

12 09 2023

01 02 2017

\$49,348.75

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
12 09 2017	43,524.33	2,956.73	1,420.00	4,376.73
12 03 2018	40,475.79	3,048.54	1,329.67	4,378.21
12 09 2018	37,332.59	3,143.20	1,236.53	4,379.73
12 03 2019	34,091.80	3,240.79	1,140.51	4,381.30
12 09 2019	30,750.38	3,341.42	1,041.50	4,382.92
12 03 2020	27,305.21	3,445.17	939.42	4,384.59
14 09 2020	23,753.07	3,552.14	834.18	4,386.32
12 03 2021	20,090.63	3,662.44	725.65	4,388.09
13 09 2021	16,314.47	3,776.16	613.76	4,389.92
14 03 2022	12,421.06	3,893.41	498.40	4,391.81
12 09 2022	8,406.76	4,014.30	379.46	4,393.76
13 03 2023	4,267.82	4,138.94	256.83	4,395.77
12 09 2023	0.00	4,267.82	130.39	4,398.21
<b>Total</b>		<b>\$46,481.06</b>	<b>\$10,546.30</b>	<b>\$57,027.36</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 136

6.35% p.a. \*(Semi Annual Compounding) 3.175% p.a. \* effective Semi Annual

23 03 2007

23 03 2027

01 02 2017

\$114,658.84

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
26 09 2017	106,686.90	4,048.26	3,515.84	7,564.10
23 03 2018	102,510.11	4,176.79	3,387.31	7,564.10
24 09 2018	98,200.71	4,309.40	3,254.70	7,564.10
25 03 2019	93,754.48	4,446.23	3,117.87	7,564.10
23 09 2019	89,167.08	4,587.40	2,976.70	7,564.10
23 03 2020	84,434.03	4,733.05	2,831.05	7,564.10
23 09 2020	79,550.71	4,883.32	2,680.78	7,564.10
23 03 2021	74,512.35	5,038.36	2,525.74	7,564.10
23 09 2021	69,314.02	5,198.33	2,365.77	7,564.10
23 03 2022	63,950.64	5,363.38	2,200.72	7,564.10
23 09 2022	58,416.97	5,533.67	2,030.43	7,564.10
23 03 2023	52,707.61	5,709.36	1,854.74	7,564.10
25 09 2023	46,816.98	5,890.63	1,673.47	7,564.10
25 03 2024	40,739.32	6,077.66	1,486.44	7,564.10
23 09 2024	34,468.69	6,270.63	1,293.47	7,564.10
24 03 2025	27,998.97	6,469.72	1,094.38	7,564.10
23 09 2025	21,323.84	6,675.13	888.97	7,564.10
23 03 2026	14,436.77	6,887.07	677.03	7,564.10
23 09 2026	7,331.04	7,105.73	458.37	7,564.10
23 03 2027	0.00	7,331.04	232.76	7,563.80
<b>Total</b>		<b>\$110,735.16</b>	<b>\$40,546.54</b>	<b>\$151,281.70</b>



**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 137

6.02% p.a. \*(Semi Annual Compounding) 3.01% p.a. \* effective Semi Annual

21 04 2009

21 04 2029

01 02 2017

\$94,214.10

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
23 10 2017	88,975.03	2,658.37	2,758.17	5,416.54
23 04 2018	86,236.64	2,738.39	2,678.15	5,416.54
22 10 2018	83,415.82	2,820.82	2,595.72	5,416.54
23 04 2019	80,510.10	2,905.72	2,510.82	5,416.54
21 10 2019	77,516.91	2,993.19	2,423.35	5,416.54
21 04 2020	74,433.63	3,083.28	2,333.26	5,416.54
21 10 2020	71,257.54	3,176.09	2,240.45	5,416.54
21 04 2021	67,985.85	3,271.69	2,144.85	5,416.54
21 10 2021	64,615.68	3,370.17	2,046.37	5,416.54
21 04 2022	61,144.07	3,471.61	1,944.93	5,416.54
21 10 2022	57,567.97	3,576.10	1,840.44	5,416.54
21 04 2023	53,884.23	3,683.74	1,732.80	5,416.54
23 10 2023	50,089.61	3,794.62	1,621.92	5,416.54
22 04 2024	46,180.77	3,908.84	1,507.70	5,416.54
21 10 2024	42,154.27	4,026.50	1,390.04	5,416.54
22 04 2025	38,006.57	4,147.70	1,268.84	5,416.54
21 10 2025	33,734.03	4,272.54	1,144.00	5,416.54
21 04 2026	29,332.88	4,401.15	1,015.39	5,416.54
21 10 2026	24,799.26	4,533.62	882.92	5,416.54
21 04 2027	20,129.18	4,670.08	746.46	5,416.54
21 10 2027	15,318.53	4,810.65	605.89	5,416.54
21 04 2028	10,363.08	4,955.45	461.09	5,416.54
23 10 2028	5,258.47	5,104.61	311.93	5,416.54
23 04 2029	0.00	5,258.47	158.28	5,416.75
<b>Total</b>		<b>\$91,633.40</b>	<b>\$38,363.77</b>	<b>\$129,997.17</b>

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 138

6.02% p.a. \*(Semi Annual Compounding) 3.01% p.a. \* effective Semi Annual

21 04 2009

21 04 2029

01 02 2017

\$90,445.49

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
23 10 2017	85,415.98	2,552.04	2,647.84	5,199.88
23 04 2018	82,787.12	2,628.86	2,571.02	5,199.88
22 10 2018	80,079.13	2,707.99	2,491.89	5,199.88
23 04 2019	77,289.63	2,789.50	2,410.38	5,199.88
21 10 2019	74,416.17	2,873.46	2,326.42	5,199.88
21 04 2020	71,456.22	2,959.95	2,239.93	5,199.88
21 10 2020	68,407.17	3,049.05	2,150.83	5,199.88
21 04 2021	65,266.35	3,140.82	2,059.06	5,199.88
21 10 2021	62,030.99	3,235.36	1,964.52	5,199.88
21 04 2022	58,698.24	3,332.75	1,867.13	5,199.88
21 10 2022	55,265.18	3,433.06	1,766.82	5,199.88
21 04 2023	51,728.78	3,536.40	1,663.48	5,199.88
23 10 2023	48,085.94	3,642.84	1,557.04	5,199.88
22 04 2024	44,333.45	3,752.49	1,447.39	5,199.88
21 10 2024	40,468.01	3,865.44	1,334.44	5,199.88
22 04 2025	36,486.22	3,981.79	1,218.09	5,199.88
21 10 2025	32,384.58	4,101.64	1,098.24	5,199.88
21 04 2026	28,159.48	4,225.10	974.78	5,199.88
21 10 2026	23,807.20	4,352.28	847.60	5,199.88
21 04 2027	19,323.92	4,483.28	716.60	5,199.88
21 10 2027	14,705.69	4,618.23	581.65	5,199.88
21 04 2028	9,948.45	4,757.24	442.64	5,199.88
23 10 2028	5,048.02	4,900.43	299.45	5,199.88
23 04 2029	0.00	5,048.02	151.95	5,199.97
<b>Total</b>		<b>\$87,968.02</b>	<b>\$36,829.19</b>	<b>\$124,797.21</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 139

6.56% p.a. \*(Semi Annual Compounding) 3.28% p.a. \* effective Semi Annual

05 09 2008

05 09 2018

01 02 2017

\$31,831.53

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
05 09 2017	16,429.21	7,825.42	795.55	8,620.97
05 03 2018	8,347.12	8,082.09	538.88	8,620.97
05 09 2018		0.00 8,347.12	273.79	8,620.91
<b>Total</b>		<b>\$24,254.63</b>	<b>\$1,608.22</b>	<b>\$25,862.85</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 141

6.13% p.a. \*(Semi Annual Compounding) 3.065% p.a. \* effective Semi Annual

26 02 2010

26 02 2020

01 02 2017

\$94,559.20

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
28 08 2017	69,549.04	12,693.83	2,520.74	15,214.57
26 02 2018	56,466.15	13,082.89	2,131.68	15,214.57
27 08 2018	42,982.27	13,483.88	1,730.69	15,214.57
26 02 2019	29,085.11	13,897.16	1,317.41	15,214.57
26 08 2019	14,762.00	14,323.11	891.46	15,214.57
26 02 2020	0.00	14,762.00	452.46	15,214.46
<b>Total</b>		<b>\$82,242.87</b>	<b>\$9,044.44</b>	<b>\$91,287.31</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 142

5.01% p.a. \*(Semi Annual Compounding) 2.505% p.a. \* effective Semi Annual

12 03 2012

12 03 2022

01 02 2017

\$61,042.64

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
12 09 2017	51,142.94	5,011.08	1,406.66	6,417.74
12 03 2018	46,006.33	5,136.61	1,281.13	6,417.74
12 09 2018	40,741.05	5,265.28	1,152.46	6,417.74
12 03 2019	35,343.87	5,397.18	1,020.56	6,417.74
12 09 2019	29,811.49	5,532.38	885.36	6,417.74
12 03 2020	24,140.53	5,670.96	746.78	6,417.74
14 09 2020	18,327.51	5,813.02	604.72	6,417.74
12 03 2021	12,368.87	5,958.64	459.10	6,417.74
13 09 2021	6,260.97	6,107.90	309.84	6,417.74
14 03 2022	0.00	6,260.97	156.84	6,417.81
<b>Total</b>		<b>\$56,154.02</b>	<b>\$8,023.45</b>	<b>\$64,177.47</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 144

5.01% p.a. \*(Semi Annual Compounding) 2.505% p.a. \* effective Semi Annual

12 03 2012

12 03 2022

01 02 2017

\$61,042.64

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
12 09 2017	51,142.94	5,011.08	1,406.66	6,417.74
12 03 2018	46,006.33	5,136.61	1,281.13	6,417.74
12 09 2018	40,741.05	5,265.28	1,152.46	6,417.74
12 03 2019	35,343.87	5,397.18	1,020.56	6,417.74
12 09 2019	29,811.49	5,532.38	885.36	6,417.74
12 03 2020	24,140.53	5,670.96	746.78	6,417.74
14 09 2020	18,327.51	5,813.02	604.72	6,417.74
12 03 2021	12,368.87	5,958.64	459.10	6,417.74
13 09 2021	6,260.97	6,107.90	309.84	6,417.74
14 03 2022	0.00	6,260.97	156.84	6,417.81
<b>Total</b>		<b>\$56,154.02</b>	<b>\$8,023.45</b>	<b>\$64,177.47</b>

Loan Repayment Schedule

**Client:**

**Interest Rate:**

**Effective Date: Maturity Date: Schedule Date:**

**Loan Balance:**

Shire of Mingenew - 145

3.21% p.a. \*(Semi Annual Compounding) 1.605% p.a. \* effective Semi Annual

21 11 2014

21 11 2019

01 02 2017

\$105,229.33

Payment Date	Debt Balance Outstanding	Capital Repayment	Interest Payment	Total Fixed Payment
22 05 2017	88,381.76	16,847.57	1,688.93	18,536.50
21 11 2017	71,263.79	17,117.97	1,418.53	18,536.50
21 05 2018	53,871.07	17,392.72	1,143.78	18,536.50
21 11 2018	36,199.20	17,671.87	864.63	18,536.50
21 05 2019	18,243.70	17,955.50	581.00	18,536.50
21 11 2019	0.00	18,243.70	292.81	18,536.51
<b>Total</b>		<b>\$105,229.33</b>	<b>\$5,989.68</b>	<b>\$111,219.01</b>

### 9.1.7 MINGENEW MIDWEST EXPO

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0047  
**Date:** 11 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council consider a request from the Mingenew Midwest Expo (“Expo”) to paint a mural on the Recreation Centre forecourt wall.

#### **Attachment**

Submission from Mingenew Midwest Expo

#### **Background**

The Mingenew Midwest Expo will be celebrating its 35th year in 2017 and to commemorate this milestone are looking to undertake a community arts project which will culminate with a mural being painted on the southern side forecourt wall at the Recreation Centre.

The project will involve a community engagement process leading into the Expo in June/July which will host events such as school workshops and an interactive community roadshow. Community groups and visitors to Expo are encouraged to participate in the painting of the mural which will be a permanent display at the Recreation Centre.

An artist from Perth will be engaged to complete the project and the project will be fully funded by Plum Grove subject to approval from the Shire to use the wall for the mural.

#### **Comment**

While the work is expected to be untraditional it proposed to be innovative, rather than abstract with a clear sense of story. The end mural is expected to be colourful and tell the story of Mingenew, our farming community and our future.

The proposed area for the mural to be located is in the undercover area of the Recreation Centre forecourt. The location has been selected since the area is undercover and is expected to be a high traffic throughout the event which is aimed at encouraging people to participate in the painting of the mural.

The proposed area appears to be a suitable area as the current aesthetics of the wall in the under cover area are plain at best, however the concern may be that the proposed mural could be perceived as being invasive as the proposed site area is approximately 2.4m high and 6m wide.

The mural will be a permanent painting so If Council agree with the location then consideration needs to be given to the suitability of the mural given that it will be a feature at the chosen location for many years to come.

Council could consider to place certain conditions of the mural to be painted to ensure that the final product is deemed suitable, however placing conditions on the type of mural to be painted may inhibit the ambitions of the artist being engaged.

#### **Consultation**

Hellene McTaggart, Mingenew Mid West Expo



**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

There are no financial impacts on the Shire for the proposed project however need to consider the future cost of needing to repaint the mural at some stage in the future.

**Strategic Implications**

Community Strategic Plan

Outcome 4.5.2 – Maintain, review and ensure relevance of Council policies and local laws.

**Voting Requirements**

Absolute Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.7</b>
--

**That Council;**

- 1. Agree to the proposal from the Mingenew Mid West Expo to allow a mural to be painted on the southern side of the undercover area of the Recreation Centre forecourt area, and**
- 2. That the size of the mural will be to a maximum height of the wall area and is not to exceed 6m in width**

Shire of Mingenew Councillors  
Victoria Street  
Mingenew WA 6522

9 May 2017

Dear Councillors,

**RE: Permission to utilise wall of Recreation Centre forecourt for arts mural**

Mingenew Midwest Expo seeks permission to paint an arts mural on the brick wall located in the Recreation Centre forecourt, located between the changerooms and turf bar (pictured below).

2017 will be Mingenew's 35<sup>th</sup> Expo. To celebrate and commemorate this milestone we have developed an interactive community arts project, *Expo 35- Expo commemorative collaborative mural celebrating 35 years strong*.

*Expo 35* will engage a professional artist, to work with the community to design a mural which will be painted during Expo week (14-18 August). Furthermore, visitors to Expo will be able to participate in the painting of the mural in a 'paint by numbers' type activity. The project has three phases:

1. Research and community engagement (June/ July)- a one week artist residency involving school workshops, interactive community roadshow arts activity, interviews with current and past Expo volunteers, research of Expo and Mingenew area etc
2. Design development- Artist develops up design with input from Expo Board
3. Execution and community engagement (14- 18 August)- wall prepared, mural design executed with participation activity involving Expo visitors and volunteers.

Details:

- Location: The Recreation Centre forecourt area was suggested by the Expo Board as a suitable location for the mural for the following reasons:

- Safe access- Expo visitors can safely access the site and a small area along the site can be easily cordoned off during the mural execution.
- Undercover- The site relatively weatherproof which greatly aids in risk management and also contributes to the murals longevity.
- Visibility- This is a high traffic area during events and we hope that the community and visitor's will gain much enjoyment from the mural for many years to come.



- Materials: High quality paint for use on exterior brick surface will be used.
- Artist: Shavaurn Hanson (biography attached). Hellene McTaggart, Expo Board of Management has selected an urban artist that has the ability and personality to be able to soak up the Expo and farming experience and interpret it from a different angle.
- Project Management: Hellene McTaggart, Expo Board Member with support from Expo staff

- Funding: Plum Grove will be contributing the full project cost subject to Shire approval for use of the wall
- Other partners which Expo is seeking to engage: Mingenew Primary School, Mingenew Art Group, Mingenew CRC and other stakeholders that use the forecourt area (Mingenew Winter Sports committee's Football, Netball, Hockey, Mingenew Cricket Club, Mingenew Turf Club).

*Expo 35* is about capturing the essence of Expo and our Midwest community and presenting it through an innovative medium. It is also about engagement- engagement through the creative process and engagement in the resulting visual outcome. While the work is expected to be untraditional it will be innovative (rather than abstract) and have a clear sense of story. The end mural is expected to be colourful and use shape and form to tell the story of Mingenew, our farming community and our future. We want our community and those who come Mingenew to be engaged by the artwork for years to come and for it to serve as tribute to our sense of innovation and our commitment to future generations.

I thank you for considering our request.

Yours sincerely,

Helen Newton

Chairperson

**Bio- Shavaurn Hanson and Workshop Freo**

Shavaurn Hanson is a multi- disciplinary artist from Perth. She recently returned to WA after a decade of living, working and exhibiting in Sydney. She completed BA (Art) at Curtin University and Post Grad Certificate of Cross Disciplinary Art and Design at University of New South Wales College of Fine Art. Shavaurn is also a qualified secondary school teacher with extensive experience teaching diverse groups of people including gifted and talent, special needs, and adults.

She is currently the manager and proprietor of Workshop Freo, which specialises short courses in the creative arts and lifestyle enrichment. She has completed public art and mural projects with Monster Skate Park (Sydney Olympic Park), Factory 49, The Bearded Tit, The Beams Festival and is currently developing a project for the Kaleidoscope Festival in Joondalup in November.

For more information and link to CV please visit:

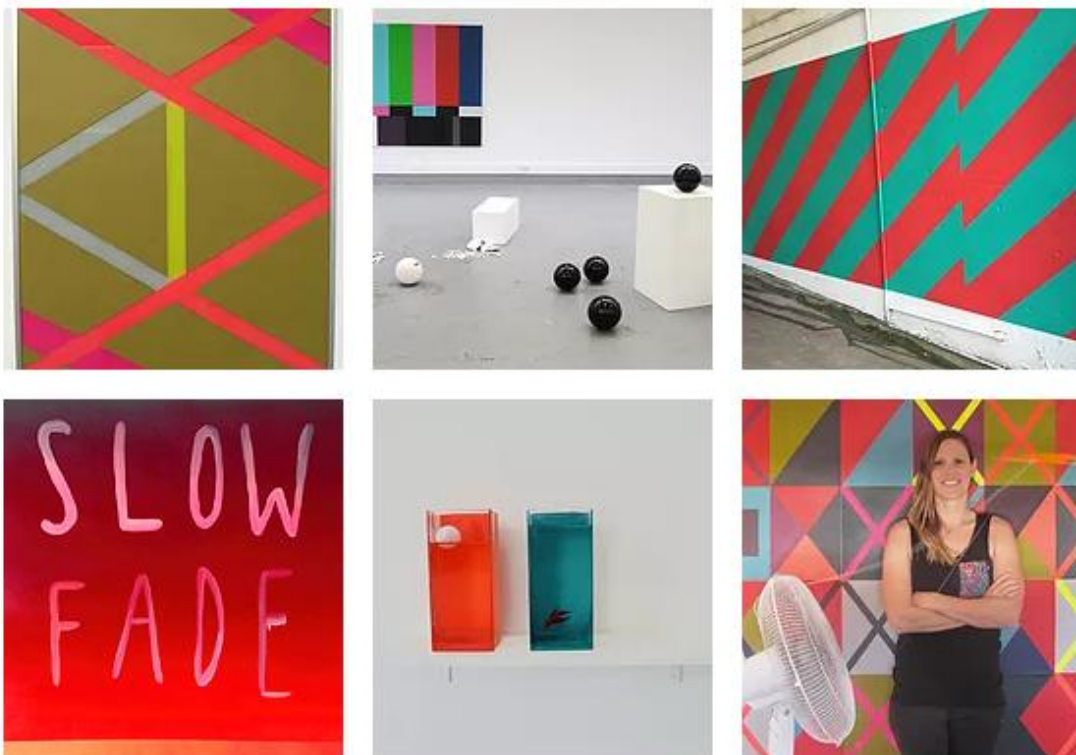
[www.shavaurnhanson.com](http://www.shavaurnhanson.com)

And [www.workshop.com.au](http://www.workshop.com.au)

Instagram: @workshopfreo and @workshopaus

Facebook Search: Workshopfreo and Workshop Aus

A professional CV outlining teaching experience will be forwarded to Mrs Hellene McTaggart



## 9.2 FINANCE

### 9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 APRIL 2017

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM0304
<b>Date:</b>	10 May 2017
<b>Author:</b>	Durga Ojha, Manager of Finance
<b>Senior Officer:</b>	Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that the Monthly Statement of Financial Activity report for the period ending 30 April 2017 is presented to Council for adoption.

#### Attachment

Finance Report for period ending 30 April 2017

#### Background

The Monthly Financial Report to 30 April 2017 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

#### Comment

<b>SUMMARY OF FUNDS – SHIRE OF MINGENEW</b>	
Municipal Account	\$1,637,243
Business Cash Maximiser (Municipal Funds)	0
Trust Account	\$116,236
Reserve Maximiser Account	\$331,301

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 May 2017

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 30 April 2017:

	<b>Current</b>	<b>30+ Days</b>	<b>60+ Days</b>	<b>90+ Days</b>	<b>TOTAL</b>
Amount	33,651	63,000	643	391	97,685

Rates Outstanding at 30 April 2017 were:

	<b>Current</b>	<b>Arrears</b>	<b>TOTAL</b>
Rates	83,234	1,443	84,677
Rubbish	6,267	372	6,639
ESL	1,781	72	1,853
Payment Plan Fees	140	0	140
<b>TOTAL</b>	<b>91,422</b>	<b>1,887</b>	<b>93,309</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/17 financial year.

**Consultation**

Chief Executive Officer

**Statutory Environment**

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

**committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- (b) budget estimates to the end of the month to which the statement relates; and
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 May 2017

- (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
  - (a) according to nature and type classification; or
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
  - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

**Policy Implications**

Nil

**Financial Implications**

Financial implications are outlined in comments.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.2.1</b>
--

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 30 April 2017 be received.**

# SHIRE OF MINGENEW

## MONTHLY FINANCIAL REPORT

For the Period Ended 30 April 2017

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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## **Report Purpose**

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34 .

## **Overview**

Summary reports and graphical progressive graphs are provided on page 3, 4 and 5.  
No matters of significance are noted.

## **Statement of Financial Activity by reporting program**

Is presented on page 6 and shows a surplus as at 30 April 2017 of \$1,563,334.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

## **Preparation**

Prepared by: Durga Ojha

Reviewed by: Martin Whitely

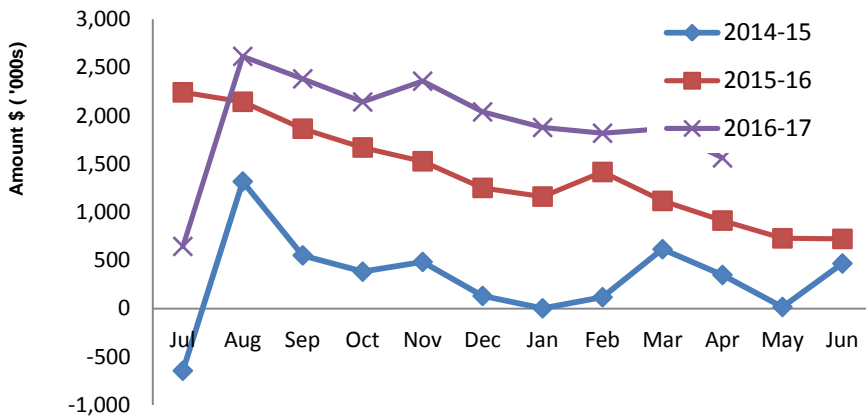
Date prepared: 8/05/2017

# Shire of Mingenew

## Monthly Summary Information

For the Period Ended 30 April 2017

**Liquidity Over the Year (Refer Note 3)**



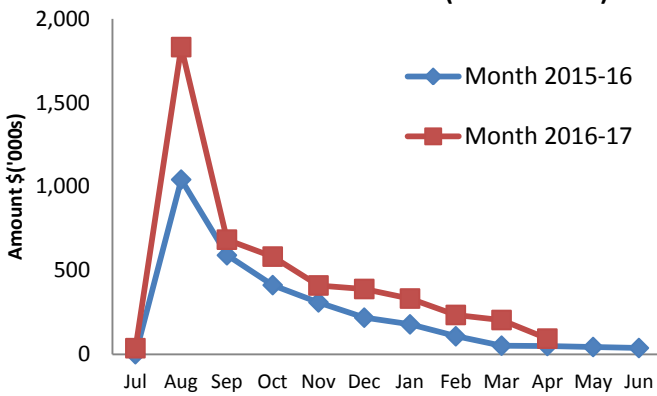
**Cash and Cash Equivalents  
as at period end**

Unrestricted	\$ 936,690
Restricted	\$ 852,087
	<u>\$ 1,788,776</u>

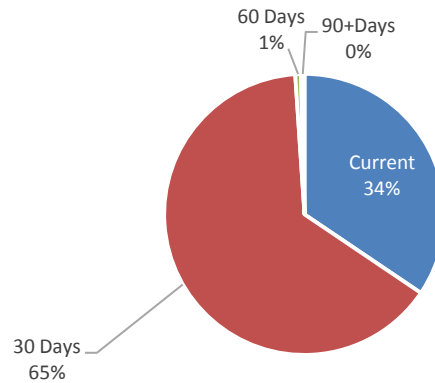
**Receivables**

Rates	\$ 93,309
Other	\$ 97,685
	<u>\$ 190,994</u>

**Rates Receivable (Refer Note 6)**



**Accounts Receivable Ageing (non-rates)  
(Refer Note 6)**



**Comments**

Rates were issued on 22 August 2016.  
 First instalment was due 27 September 2016.  
 Final notices were issued 3rd October 2016  
 Second Instalment was due 29 November 2016  
 Third instalment was due 3 February 2017  
 4th & Final instalment was due 7 April 2017

**SUMMARY OF BILLING**

Rates	1,751,901
Rubbish	74,790
ESL	26,057
	<u>1,852,748</u>

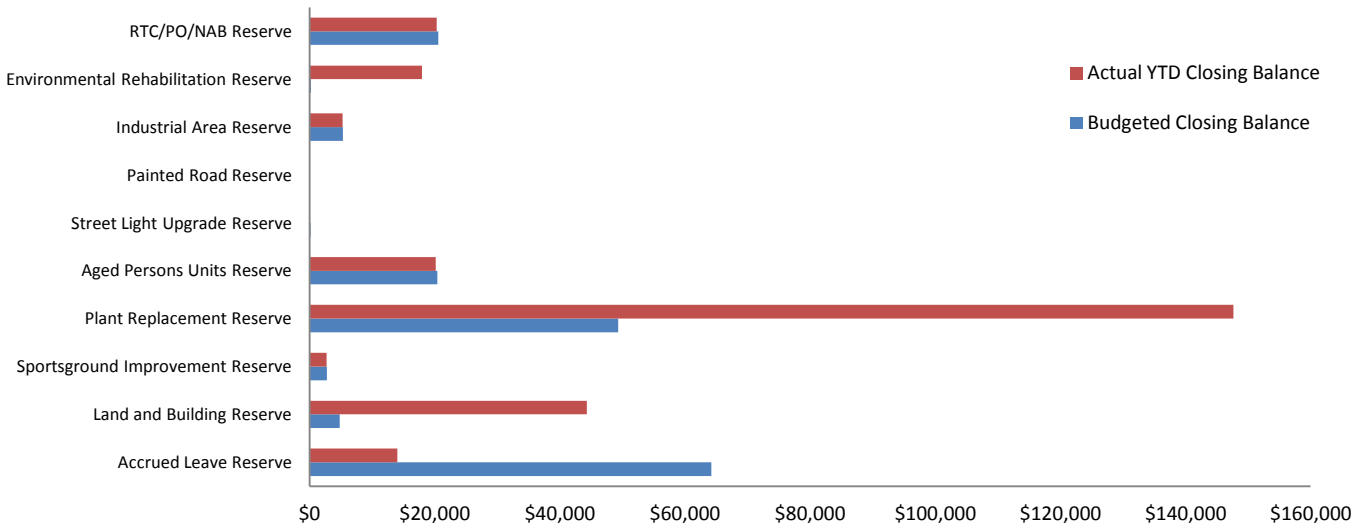
This information is to be read in conjunction with the accompanying Financial Statements and notes.

**Shire of Mingenew**  
**Monthly Summary Information**  
 For the Period Ended 30 April 2017

**Capital Expenditure Program YTD (Refer Note 13)**



**Year To Date Reserve Balance to End of Year Estimate (Refer Note 7)**



**Comments**

This information is to be read in conjunction with the accompanying Financial Statements and notes.

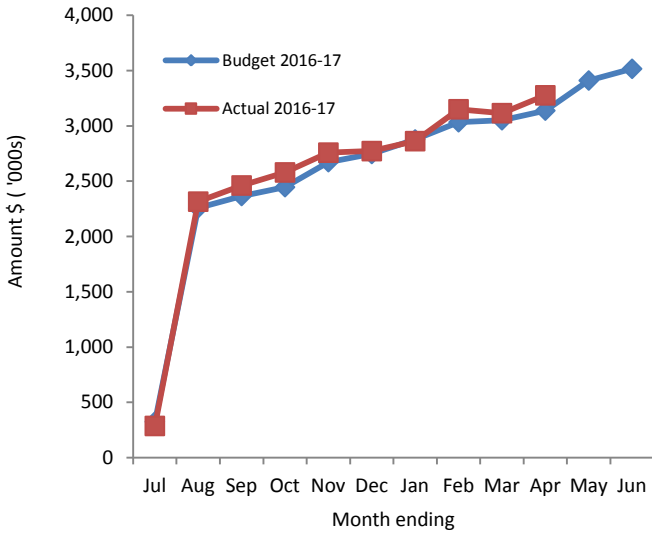
# Shire of Mingenew

## Monthly Summary Information

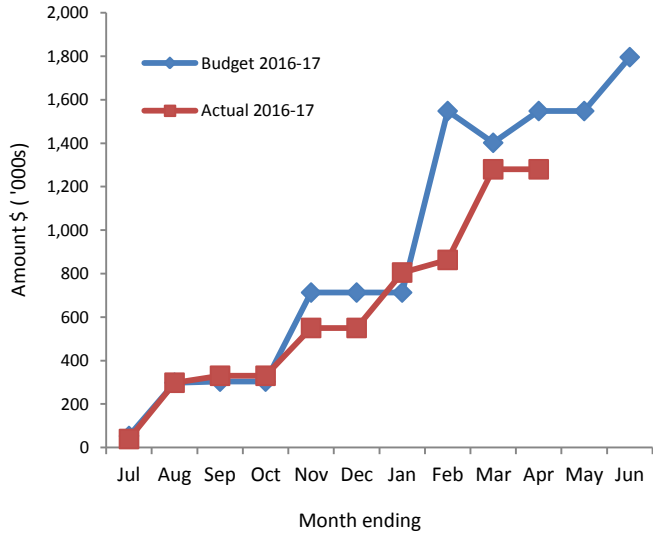
For the Period Ended 30 April 2017

### Revenues

**Budget Operating Revenues -v- Actual (Refer Note 2)**

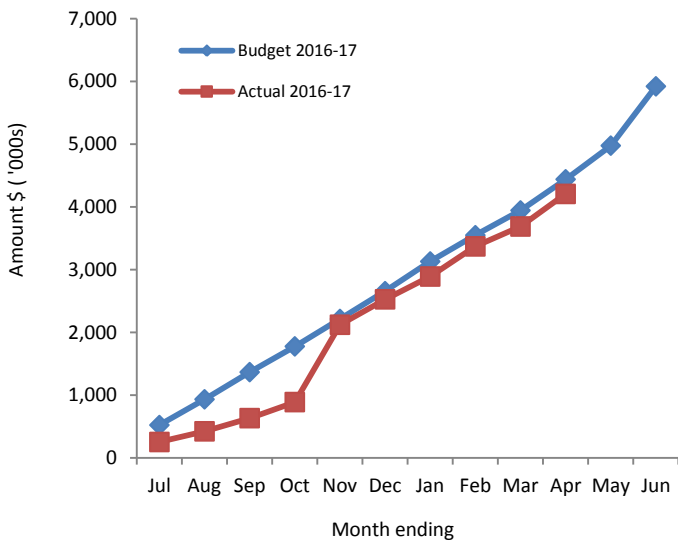


**Budget Capital Revenue -v- Actual (Refer Note 2)**

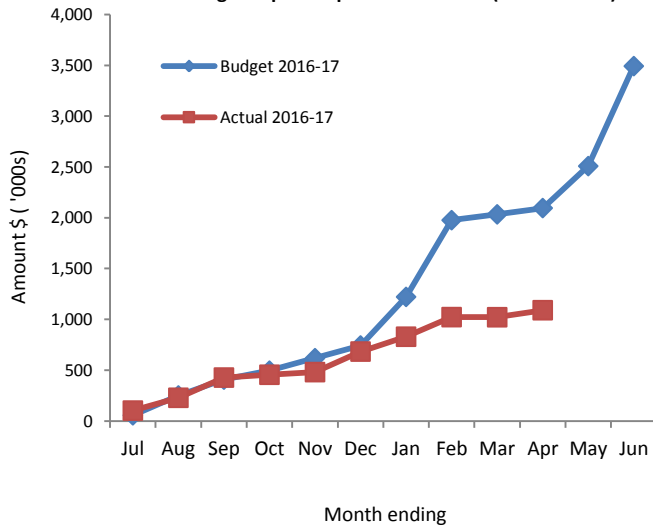


### Expenditure

**Budget Operating Expenses -v- YTD Actual (Refer Note 2)**



**Budget Capital Expenses -v- Actual (Refer Note 2)**



### Comments

This information is to be read in conjunction with the accompanying Financial Statements and notes.

**SHIRE OF MINGENEW**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(Statutory Reporting Program)**  
**For the Period Ended 30 April 2017**

	Note	2016/17 Forecast Budget	2016/17 Original Budget (a)	2016/17 YTD Budget (a)	2016/17 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Operating Revenues</b>								
General Purpose Funding		\$ 2,372,597	\$ 2,384,752	\$ 2,211,304	\$ 2,217,045	\$ 5,741	% 0.26%	
Governance		17,559	7,099	14,606	16,284	1,678	11.49%	
Law, Order and Public Safety		77,070	79,070	27,815	26,619	(1,196)	(4.30%)	
Health		301	301	250	2,870	2,620	1048.00%	
Education and Welfare		3,745	3,745	3,620	2,306	(1,314)	(36.29%)	
Housing		118,733	118,733	97,505	95,786	(1,719)	(1.76%)	
Community Amenities		83,577	85,662	85,780	82,136	(3,644)	(4.25%)	
Recreation and Culture		31,619	31,619	31,502	55,686	24,184	76.77%	▲
Transport		608,803	684,827	548,872	600,490	51,618	9.40%	
Economic Services		6,224	6,824	5,150	5,574	424	8.24%	
Other Property and Services		137,929	113,757	111,745	171,310	59,565	53.30%	▲
<b>Total Operating Revenue</b>		<b>3,458,159</b>	<b>3,516,389</b>	<b>3,138,149</b>	<b>3,276,108</b>	<b>132,218</b>		
<b>Operating Expense</b>								
General Purpose Funding		(83,815)	(89,815)	(49,490)	(43,965)	5,525	11.16%	▲
Governance		(111,671)	(217,483)	(153,631)	(198,646)	(45,015)	(29.30%)	▼
Law, Order and Public Safety		(170,044)	(170,044)	(135,152)	(81,084)	54,068	40.01%	▲
Health		(73,039)	(75,539)	(61,324)	(47,361)	13,963	22.77%	▲
Education and Welfare		(69,760)	(76,146)	(65,180)	(52,005)	13,175	20.21%	▲
Housing		(297,992)	(297,992)	(101,940)	(67,584)	34,357	33.70%	▲
Community Amenities		(372,924)	(372,924)	(330,416)	(157,013)	173,403	52.48%	▲
Recreation and Culture		(1,122,947)	(1,118,561)	(934,276)	(836,491)	97,785	10.47%	▲
Transport		(2,662,628)	(2,662,628)	(2,218,964)	(2,325,369)	(106,405)	(4.80%)	▼
Economic Services		(392,522)	(395,022)	(274,096)	(229,539)	44,557	16.26%	▲
Other Property and Services		(28,448)	1,552	(114,565)	(167,903)	(53,338)	(46.56%)	▼
<b>Total Operating Expenditure</b>		<b>(5,385,790)</b>	<b>(5,474,602)</b>	<b>(4,439,034)</b>	<b>(4,206,960)</b>	<b>232,074</b>		
<b>Funding Balance Adjustments</b>								
Add back Depreciation		2,360,651	2,360,651	1,967,170	1,833,799	(133,371)	(6.78%)	
Adjust (Profit)/Loss on Asset Disposal	8	(36,765)	(36,765)	(23,478)	1,617	25,095	(106.89%)	
Adjust Provisions and Accruals		0	0	0	0	0		
<b>Net Cash from Operations</b>		<b>396,255</b>	<b>365,673</b>	<b>642,807</b>	<b>904,564</b>	<b>256,016</b>		
<b>Capital Revenues</b>								
Grants, Subsidies and Contributions	11	2,242,506	1,795,921	1,146,210	945,653	(200,557)	(17.50%)	▼
Proceeds from Disposal of Assets	8	447,000	447,000	372,500	335,150	(37,350)	(10.03%)	▼
<b>Total Capital Revenues</b>		<b>2,689,506</b>	<b>2,242,921</b>	<b>1,518,710</b>	<b>1,280,803</b>	<b>(237,907)</b>		
<b>Capital Expenses</b>								
Land Held for Resale	13	(200,000)	(200,000)	0	(682)	(682)	(100.00%)	
Land and Buildings	13	(1,023,000)	(723,000)	(78,995)	(22,196)	56,799	71.90%	▲
Infrastructure - Roads	13	(1,452,561)	(1,236,362)	(1,182,551)	(673,248)	509,303	43.07%	▲
Infrastructure - Footpaths	13	0	0	0	0	0		
Infrastructure - Drainage & Culverts	13	0	0	0	(3,102)	(3,102)		
Infrastructure - Aerodomes	13	0	0	0	0	0		
Infrastructure - Other		(445,000)	(445,000)	(402,341)	(35,551)			
Plant and Equipment	13	(589,900)	(600,000)	(421,900)	(355,562)	66,338	15.72%	▲
Furniture and Equipment	13	(14,500)	(14,500)	(9,498)	0	9,498	100.00%	▲
<b>Total Capital Expenditure</b>		<b>(3,724,961)</b>	<b>(3,218,862)</b>	<b>(2,095,285)</b>	<b>(1,090,341)</b>	<b>638,154</b>		
<b>Net Cash from Capital Activities</b>		<b>(1,035,455)</b>	<b>(975,941)</b>	<b>(576,575)</b>	<b>190,462</b>	<b>400,247</b>		
<b>Financing</b>								
Proceeds from New Debentures		0	0	0	0	0		
Proceeds from Advances		0	0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0	0		
Transfer from Reserves	7	258,778	195,363	195,363	18,598	(176,765)	(90.48%)	
Advances to Community Groups		0	0	0	0	0		
Repayment of Debentures	10	(181,409)	(181,409)	(164,690)	(164,561)	129	0.08%	
Transfer to Reserves	7	(91,775)	(91,775)	(41,280)	(41,280)	0	0.00%	
<b>Net Cash from Financing Activities</b>		<b>(14,406)</b>	<b>(77,821)</b>	<b>(10,607)</b>	<b>(187,242)</b>	<b>(176,636)</b>		
<b>Net Operations, Capital and Financing</b>		<b>(653,606)</b>	<b>(688,089)</b>	<b>55,625</b>	<b>907,783</b>	<b>479,628</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>653,606</b>	<b>688,089</b>	<b>653,606</b>	<b>655,550</b>	<b>1,944</b>	<b>0.30%</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>(0)</b>	<b>(0)</b>	<b>709,231</b>	<b>1,563,334</b>	<b>481,572</b>		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 2 for an explanation of the reasons for the variance.

**SHIRE OF MINGENEW**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 30 April 2017**

	Note	2016/17 Amended Annual Budget	2016/17 Original Budget (a)	2016/17 YTD Budget (a)	2016/17 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
<b>Operating Revenues</b>								
Rates	9	\$ 1,769,967	\$ 1,786,567	\$ 1,757,897	\$ 1,757,532	\$ (365)	% (0.02%)	
Operating Grants, Subsidies and Contributions	11	763,239	827,184	646,165	670,025	23,860	3.69%	
Fees and Charges		236,201	248,886	217,962	239,377	21,415	9.83%	
Service Charges		0	0	0	0	0		
Interest Earnings		27,152	22,152	22,550	28,061	5,511	24.44%	
Other Revenue		618,600	588,600	464,907	577,920	113,013	24.31%	▲
Profit on Disposal of Assets	8	43,000	43,000	28,668	3,192			
<b>Total Operating Revenue</b>		<b>3,458,159</b>	<b>3,516,389</b>	<b>3,138,149</b>	<b>3,276,108</b>	<b>163,435</b>		
<b>Operating Expense</b>								
Employee Costs		(974,354)	(1,017,429)	(795,952)	(1,016,462)	(220,510)	(27.70%)	▼
Materials and Contracts		(1,051,072)	(1,119,309)	(864,028)	(549,008)	315,020	36.46%	▲
Utility Charges		(117,268)	(123,768)	(101,330)	(75,806)	25,524	25.19%	▲
Depreciation on Non-Current Assets		(2,360,651)	(2,360,651)	(1,967,170)	(1,833,799)	133,371	6.78%	
Interest Expenses		(53,270)	(54,270)	(51,014)	(34,438)	16,576	32.49%	▲
Insurance Expenses		(143,612)	(143,612)	(131,393)	(127,662)	3,731	2.84%	
Other Expenditure		(679,328)	(649,328)	(522,957)	(564,976)	(42,019)	(8.03%)	
Loss on Disposal of Assets	8	(6,235)	(6,235)	(5,190)	(4,809)			
<b>Total Operating Expenditure</b>		<b>(5,385,790)</b>	<b>(5,474,602)</b>	<b>(4,439,034)</b>	<b>(4,206,960)</b>	<b>231,693</b>		
<b>Funding Balance Adjustments</b>								
Add back Depreciation		2,360,651	2,360,651	1,967,170	1,833,799	(133,371)	(6.78%)	
Adjust (Profit)/Loss on Asset Disposal	8	(36,765)	(36,765)	(23,478)	1,617	25,095	(106.89%)	
Adjust Provisions and Accruals		0	0	0	0	0		
<b>Net Cash from Operations</b>		<b>396,255</b>	<b>365,673</b>	<b>642,807</b>	<b>904,564</b>	<b>286,851</b>		
<b>Capital Revenues</b>								
Grants, Subsidies and Contributions	11	2,242,506	1,795,921	1,146,210	945,653	(200,557)	(17.50%)	▼
Proceeds from Disposal of Assets	8	447,000	447,000	372,500	335,150	(37,350)	(10.03%)	▼
<b>Total Capital Revenues</b>		<b>2,689,506</b>	<b>2,242,921</b>	<b>1,518,710</b>	<b>1,280,803</b>	<b>(237,907)</b>		
<b>Capital Expenses</b>								
Land Held for Resale	13	(200,000)	(200,000)	0	(682)	(682)	(100.00%)	
Land and Buildings	13	(1,023,000)	(723,000)	(78,995)	(22,196)	56,799	71.90%	▲
Infrastructure - Roads	13	(1,452,561)	(1,236,362)	(1,182,551)	(673,248)	509,303	43.07%	▲
Infrastructure - Footpaths	13	0	0	0	0	0		
Infrastructure - Drainage & Culverts	13	0	0	0	(3,102)	(3,102)		
Infrastructure - Aerodomes	13	0	0	0	0	0		
Infrastructure - Other	13	(445,000)	(445,000)	(402,341)	(35,551)			
Plant and Equipment	13	(589,900)	(600,000)	(421,900)	(355,562)	66,338	15.72%	▲
Furniture and Equipment	13	(14,500)	(14,500)	(9,498)	0	9,498	100.00%	▲
<b>Total Capital Expenditure</b>		<b>(3,724,961)</b>	<b>(3,218,862)</b>	<b>(2,095,285)</b>	<b>(1,090,341)</b>	<b>638,154</b>		
<b>Net Cash from Capital Activities</b>		<b>(1,035,455)</b>	<b>(975,941)</b>	<b>(576,575)</b>	<b>190,462</b>	<b>400,247</b>		
<b>Financing</b>								
Proceeds from New Debentures		0	0	0	0	0		
Proceeds from Advances		0	0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0	0		
Transfer from Reserves	7	258,778	195,363	195,363	18,598	(176,765)	(90.48%)	
Advances to Community Groups		0	0	0	0	0		
Repayment of Debentures	10	(181,409)	(181,409)	(164,690)	(164,561)	129	0.08%	
Transfer to Reserves	7	(91,775)	(91,775)	(41,280)	(41,280)	0	0.00%	
<b>Net Cash from Financing Activities</b>		<b>(14,406)</b>	<b>(77,821)</b>	<b>(10,607)</b>	<b>(187,242)</b>	<b>(176,636)</b>		
<b>Net Operations, Capital and Financing</b>		<b>(653,606)</b>	<b>(688,089)</b>	<b>55,625</b>	<b>907,783</b>	<b>510,463</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>653,606</b>	<b>688,089</b>	<b>653,606</b>	<b>655,550</b>	<b>1,944</b>	<b>0.30%</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>(0)</b>	<b>(0)</b>	<b>709,231</b>	<b>1,563,334</b>	<b>512,408</b>		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

**SHIRE OF MINGENEW**  
**STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING**  
For the Period Ended 30 April 2017

		YTD 30 04 2017					
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	Amended YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land Held for Resale	13	682	0	682	682	200,000	0
Land and Buildings	13	15,064	7,132	22,196	22,196	1,023,000	0
Infrastructure - Roads	13	670,315	2,933	673,248	673,248	1,452,561	0
Infrastructure - Footpaths	13	0	0	0	0	0	0
Infrastructure - Drainage & Culverts	13	0	3,102	3,102	3,102	0	0
Infrastructure - Aerodomes	13	0	0	0	0	0	0
Infrastructure - Other	13	35,551	0	35,551	35,551	445,000	0
Plant and Equipment	13	355,562	0	355,562	355,562	589,900	0
Furniture and Equipment	13	0	0	0	0	14,500	0
<b>Capital Expenditure Totals</b>		<b>1,077,174</b>	<b>13,167</b>	<b>1,090,341</b>	<b>1,090,341</b>	<b>3,724,961</b>	<b>0</b>

**Funded By:**

Capital Grants and Contributions	945,653	1,146,210	1,972,047	200,557
Borrowings	0	0	0	0
Other (Disposals & C/Fwd)	320,752	372,500	447,000	(51,748)
<b>Own Source Funding - Cash Backed Reserves</b>				
Land and Building Reserve	0	0	0	0
Sportsground Improvement Reserve	0	0	40,000	0
Plant Replacement Reserve	0	0	0	0
Aged Persons Units Reserve	0	0	100,000	0
Street Light Upgrade Reserve	14,376	0	0	14,376
Painted Road Reserve	4,222	0	14,449	4,222
Industrial Area Reserve	0	0	0	0
<b>Total Own Source Funding - Cash Backed Reserves</b>	<b>(18,598)</b>	<b>195,363</b>	<b>195,363</b>	<b>(213,961)</b>
<b>Own Source Funding - Operations</b>	<b>(176,064)</b>	<b>(623,732)</b>	<b>956,102</b>	<b>447,668</b>
<b>Capital Funding Total</b>	<b>1,090,341</b>	<b>1,090,341</b>	<b>3,724,961</b>	<b>0</b>

Comments and graphs

Capital Expenditure Program YTD



**Shire of Mingenew**  
**STATEMENT OF BUDGET REVIEW**  
**(Statutory Reporting Program)**  
**For the Period Ended 28th February 2017**

FM Reg  
33A (1)

FM Reg 33A(2A)(a)

FM Reg 33A(2A)(c)

FM Reg 33A

FM Reg Sch 1

**Operating Revenues**

Note	Budget v Actual		Predicted			
	Annual Budget \$ (a)	YTD Actual \$ (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End \$ (a)+(c)+(d)	
	\$	\$	\$	\$	\$	
	7,099	15,552	10,460		17,559	▲
	2,384,752	2,369,908	(12,155)		2,372,597	▼
	79,070	19,922	(2,000)		77,070	▼
	301	270	0		301	
	3,745	2,045	0		3,745	
	118,733	69,236	0		118,733	
	85,662	81,829	(2,085)		83,577	▼
	31,619	32,091	0		31,619	
	684,827	464,911	(76,022)		608,805	▼
	6,824	4,749	(600)		6,224	▼
	113,757	92,207	24,172		137,929	▲
	<b>3,516,389</b>	<b>3,152,720</b>	<b>(58,230)</b>	<b>0</b>	<b>3,458,159</b>	
	<b>Operating Expense</b>					
	(217,483)	(155,560)	105,812		(111,671)	▼
	(89,815)	(32,569)	6,000		(83,815)	▼
	(170,044)	(63,916)	0		(170,044)	
	(75,539)	(35,915)	2,500		(73,039)	▼
	(71,760)	(37,175)	2,000		(69,760)	▼
	(297,992)	(81,148)	0		(297,992)	
	(372,924)	(113,665)	0		(372,924)	
	(1,122,947)	(682,273)	0		(1,122,947)	
	(2,662,628)	(1,949,454)	0		(2,662,628)	
	(395,022)	(190,893)	2,500		(392,522)	▼
	1,552	(28,111)	(30,000)		(28,448)	▲
	<b>(5,474,602)</b>	<b>(3,370,680)</b>	<b>88,812</b>	<b>0</b>	<b>(5,385,790)</b>	
	<b>Funding Balance Adjustment</b>					
	2,360,651	1,541,613	0		2,360,651	
	(36,765)	1,861	0		(36,765)	
	0	0	0		0	
	<b>365,673</b>	<b>1,325,514</b>	<b>30,582</b>	<b>0</b>	<b>396,255</b>	
	<b>Capital Revenues</b>					
	1,795,921	549,937	446,585		2,242,506	▲
	447,000	295,150	0		447,000	
	<b>2,242,921</b>	<b>845,087</b>	<b>446,585</b>	<b>0</b>	<b>2,689,506</b>	
	<b>Capital Expenses</b>					
	(200,000)	(682)	0		(200,000)	
	(723,000)	(9,617)	(300,000)		(1,023,000)	▲
	(600,000)	(313,744)	10,100		(589,900)	▼
	(14,500)	0	0		(14,500)	
	(1,236,362)	(515,211)	(216,199)		(1,452,561)	▲
	(445,000)	(35,551)	0		(445,000)	
	<b>(3,218,862)</b>	<b>(874,805)</b>	<b>(506,099)</b>	<b>0</b>	<b>(3,724,961)</b>	
	<b>(975,941)</b>	<b>(29,718)</b>	<b>(59,514)</b>	<b>0</b>	<b>(1,035,455)</b>	
	<b>Financing</b>					
	195,363	18,598	63,415		258,778	▲
	0	0	0		0	
	(181,409)	(107,653)	0		(181,409)	
	0	0	0		0	
	(91,775)	(40,478)	0		(91,775)	
	<b>(77,821)</b>	<b>(129,532)</b>	<b>63,415</b>	<b>0</b>	<b>(14,406)</b>	
	<b>(1,053,762)</b>	<b>(159,250)</b>	<b>3,901</b>	<b>0</b>	<b>(1,049,861)</b>	
	<b>Net Operating, Capital and Financing</b>					
	<b>(688,089)</b>	<b>1,166,264</b>	<b>34,485</b>	<b>0</b>	<b>(653,604)</b>	
	688,089	<b>653,606</b>	(34,485)		653,604	▼
	<b>0</b>	<b>1,819,870</b>	<b>0</b>	<b>0</b>	<b>0</b>	

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**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES**

**(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

**Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

**(b) The Local Government Reporting Entity**

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

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

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

**(c) Rounding Off Figures**

All figures shown in this statement are rounded to the nearest dollar.

**(d) Rates, Grants, Donations and Other Contributions**

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

**(e) Goods and Services Tax**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(f) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

**(g) Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

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

**(h) Inventories**

***General***

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

***Land Held for Resale***

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

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

**(i) Fixed Assets**

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

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

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(j) Depreciation of Non-Current Assets**

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

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

Buildings	25 to 50 years
Construction other than Buildings (Public Facilities)	5 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Heritage Assets	25 to 50 years
Roads	25 years
Footpaths	50 years
Sewerage Piping	75 years
Water Supply Piping and Drainage Systems	75 years

**(k) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

**(l) Employee Benefits**

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

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

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

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

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(m) Interest-bearing Loans and Borrowings**

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

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

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

***Borrowing Costs***

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

**(n) Provisions**

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

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

**(o) Current and Non-Current Classification**

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

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(p) Nature or Type Classifications**

**Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

**Operating Grants, Subsidies and Contributions**

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

**Non-Operating Grants, Subsidies and Contributions**

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

**Profit on Asset Disposal**

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

**Fees and Charges**

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

**Service Charges**

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Excludes rubbish removal charges, interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Interest Earnings**

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Other Revenue / Income**

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

**Employee Costs**

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

**Materials and Contracts**

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

**Utilities (Gas, Electricity, Water, etc.)**

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(q) Nature or Type Classifications (Continued)**

**Insurance**

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

**Loss on asset disposal**

Loss on the disposal of fixed assets.

**Depreciation on non-current assets**

Depreciation expense raised on all classes of assets.

**Interest expenses**

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

**Other expenditure**

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

**(r) Statement of Objectives**

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

Based upon feedback received from the community the vision of the Shire is:

*"Standing proud, growing strong"*

The Strategic Community Plan defines the key objectives of the Shire as:

*"Economic: To be a diverse and innovative economy with a range of local employment opportunities.*

*Environment: A sustainable natural and built environment that meets current and future community needs.*

*Social: A safe and welcoming community where everyone has the opportunity to contribute and belong.*

*Civic Leadership: A collaborative and innovative community with strong and vibrant leadership."*

**(s) Reporting Programs**

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

**GOVERNANCE**

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

**GENERAL PURPOSE FUNDING**

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

**LAW, ORDER, PUBLIC SAFETY**

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

**HEALTH**

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(s) Reporting Programs (Continued)**

**EDUCATION AND WELFARE**

Support of day care for children. Autumn Centre for Senior Citizens.  
Youth & seniors projects.

**HOUSING**

Provision and maintenance of rented housing accommodation for pensioners and employees.

**COMMUNITY AMENITIES**

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

**RECREATION AND CULTURE**

Parks, gardens and recreation reserves, library services, walk trails, youth recreation,  
Public halls and Mingenew Recreation Centre.

**TRANSPORT**

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase and cleaning of streets.

**ECONOMIC SERVICES**

Tourism, community development, pest control, building services and private works.

**OTHER PROPERTY & SERVICES**

Plant works, plant overheads and stock of materials.

**Note 2: EXPLANATION OF MATERIAL VARIANCES**

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
General Purpose Funding	5,741	0.26%			Nil
Governance	1,678	11.49%			Nil
Law, Order and Public Safety	(1,196)	(4.30%)			Nil
Health	2,620	1048.00%			Nil
Education and Welfare	(1,314)	(36.29%)			Nil
Housing	(1,719)	(1.76%)			Nil
Community Amenities	(3,644)	(4.25%)			Nil
Recreation and Culture	24,184	76.77%	▲		LGIS insurance settlements for Town hall \$23,088
Transport	51,618	9.40%			Licensing income is more than expected \$57K
Economic Services	424	8.24%			Nil
Other Property and Services	59,565	53.30%	▲		Fuel revision of diesel fuel rebate is done which is more than budgeted \$63K
<b>Operating Expenses</b>					
General Purpose Funding	5,525	11.16%	▲		Nil
Governance	(45,015)	(29.30%)	▼		Internal admin allocation under budget \$84K and redundancy payment is over \$30K
Law, Order and Public Safety	54,068	40.01%	▲		Bushfire management plan expenses under budget \$32K
Health	13,963	22.77%	▲		Medical practitioner expenses are less than budgeted \$8K
Education and Welfare	13,175	20.21%	▲		Senior citizens building under budget \$7,397
Housing	34,357	33.70%	▲		Staff housing maintenance under budget \$34K
Community Amenities	173,403	52.48%	▲		Refuse site maintenance under budget by \$23K, Mingenew revitalization project money has not been spent yet \$30K, Asbestos manager plan money has not been spent yet \$49K, Town Planning Scheme has not been finalise yet \$56K
Recreation and Culture	97,785	10.47%	▲		the following expenses are under budget: Public garden and reserve expenses are under budget \$66K, Assets depreciation \$13K
Transport	(106,405)	(4.80%)	▼		Following items are currently over budget - Mtce grading \$74k, Town Road Mtce \$5k, Rural Road Mtce \$61k
Economic Services	44,557	16.26%	▲		The following items are currently under budget - MIG office maintenance \$5K, Area Promotion \$16K, admin allocation 10K
Other Property and Services	(53,338)	(46.56%)	▼		Following items are currently over and under budget - Redundancy payment is over by \$91K, Plant parts & repair is over by \$33K, Plant depreciation is under by \$89K
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(200,557)	(17.50%)	▼		Timing issue in regards to receiving the Independent Living Unit Grants \$200K
Proceeds from Disposal of Assets	(37,350)	(10.03%)	▼		
<b>Capital Expenses</b>					
Land Held for Resale	(682)	(100.00%)			
Land and Buildings	56,799	71.90%	▲		Capital works (Staff Housing) not yet commenced (5 & 15 Field Street, KWH)
Infrastructure - Roads	509,303	43.07%	▲		Road construction cost are less than budgeted due to timing issue
Infrastructure - Footpaths	0				
Infrastructure - Drainage & Culverts	(3,102)				
Infrastructure - Aerodromes	0				
Plant and Equipment	66,338	15.72%	▲		Timing of purchases
Furniture and Equipment	9,498	100.00%	▲		Timing of purchases
<b>Financing</b>					
Loan Principal	129	0.08%			

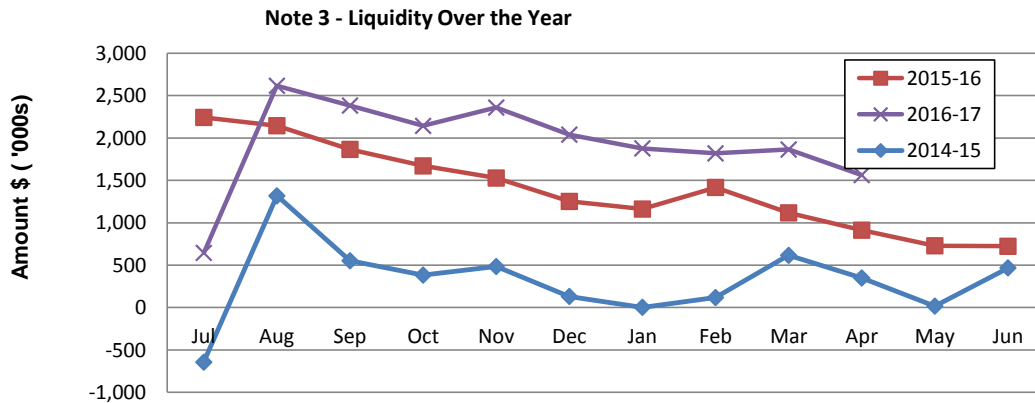


**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 3: NET CURRENT FUNDING POSITION**

		Positive=Surplus (Negative=Deficit)		
		YTD 30 Apr 2017	30th June 2017	YTD 30 Apr 2016
		\$	\$	\$
<b>Current Assets</b>				
Cash - Unrestricted	4	936,690	621,333	574,267
Cash - Restricted Reserves	4	331,301	308,620	275,090
Cash - Restricted Unspent Grants		520,786	216,626	329,818
Investments		0	0	0
Rates - Current	6	93,309	37,608	51,602
Sundry Debtors	6	97,685	1,951	6,091
Provision for Doubtful Debts		(1,585)	(1,585)	(1,585)
ESL Levy		0	4,431	0
GST Receivable		7,727	4,060	13,116
Receivables - Other		0	0	0
Inventories - Fuel & Materials		4,196	13,285	1,726
Inventories - Land Held for Resale		40,394	80,788	80,788
		2,030,503	1,287,118	1,330,913
<b>Current Liabilities</b>				
Sundry Creditors		(57,697)	(200,583)	(62,188)
GST Payable		(11,098)	(10,022)	(4,030)
PAYG		(24,702)	4,497	(10,916)
Accrued Interest on Debentures		0	(34,074)	24,810
Accrued Salaries & Wages		(1,977)	(1,977)	0
Current Employee Benefits Provision		(261,493)	(261,493)	(239,906)
Current Loan Liability		(16,849)	(181,410)	(16,321)
		(373,816)	(685,063)	(308,551)
<b>NET CURRENT ASSETS</b>		<b>1,656,687</b>	<b>602,055</b>	<b>1,022,362</b>
<b>Less:</b>				
Cash - Restricted Reserves		(331,301)	(308,620)	(275,090)
Inventories - Land Held for Resale		(40,394)	(80,788)	(80,788)
<b>Add Back:</b>				
Current Loan Liability		16,849	181,410	16,321
Cash Backed Employee Provisions	7	261,493	261,493	239,906
<b>Net Current Funding Position (Surplus / Deficit)</b>		<b>1,563,334</b>	<b>655,550</b>	<b>922,711</b>

0.00



**Comments - Net Current Funding Position**

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 4: CASH AND INVESTMENTS**

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) <b>Cash Deposits</b>							
Municipal Bank Account	1.25%	1,420,617	216,626		1,637,243	NAB	At Call
Trust Bank Account	1.25%			116,376	116,376	NAB	At Call
Cash Maximiser Account (Muni)	0.70%	0	0		0	NAB	At Call
Cash On Hand	Nil	300	0		300	NAB	At Call
Reserve Funds	1.25%	0	331,301		331,301	NAB	At Call
(b) <b>Term Deposits</b>							
Short Term Deposits	0.00%	0	0		0		
<b>Total</b>		<b>1,420,917</b>	<b>547,927</b>	<b>116,376</b>	<b>2,085,220</b>		

**Comments/Notes - Investments**

A review of bank accounts held has been undertaken in conjunction with National Australia Bank. Following this review some changes have been made to the type of accounts we use. To improve interest earnings, the Cash Maximiser Accounts are no longer used (they were earning approximately 0.7% interest) and the Municipal, Trust and Reserve accounts are corporate cheque accounts and will earn interest at the RBA cash rate when balances are >\$250,000 and RBA Cash rate -0.25% when balances are <\$250,000

**Restricted Cash**

**(1) Municipal Fund**

Purpose for Funds Being Restricted	Funding Organisation	Due Date to be Expended	Amount
1 Moorriary Rd	Roads to Recovery	30 June 2019	180,786
2 Town Revitalisation Plan	Department of Planning	30 June 2018	60,000
3 Town Planning Scheme	Department of Planning	30 June 2018	25,000
4 Special Purpose Grants - Bridges	Financial Assistance Grants	30 June 2018	210,000
5 Mingenew Transfer Station	Mid West Development Commission	30 June 2017	45,000
<b>Sub-total</b>			<b>520,786</b>

**Shire of Mingenew**  
**NOTES TO THE BUDGET REVIEW REPORT**  
**For the Period Ended 28th February 2017**

**Note 5: BUDGET AMENDMENTS**

**udget since budget adoption. Surplus/(Deficit)**

GL Account / Job No.	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	<b>Budget Adoption</b>		Opening Surplus(Deficit)	\$	\$	\$	\$ 688,089
	Actual Opening value as per audited financial report 30/6/2016					(34,483)	653,606
0121	Interim Rates Levied	Proposed	Operating Revenue		1,000		654,606
0131	Rates Legal Fees Recovered	Proposed	Operating Revenue			(1,100)	653,506
0141	Rates Concessions Granted	Proposed	Operating Revenue			(16,000)	637,506
0082	Rates Written Off	Proposed	Operating Expenses			(500)	637,006
0472	Rating Valuations	Proposed	Operating Expenses		5,000		642,006
0432	Interest on Overdraft	Proposed	Operating Revenue		1,000		643,006
0091	General Purpose Grant	Proposed	Operating Revenue		(886)		642,120
0041	Special Purpose Grants	Proposed	Operating Revenue		210,000		852,120
0071	Local Road Grants	Proposed	Operating Revenue		331		852,451
0061	Rates Penalty Interest	Proposed	Operating Revenue		5,000		857,451
0012	Conference Expenses	Proposed	Operating Expenses		5,000		862,451
0092	Councillor Training	Proposed	Operating Expenses		6,000		868,451
0122	Refreshments & Functions	Proposed	Operating Expenses		3,000		871,451
0523	Reimbursements	Proposed	Operating Revenue		11,000		882,451
0773	Contributions to Vehicle Expenses	Proposed	Operating Revenue			(540)	881,911
0262	LSL	Proposed	Operating Expenses		16,075		897,986
0272	Admin Salaries	Proposed	Operating Expenses		15,000		912,986
0302	Staff Training	Proposed	Operating Expenses		5,000		917,986
0322	Staff Conferences	Proposed	Operating Expenses		7,000		924,986
0392	Telephone	Proposed	Operating Expenses		4,000		928,986
0502	Consultants	Proposed	Operating Expenses		10,000		938,986
532	Asset Management	Proposed	Operating Expenses		28,737		967,723
0772	Administration Vehicles	Proposed	Operating Expenses		6,000		973,723
0703	Fines & Penalties	Proposed	Operating Revenue			(1,000)	972,723
0833	Dog / Cat Registration	Proposed	Operating Revenue			(1,000)	971,723
1002	Maternal & Infant Health Clinic	Proposed	Operating Expenses		4,000		975,723
1492	Mosquito Control	Proposed	Operating Expenses			(1,500)	974,223
1652	Senior Citizens Building	Proposed	Operating Expenses		2,000		976,223
1803	Domestic Refuse Removal	Proposed	Operating Revenue		2,160		978,383
1923	Commercial Refuse Removal	Proposed	Operating Revenue			(5,040)	973,343
1983	Septic Tank Fees	Proposed	Operating Revenue			(500)	972,843
2223	Development Application Fees	Proposed	Operating Expenses		300		973,143

**Shire of Mingenew**  
**NOTES TO THE BUDGET REVIEW REPORT**  
**For the Period Ended 28th February 2017**

**Note 5: BUDGET AMENDMENTS**

**udget since budget adoption. Surplus/(Deficit)**

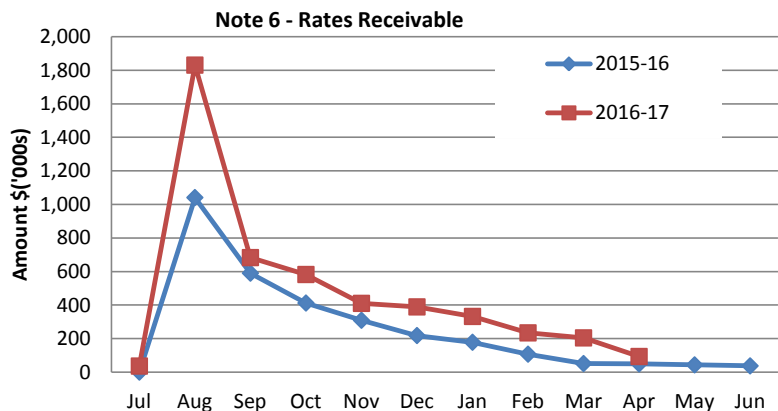
GL Account / Job No.	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
2363	Cemetery Fees	Proposed	Operating Revenue		495		973,638
2393	Sundry Income	Proposed	Operating Revenue		500		974,138
2433	Grant Contributions	Feb 17 - 9.1.1	Capital Revenue		236,585		1,210,723
4203	Roads To Recovery Funding	Proposed	Operating Revenue		(76,374)		1,134,349
3533	Street Lighting Subsidy	Proposed	Operating Expenses		352		1,134,701
4273	Water Sales	Proposed	Operating Revenue			(600)	1,134,101
4232	Water Supply Stand Pipes	Proposed	Operating Expenses		2,500		1,136,601
4333	Charges - Private Works Various	Proposed	Operating Revenue			(7,500)	1,129,101
4483	Insurance Rebates	Proposed	Operating Revenue		1,672		1,130,773
4472	Fuel & Oils	Proposed	Operating Expenses		10,000		1,140,773
4482	Tyres & Sundries	Proposed	Operating Expenses		10,000		1,150,773
4492	Parts & Repairs	Proposed	Operating Expenses			(20,000)	1,130,773
4623	Mid West Industry Road Safety Alliance Reimbursements	Proposed	Operating Revenue		30,000		1,160,773
4662	Mid West Industry Road Safety Alliance Expenses	Proposed	Operating Expenses			(30,000)	1,130,773
	Town Hall Refurbishment	Proposed	Capital Expenses			(300,000)	830,773
6066	Depot Hill North Rd - RTR	Proposed	Capital Expenses		14,170		844,943
6067	Yandanooka Melara Rd - RTR	Proposed	Capital Expenses			(20,369)	824,574
	Special Purpose Grant - Yarragadee Bridge	Proposed	Capital Expenses			(210,000)	614,574
176	Ride on Mower	Proposed	Capital Expenses		10,100		624,674
	Transfer of Trust Funds	Proposed	Capital Revenue		63,415		688,089
<b>Amended Budget Cash Position as per Council Resolution</b>				<b>0</b>	<b>650,132</b>	<b>(650,132)</b>	<b>688,089</b>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2017**

**Note 6: RECEIVABLES**

**Receivables - Rates & Rubbish Receivable**

	YTD 30 Apr 2017	30 June 2016
Opening Arrears Previous Years	\$ 37,608	\$ 37,608
Levied this year	1,852,748	1,709,614
Less Collections to date	(1,797,047)	(1,709,614)
Equals Current Outstanding	93,309	37,608
<b>Net Rates Collectable</b>	<b>93,309</b>	<b>37,608</b>
% Collected	95.06%	97.85%

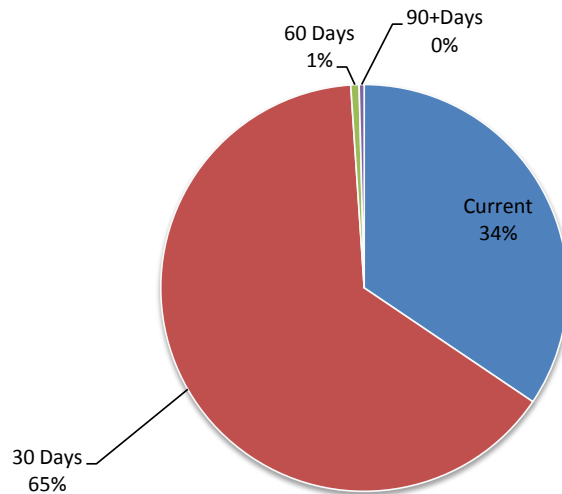


**Receivables - General**

	Current	30 Days	60 Days	90+Days
Receivables - General	\$ 33,651	\$ 63,000	\$ 643	\$ 391
<b>Total Receivables General Outstanding</b>				<b>97,685</b>

**Note 6 - Accounts Receivable (non-rates)**

Ar



**Comments/Notes - Receivables Rates**

Instalment Due Dates:

Instalment 1	27-Sep-16
Instalment 2	29-Nov-16
Instalment 3	3-Feb-17
Instalment 4	7-Apr-17

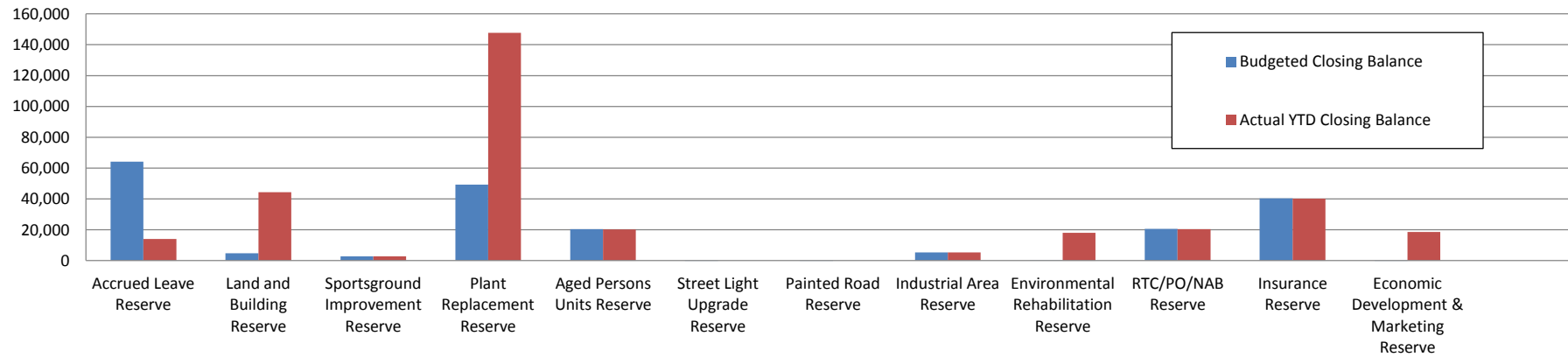
**Comments/Notes - Receivables General**

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 7: Cash Backed Reserve**

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	YTD Actual Transfers In (+)	YTD Budget Transfers Out (-)	YTD Actual Transfers Out (-)	Transfer out Reference	Budgeted Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Accrued Leave Reserve	13,907	139	121	50,139	0	0	0		64,185	14,028
Land and Building Reserve	43,920	439	382	439	0	(40,000)	0		4,798	44,302
Sportsground Improvement Reserve	2,695	27	23	27	0	0	0		2,749	2,718
Plant Replacement Reserve	146,392	1,460	1,272	1,460	0	(100,000)	0		49,312	147,664
Aged Persons Units Reserve	20,002	200	174	200	0	0	0		20,402	20,176
Street Light Upgrade Reserve	14,307	143	70	143	0	(14,449)	(14,376)		144	0
Painted Road Reserve	4,202	42	20	42	0	(4,244)	(4,222)		42	0
Industrial Area Reserve	5,228	52	45	52	0	0	0		5,332	5,273
Environmental Rehabilitation Reserve	17,799	178	155	178	0	(17,977)	0		178	17,954
RTC/PO/NAB Reserve	20,153	202	175	202	0	0	0		20,557	20,328
Insurance Reserve	20,016	200	174	20,200	20,000	0	0		40,416	40,190
Economic Development & Marketing Reserve	0	0	71	18,693	18,598	(18,693)	0		0	18,669
	<b>308,620</b>	<b>3,082</b>	<b>2,681</b>	<b>91,775</b>	<b>38,598</b>	<b>(195,363)</b>	<b>(18,598)</b>	<b>0</b>	<b>208,114</b>	<b>331,301</b>

**Note 7 - Year To Date Reserve Balance to End of Year Estimate**



**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 8 CAPITAL DISPOSALS**

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 30 04 2017			
					2016/17 Budget Profit/(Loss)	2016/17 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	\$	\$	\$		
				<b>Plant and Equipment</b>				
85,270	(2,525)	82,340	(405)	CEO Vehicle (2)	0	(405)	(405)	2x changeover done
123,547	(1,794)	119,434	(2,319)	DCEO Vehicle (4)	0	(2,319)	(2,319)	3 x changeovers done
123,443	(6,175)	118,978	1,710	Works Manager Vehicle (3)	0	1,710	1,710	3x changeovers done
			0	11 Tonne Dual Cab Truck (A# 0591)	43,000	0	(43,000)	
<b>332,261</b>	<b>(10,494)</b>	<b>320,752</b>	<b>(1,014)</b>		<b>43,000</b>	<b>(1,014)</b>	<b>(44,014)</b>	

**Comments - Capital Disposal/Replacements**

Management vehicles are scheduled to be changed over at 15,000kms

**Assets disposed:**

A#890 - Mi 177	8 July 2016
A#0682 - Mi 108	3 August 2016
A# 0681 - 1 Mi	7 September 2016
A#897 - Mi 177	13 October 2016
A# 892 - Mi 108	28 November 2016
A# 898 - 1 Mi	9 January 2017
A#900- Mi 177	9 February 2017
A#901- Mi108	17-March-2017

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 9: RATING INFORMATION**

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2016/17 Budget Rate Revenue \$	2016/17 Budget Interim Rate \$	2016/17 Budget Back Rate \$	2016/17 Budget Total Revenue \$
<b>General Rate</b>											
GRV - Mingenew & Yandanooka	13.5884	145	1,568,940	212,194	(66)		212,127	213,194			213,194
UV - Rural & Mining	1.4014	113	102,310,000	1,433,772	(13,793)		1,419,979	1,433,767			1,433,767
<b>Sub-Totals</b>		258	103,878,940	1,645,966	(13,860)	0	1,632,107	1,646,961	0	0	1,646,961
<b>Minimum Payment</b>	<b>Minimum \$</b>										
GRV - Mingenew & Yandanooka	655	77	90,176	50,435	655		51,090	55,675	0	0	55,675
UV - Rural & Mining	1500	37	1,353,478	55,500			55,500	55,500	0	0	55,500
<b>Sub-Totals</b>		114	1,443,654	105,935	655	0	106,590	111,175	0	0	111,175
Concessions							1,738,697				1,758,136
<b>Amount from General Rates</b>							(15,822)				(6,235)
Ex-Gratia Rates (CBH)							<b>1,722,875</b>				<b>1,751,901</b>
Specified Area Rates							34,657				34,666
<b>Totals</b>							0				0
							<b>1,757,532</b>				<b>1,786,567</b>

**Comments - Rating Information**

No differential rates levied in 2016/17

Concession provided on GRV properties in Yandanooka Townsite of 50%

Concession provided on UV minimum properties (Resolved at October meeting)



**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**10. INFORMATION ON BORROWINGS**

**(a) Debenture Repayments**

Particulars	Principal 1-Jul-16	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual	YTD Budget	YTD Actual	Budget	YTD Actual	Budget
			\$	\$	\$	\$	\$	\$
<b>Education &amp; Welfare</b>								
Loan 137 - Senior Citizens Buildings	96,719		5,086	5,086	91,633	91,633	4,961	6,424
<b>Housing</b>								
Loan 133 - Triplex	73,136		11,370	11,370	61,766	61,766	3,286	5,317
Loan 134 - SC Housing	52,130		5,649	5,648	46,481	46,482	2,314	3,516
Loan 136 - Staff Housing	118,462		7,727	7,726	110,735	110,736	5,792	8,230
Loan 142 - Staff Housing	65,811		9,658	9,658	56,153	56,153	2,415	3,639
<b>Recreation &amp; Culture</b>								
Loan 138 - Pavilion Fitout	92,850		4,883	4,882	87,967	87,968	4,763	6,167
<b>Transport</b>								
Loan 139 - Roller	39,168		14,913	14,912	24,255	24,256	1,655	2,603
Loan 141 - Grader	106,509		24,266	24,266	82,243	82,243	4,277	6,909
Loan 143 - 2 x Trucks	54,770		54,770	54,770	(0)	0	1,365	2,329
Loan 144 - Side Tipping Trailer	65,812		9,658	9,658	56,154	56,154	2,415	3,639
Loan 145 - Drum Roller	121,810	0	16,581	16,714	105,229	105,096	1,195	4,497
	887,177	0	164,561	164,690	722,616	722,487	34,438	53,270

All debenture repayments were financed by general purpose revenue.

**Interest Repayment Actual YTD shows negative balances due to Interest accrual to 30 June 2016.**

**(b) New Debentures**

Nil

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Grant Provider	Approval	2016-17 Forecast Budget	2016-17 Original Budget	Variations Additions (Deletions)	Operating 2016/17 Budget	Capital 2016/17 Budget	Up Status	
									2016-17 YTD Budget
		(Y/N)	\$	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>									
Financial Assistance Grant - Roads	Grants Commission	Y	301,155	300,824	331	300,824	0	225,866	225,618
Financial Assistance Grant - General	Grants Commission	Y	273,240	274,126	(886)	274,126	0	204,930	205,593
<b>LAW, ORDER, PUBLIC SAFETY</b>									
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,400	4,400	0	4,400	0	4,000	4,400
ESL Annual Grant	Department of Fire & Emergency Services	Y	26,500	26,500	0	26,500	0	19,875	19,875
Bushfire Management Plan	Department of Fire & Emergency Services	Y	42,500	42,500	0	0	42,500	0	0
<b>HEALTH</b>									
Childcare Facility Upgrade	MWDC	N	70,000	70,000	0	0	70,000	0	0
<b>EDUCATION &amp; WELFARE</b>									
Seniors Week Grant	COTAWA	N	1,000	1,000	0	1,000	0	1,000	1,000
Community Christmas Tree	CBH	N	2,000	2,000	0	2,000	0	0	2,000
<b>HOUSING</b>									
Independent Living Units	WCHS	Y	395,545	395,545	0	0	395,545	31,818	395,545
<b>COMMUNITY AMENITIES</b>									
Town Planning	NPP	Y	0	0	0	0	0	0	0
Thank a Volunteer Day	Department of Local Government & Communities	N	1,000	1,000	0	1,000	0	0	0
Anzac Day	TBA	N	3,000	3,000	0	3,000	0	0	0
Rural Womens Day	TBA	N	1,000	1,000	0	1,000	0	4,000	5,000
Transfer Station	Mid West Development Commission	Y	50,000	50,000	0	0	50,000	45,000	50,000
<b>RECREATION AND CULTURE</b>									
Museum	Lotterywest	N	10,000	10,000	0	0	10,000	0	10,000
Museum	Museum Committee	Y	5,000	5,000	0	0	5,000	0	0
Enanty Barn	TBA	N	50,000	50,000	0	0	50,000	0	0
Littlewell	TBA	N	15,000	15,000	0	0	15,000	0	0
Railway Station	Lotterywest	N	35,000	35,000	0	0	35,000	0	0
Football Oval Lights	DSR	Y	50,000	50,000	0	0	150,000	0	0
Football Oval Lights	Football Club	Y	30,000	30,000	0	0	30,000	0	0
Hockey Oval Lights	Hockey Club	Y	13,200	13,200	0	0	13,200	13,200	0
<b>TRANSPORT</b>									
Direct Grant	Main Roads WA	Y	72,224	72,224	0	72,224	0	72,224	72,224
Blackspot Funding	Main Roads WA	Y	40,000	40,000	0	0	40,000	16,000	16,000
Regional Road Group	Main Roads WA	Y	386,000	386,000	0	0	386,000	327,333	154,000
Financial Assistance Special Grant - Bridge	Department of Infrastructure	Y	210,000	0	210,000	0	0	157,500	157,500
Roads To Recovery	Department of Infrastructure	Y	354,802	431,176	(76,374)	0	431,176	354,802	431,176
Street Lighting	Main Roads WA	Y	2,352	2,000	352	2,000	0	2,352	0
<b>ECONOMIC SERVICES</b>									
Mingenew Hill Walk Trail	TBA	N	15,000	15,000	0	0	15,000	0	0
<b>OTHER PROPERTY &amp; SERVICES</b>									
Industrial Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
Rural Residential Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
<b>TOTALS</b>			<b>2,659,918</b>	<b>2,526,495</b>	<b>133,423</b>	<b>688,074</b>	<b>1,938,421</b>	<b>1,479,901</b>	<b>1,749,931</b>

Operating	Operating	687,871	730,574			534,247	535,710
Non-Operating	Non-Operating	1,972,047	1,795,921			945,653	1,056,721
Contribution & Reimbursement	Operating & Non Operating	179,682	139,110			135,777	135,777
		<u>2,839,600</u>	<u>2,665,605</u>			<u>1,615,678</u>	<u>1,728,208</u>

**SHIRE OF MINGENEW**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2017

**Note 12: TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 16	Amount Received	Amount Paid	Closing Balance 30-Apr-17
	\$	\$	\$	\$
BCITF Levy	1,374	641	(2,014)	0
BRB Levy	1,086	801	(1,883)	4
Autumn Committee	974	0	0	974
Community Bus	2,460	140	(400)	2,200
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mid West Industry Road Safety Alliance	39,650	52,250	(55,002)	36,898
Mingenev Cemetery Group	4,314	0	0	4,314
Bonds		0	0	
Housing Bonds	1,428			1,428
Cool Room Bond	530			530
Outdoor Camera Bond	350			350
Animal Trap Bond	50		(50)	0
Projector Screen	0	20	(20)	0
Other Bonds	200			200
Rates Incentive Prizes	200	0	(100)	100
Sinosteel Community Trust Fund	63,415	0	0	63,415
Tree Planter - LCDC	88	0	0	88
Weary Dunlop Memorial	87	0	0	87
Mingenev P & C - NBN Rental	0	6,190	(6,190)	0
Joan Trust	961	1,200	0	2,161
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	132	300	0	432
Silverchain Committee	2,268	0	(2,268)	0
Seniors Donations	0	50	0	50
	<b>122,711</b>	<b>61,592</b>	<b>(67,927)</b>	<b>116,376</b>

SHIRE OF MINGENEW  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 April 2017

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
	<b>Land Held for Resale</b>						
	<b>Community Amenities</b>						
	<b>Other Property &amp; Services</b>						
	Rural Residential Area Development	4504	100,000	100,000	0	0	100,000
	Industrial Area Development	4644	100,000	100,000	0	682	99,318
	<b>Other Property &amp; Services Total</b>		<b>200,000</b>	<b>200,000</b>	<b>0</b>	<b>682</b>	<b>682</b>
	<b>Land Held for Resale Total</b>		<b>200,000</b>	<b>200,000</b>	<b>0</b>	<b>682</b>	<b>682</b>
	<b>Land &amp; Buildings</b>						
	<b>Governance</b>						
	Shire Office	0594	15,000	15,000	15,000	0	15,000
	<b>Housing Total</b>		<b>15,000</b>	<b>15,000</b>	<b>15,000</b>	<b>0</b>	<b>15,000</b>
	<b>Health</b>						
	Child Care Facility	0075	80,000	80,000	0	0	80,000
	Child Care Facility	0074	0	0	0	22	(22)
	<b>Health Total</b>		<b>80,000</b>	<b>80,000</b>	<b>0</b>	<b>22</b>	<b>79,978</b>
	<b>Education &amp; Welfare</b>						
	Men's Shed Ablution Block	0048	0	0	0	0	0
	<b>Education &amp; Welfare Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Land &amp; Buildings</b>						
	<b>Housing</b>						
	Construction - Staff Housing	9003	5,000	5,000	4,998	4,151	849
	Construction - Staff Housing	9005	10,000	10,000	9,999	0	10,000
	Construction - Staff Housing	9006	7,000	7,000	6,999	0	7,000
	Construction - Staff Housing	9010	10,000	10,000	9,999	0	10,000
	Aged Care Units	0165	450,000	450,000	0	10,242	439,758
	Silver Chain House	0166	11,000	11,000	0	0	11,000
	<b>Housing Total</b>		<b>493,000</b>	<b>493,000</b>	<b>31,995</b>	<b>14,393</b>	<b>478,607</b>
	<b>Recreation And Culture</b>						
	Town Hall	2434	300,000	0	0	2,981	297,019
	Enanty Barn	0067	50,000	50,000	0	0	50,000
	Museum	0068	20,000	20,000	20,000	0	20,000
	Old Roads Building	0069	12,000	12,000	12,000	0	12,000
	Old Railway Station	0070	35,000	35,000	0	0	35,000
	<b>Recreation And Culture Total</b>		<b>417,000</b>	<b>117,000</b>	<b>32,000</b>	<b>2,981</b>	<b>414,019</b>
	<b>Transport Total</b>						
	Depot	0027	18,000	18,000	0	0	18,000
	<b>Transport Total</b>		<b>18,000</b>	<b>18,000</b>	<b>0</b>	<b>0</b>	<b>18,000</b>
	<b>Economic Services</b>						
	Business Incubator	5964	0	0	0	4,800	(4,800)
	<b>Economic Services Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>4,800</b>	<b>(4,800)</b>
	<b>Land &amp; Buildings Total</b>		<b>1,023,000</b>	<b>723,000</b>	<b>78,995</b>	<b>22,196</b>	<b>1,000,804</b>
	<b>Infrastructure - Drainage/Culverts</b>						
	<b>Transport</b>						
	Moore Street Drainage	3284	0	0	0	3,102	(3,102)
	<b>Transport Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>3,102</b>	<b>(3,102)</b>
	<b>Infrastructure - Drainage/Culverts Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>3,102</b>	<b>(3,102)</b>

SHIRE OF MINGENEW  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 April 2017

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
<b>Infrastructure - Footpaths</b>							
<b>Transport</b>							
	Midlands Road Town Footpaths	1291	0	0	0	0	
	<b>Transport Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>Infrastructure - Footpaths Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Infrastructure - Other</b>							
<b>Community Amenities</b>							
	Waste Transfer Station	3084	185,000	185,000	185,376	0	185,000
	Little Well Project	0071	45,000	45,000	45,303	0	45,000
	Mingenew Hill Project	0142	30,000	30,000	0	0	30,000
	<b>Community Amenities Total</b>		<b>260,000</b>	<b>260,000</b>	<b>230,679</b>	<b>0</b>	<b>260,000</b>
<b>Recreation</b>							
	Hockey Oval Lights	0076	35,000	35,000	35,000	35,000	0
	RV Friendly Site Development	0077	0	0	0	170	(170)
	Football Oval Lights	0140	130,000	130,000	129,996	381	129,619
	Water Tanks & Reticulation	0167	20,000	20,000	6,666	0	20,000
	<b>Community Amenities Total</b>		<b>185,000</b>	<b>185,000</b>	<b>171,662</b>	<b>35,551</b>	<b>149,449</b>
	<b>Infrastructure - Other Total</b>		<b>445,000</b>	<b>445,000</b>	<b>402,341</b>	<b>35,551</b>	<b>409,449</b>
<b>Furniture &amp; Office Equip.</b>							
<b>Governance</b>							
	Electronic Whiteboard	0014	3,500	3,500	1,166	0	3,500
	Replacement Computers	0574	8,000	8,000	5,332	0	8,000
	<b>Governance Total</b>		<b>11,500</b>	<b>11,500</b>	<b>6,498</b>	<b>0</b>	<b>11,500</b>
<b>Recreation</b>							
	Christmas Lights	0065	3,000	3,000	3,000	0	3,000
	<b>Recreation Total</b>		<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>
<b>Transport</b>							
	Nil				0	0	0
	<b>Transport Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Furniture &amp; Office Equip. Total</b>		<b>14,500</b>	<b>14,500</b>	<b>9,498</b>	<b>0</b>	<b>14,500</b>
	<b>Infrastructure - Aerodomes Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

SHIRE OF MINGENEW  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 30 April 2017

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
<b>Plant , Equip. &amp; Vehicles</b>							
<b>Governance</b>							
	CEO Vehicle Replacement	0554	90,000	90,000	43,000	86,340	3,660
	DCEO Vehicle Replacement	0554	180,000	180,000	84,000	124,889	55,111
	30 KVA Generator	0554	15,000	15,000			15,000
	<b>Governance Total</b>		<b>285,000</b>	<b>285,000</b>	<b>127,000</b>	<b>211,229</b>	<b>73,771</b>
<b>Transport</b>							
	Works Manager Vehicle	0170	135,000	135,000	135,000	124,433	10,567
	Sundry Plant	0171	10,000	10,000	0	0	10,000
	Dual Cab Truck	0173	100,000	100,000	100,000	0	100,000
	Ride On Mower	0176	19,900	30,000	19,900	0	19,900
	Road Broom	0177	20,000	20,000		0	20,000
	Slasher	0178	20,000	20,000	20,000	19,900	100
	<b>Transport Total</b>		<b>304,900</b>	<b>315,000</b>	<b>294,900</b>	<b>144,333</b>	<b>160,567</b>
<b>Plant , Equip. &amp; Vehicles Total</b>			<b>589,900</b>	<b>600,000</b>	<b>421,900</b>	<b>355,562</b>	<b>234,338</b>
<b>Roads &amp; Bridges</b>							
<b>Transport</b>							
	Yandanooka NE Intersection	BS05	60,000	60,000	0	2,933	57,067
	Roadworks Construction - Own Resources	0001	66,184	66,184	66,184	0	66,184
	Depot Hill North Road (R2R)	6066	154,149	168,319	154,144	154,149	0
	Yandanooka Melara Rd (R2R)	6067	158,716	138,347	158,715	158,716	(0)
	Mooriary Road (R2R)	6074	224,512	224,512	224,508	36,151	188,361
	Yarragadee Bridge (R2R)	6075	210,000	0	0	0	210,000
	Depot Hill Road Reseal (RRG)	RR62	139,000	139,000	139,000	84,717	54,283
	Mingenew Mullewa Road Reseal (RRG)	RR65	0	0	0	236,581	(236,581)
	Mingenew Mullewa Road Reseal (RRG)	RR63	440,000	440,000	440,000	0	440,000
	<b>Transport Total</b>		<b>1,452,561</b>	<b>1,236,362</b>	<b>1,182,551</b>	<b>673,248</b>	<b>779,313</b>
<b>Roads (Non Town) Total</b>			<b>1,452,561</b>	<b>1,236,362</b>	<b>1,182,551</b>	<b>673,248</b>	<b>779,313</b>
<b>Capital Expenditure Total</b>			<b>3,724,961</b>	<b>3,218,862</b>	<b>2,095,285</b>	<b>1,090,341</b>	<b>2,435,984</b>

**9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 30 APRIL 2017**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 10 May 2017  
**Author:** Durga Ojha, Manager of Finance  
**Senior Officer:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council confirm the payment of creditors for the month of April 2017 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

**Attachment**

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

**Background**

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

**Comment**

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

**Consultation**

Nil

**Statutory Environment**

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

**Policy Implications**

Payments have been made under delegation.

**Financial Implications**

Funds available to meet expenditure.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.2.2</b>
--

**That Council confirm the accounts as presented for April 2017 from the Municipal & Trust Fund totalling \$103,279.10 represented by Electronic Funds Transfers of EFT 10733 to EFT10742 and 10745 to 10766 and EFT10778 to EFT 10780. EFT10743 & EFT10767 to EFT10777 has been cancelled, Direct Deduction DD8029.1.1, 2,3, 4 ,5, DD8036.1, 2, DD8052.1,2 and DD8053.1,2,3,4 & 5, Municipal Cheque numbers 8502 to 8507.**



Date: 09/05/2017  
Time: 4:38:09PM

Shire of MINGENEW  
List of Accounts for 1 April 2017 to 30 April 2017

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
8502	06/04/2017	MINGENEW SHIRE COUNCIL	Payroll deductions	M		195.00
8503	12/04/2017	MINGENEW SHIRE COUNCIL	Payroll deductions	M		195.00
8504	20/04/2017	CITY OF GREATER GERALDTON	CHARGES	M		1,267.30
8505	21/04/2017	WATER CORPORATION	Water Bills for April 2017	M		5,944.88
8506	21/04/2017	PALM ROADHOUSE	Lunch Catering: 3x sandwich platters & 1x fruit platter	M		238.40
8507	21/04/2017	SYNERGY	Street lighting charges from 8/3/2017 to 11/4/2017	M		4,206.25
EFT10733	04/04/2017	LEADING EDGE COMPUTERS	CHARGES	M		199.00
EFT10734	04/04/2017	GREAT NORTHERN RURAL SERVICES	CHARGES	M		2,399.76
EFT10735	04/04/2017	JR & A HERSEY PTY LTD	CHARGES	M		154.00
EFT10736	04/04/2017	CANINE CONTROL	CHARGES	M		2,024.00
EFT10737	04/04/2017	MINGENEW IGA X-PRESS & LIQUOR	Various groceries items for council meeting and staff functions	M		596.12
EFT10738	04/04/2017	MGB DIESEL CONTRACTING PTY LTD	CHARGES	M		3,459.17
EFT10739	04/04/2017	NS ADVISORY	CHARGES	M		17,851.03
EFT10740	04/04/2017	ROWE GROUP	CHARGES	M		1,343.10
EFT10741	04/04/2017	MINGENEW FABRICATORS	CHARGES	M		78.38
EFT10742	08/04/2017	CHILD SUPPORT AGENCY	Payroll deductions	M		263.48
EFT10745	20/04/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	CHARGES	M		491.59
EFT10746	20/04/2017	Australian Services Union	Payroll deductions	M		79.05

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List of Accounts for 1 April 2017 to 30 April 2017

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10747	20/04/2017	CHILD SUPPORT AGENCY	Payroll deductions	M		263.48
EFT10748	20/04/2017	DONGARA DRILLING & ELECTRICAL	CHARGES	M		210.10
EFT10749	20/04/2017	GERALDTON MOWER & REPAIR SPECIALISTS	CHARGES	M		260.40
EFT10750	20/04/2017	LGRCEU	Payroll deductions	M		41.00
EFT10751	20/04/2017	MINGENEW SHIRE COUNCIL	Payroll deductions	M		125.00
EFT10752	20/04/2017	MINGENEW COMMUNITY RESOURCE CENTRE	CHARGES	M		75.00
EFT10753	20/04/2017	MIDWEST SWEEPING CONTRACTORS	CHARGES	M		4,265.80
EFT10754	20/04/2017	PEMCO DIESEL PTY LTD	CHARGES	M		1,014.42
EFT10755	20/04/2017	ROWE GROUP	CHARGES	M		82.50
EFT10756	20/04/2017	SLATER-GARTRELL SPORTS	CHARGES	M		739.20
EFT10757	20/04/2017	WESTRAC PTY LTD	PARTS	M		601.27
EFT10758	21/04/2017	Telstra Corporation	Telstra accounts for the month March 2017	M		1,283.60
EFT10759	21/04/2017	AVON WASTE	Weekly rubbish collection services.	M		2,322.00
EFT10760	21/04/2017	DONGARA DRILLING & ELECTRICAL	Electrical safety audit at the various shire offices	M		3,659.70
EFT10761	21/04/2017	C & J LUCKEN TRANSPORT	Cart grader from Mingenew to MGB diesel Walkaway	M		550.00
EFT10762	21/04/2017	MINGENEW TURF CLUB	Grants towards cost of new fencing at Rec centre	M		4,400.00
EFT10763	21/04/2017	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	DOCTORS VISITING FEES 8,15,& 23 of Feb 2017	M		1,500.00
EFT10764	21/04/2017	MINGENEW SPRING CARAVAN PARK	Accomodation & Meals for Dentists	M		2,144.50

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Shire of MINGENEW  
List of Accounts for 1 April 2017 to 30 April 2017

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT10765	21/04/2017	MINGENEW BAKERY	CATERING FOR VARIOUS MEETING INCLUDING WALGA	M		509.85
EFT10766	21/04/2017	LANDMARK	Chlorpyrifos 500 20L	M		456.32
EFT10778	21/04/2017	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan 137 repayment	M		10,616.42
EFT10780	30/04/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	April loan repayment for photocopier	M		421.30
DD8029.1	05/04/2017	WA SUPER	Payroll deductions	M		4,869.12
DD8029.2	05/04/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,326.35
DD8029.3	05/04/2017	MLC SUPER FUND	Superannuation contributions	M		75.34
DD8029.4	05/04/2017	PRIME SUPER	Superannuation contributions	M		219.08
DD8029.5	05/04/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		195.07
DD8036.1	05/04/2017	WA SUPER	Superannuation contributions	M		9,265.02
DD8036.2	06/04/2017	WA SUPER	Payroll deductions	M		3,586.45
DD8052.1	05/04/2017	WA SUPER	Superannuation contributions	M		712.50
DD8052.2	10/04/2017	WA SUPER	Payroll deductions	M		171.00
DD8053.1	19/04/2017	WA SUPER	Payroll deductions	M		4,744.04
DD8053.2	19/04/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,115.21
DD8053.3	19/04/2017	MLC SUPER FUND	Superannuation contributions	M		75.34
DD8053.4	19/04/2017	PRIME SUPER	Superannuation contributions	M		209.87

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**Shire of MINGENEW**  
**List of Accounts for 1 April 2017 to 30 April 2017**

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<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name</b>	<b>Invoice Description</b>	<b>Bank Code</b>	<b>INV Amount</b>	<b>Amount</b>
DD8053.5	19/04/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		187.34

**REPORT TOTALS**

<b>Bank Code</b>	<b>Bank Name</b>	<b>TOTAL</b>
M	MUNI - NATIONAL AUST BANK	<b>103,279.10</b>
<b>TOTAL</b>		<b>103,279.10</b>

**Licensing**

Direct Debit form Municipal Bank  
1/04/2017 to 30/4/2017 \$76,774

**Staff Payroll**

PPE 5/4/2017 \$30,557.92  
Termination Pay PPE 6/4/2017 \$91,038.50  
Termination Pay PPE 10/4/2017 \$37,352.55  
Term Pay & PPE 18/4/2017 Pay \$57,126.90

**National Business MasterCard**

Nil

## 9.3 ADMINISTRATION

### 9.3.1 WRITE OFF DEBT – PRIVATE WORKS: RR & MI BICKFORD

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	A400
<b>Date:</b>	8 May 2017
<b>Author:</b>	Martin Whitely, Chief Executive Officer

#### Summary

This report recommends that Council authorise the CEO to write off an invoice previously raised for private works carried out for RR & MI Bickford.

#### Attachment

Letters from RR & MI Bickford  
Letters to RR & MI Bickford  
Photos of the site works completed  
Invoice 8021

#### Background

The Shire of Mingenew was approached by the Bickford's to complete site works for their proposed dwelling at Lot 4 Phillip Street, Mingenew. Initial consultation was between the then Works Manager Warren Borrett and the Bickford's regarding the scope of works for the site works to be completed.

After soon commencing the site works the Bickford's raised concerns with the CEO that the works being completed were not as previously agreed. As there was no documentation to the original works agreed upon the CEO requested that the Works Manager consult with the Bickford's to ascertain the scope of works to be completed and agreed upon and a letter outlining the works to be completed by the Shire was duly signed by both parties on 2 March 2017.

The site works were completed by the Shire immediately after the signing of the letter and a further letter was received by the Bickford's on 10 March 2017 advising that they were not satisfied with the works completed.

After not hearing from the complainant after receiving the letter I wrote to the Bickford's on 5 April 2017 seeking further clarification as to why they were not satisfied with the works completed and met with them shortly afterwards in person on 11 April 2017 to discuss the matter.

#### Comment

The difficulty arising in this situation appears that the expectations from the Bickford's and the Shire as to the level of the scope of site works is substantially different. When meeting with the Bickford's on 11 April 2017 I asked what measures could be taken by the Shire to resolve the matter. The Bickford's indicated that they were not in favour of the Shire completing additional site works to rectify any concerns they may have. I asked the Bickford's if they would be satisfied if the Shire was to write the debt off on the basis that the matter would then be resolved and that no further correspondence would be entered into following this agreement and they were keen for this arrangement to be implemented.

The site works completed by the Shire were done with internal plant and staff, so there are little of no material costs incurred with the completion of the site works. While writing off the debt will have a financial impact on the 2016/17 financial year it will have little impact on the cash flow position of the organisation. As I only have delegated authority to write off debts under \$100 I am requesting that Council support this decision to waive the private works fees for Invoice 8021.

It is my recommendation that the invoice be written so as to keep the matter amicable.

**Consultation**

Rodney & Muriel Bickford

**Statutory Environment**

Local Government Act 1995

**5.42. Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
  - (a) this Act other than those referred to in section 5.43; or
  - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**5.43. Limits on delegations to CEO**

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

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

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

which is owed to the local government.

\* *Absolute majority required.*

**Policy Implications**

Shire of Mingenew Register of Delegations

**04 POWER TO WAIVE OR WRITE OFF DEBTS**

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

**Financial Implications**

Writing off Invoice 8021 would result in a reduction of \$1,772.73 (GST Exclusive) in private works fees in the 2016/17 financial year.

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.6 – Maintain a high standard of customer service with a can do attitude

**Voting Requirements**

Absolute Majority

---

**OFFICER RECOMMENDATION – ITEM 9.3.1**

---

**That Council;**

- 1. Agree to write off debtor invoice 8021 to the value of \$1,950 (GST Inclusive) charged to RR & MI Bickford for private works at Lot 4 Phillip Street, Mingenew, and**
- 2. That Invoice 8021 is written off on the basis that RR & MI Bickford agree to making no further claims to the Shire of Mingenew for works not completed to their satisfaction in preparing the site works at Lot 4 Phillip Street, Mingenew**



ADM0071  
ICR175094

RR & MI Bickford  
Po Box 122  
Mingenew  
WA  
6522

Attention;  
Mr Martin Whitely  
Mingenew Shire  
Victoria Street  
Mingenew  
WA  
6522

16 February 2017

Dear Mr Whitely,

My name is Mrs Bickford, both my husband Rodney and myself have just recently moved to Mingeneew.

We were told that the Shire also done private works. We came to the office and asked to see Mr Borrett, however as he was on leave, the office staff member said she could put in a work order for slashing. We explained we only wanted the building site which we had pegged out done.

The next day 06/01/17, two work men arrived at our block, 50 Philip Street. They said they were here to do the slashing, one of them said we will do the whole 5 acres as it should have been done by the previous owners. We had already rotary hoed the fire break on the 16/10/16. It was the day of the opening of the new ambulance station, my son and Rodney saw the celebration that was going on and didn't hoe right at the bottom of the block as they didn't want dust flying over the celebration. So there was no need to slash and as there was a fire break done we feel we only need to pay for the house pad slashing, which would have taken approximately half an hour at the most and half an hour for the fire unit. A total of which I have calculated, at \$37.50 slashing and \$27.50 fire unit. We do realise that we have to pay for things to be done, however, when you explain what is to be done, it's not our problem if more is done, so we aren't prepared to pay this amount we have been charged.

Also we would like to point out another matter, relating to works being done on our block 50 Philips Street. We applied to the Works Department, for our site works to be done. Mr Borrett met us up at the block 7/2/17 as he was away before that and so were we. When we met Mr Borrett, we explained that we need a shed pad and house pad which we had measured out and flagged. The work started sometime that week, not sure of the date as we had so much going on. We thought Mr Borrett would have taken levels before the work started, which he didn't. The works have taken truck loads out and there looks like two big dams on our block and still no levels taken. We were told by Mr Borrett that we needed fill. Then he said he would put back our own fill, which is absolutely ridiculous. Why take it out in the first place, levels should have been taken first. As far as we are

concerned, hours of unnecessary work has been done and now we are left with huge mounds of dirt and as of today still no levels done.

We wish to halt the works as we were going to have our driveway done and turn around, however this will no longer be required by the shire.

You can send the a/c to Mr Borrett for the mess he has caused. Please find enclosed account for amendment.

We will be waiting on an answer from the shire on this matter. Thank you.

Kind Regards

RR & MI Bickford

*R. R. Bickford*  
*M. I. Bickford*

DATE	PH: 0409 978 860
TIME	ADM0071
NO	
ATTENTION	CEO
APPROVED	

R. R & M. I Bickford  
P.O Box 122  
Mingenew WA 6522  
Ph: 0409 978 860  
10<sup>th</sup> March 2017

**ATTENTION: MR M. WHITELY**

Shire of Mingeneu  
22 Victoria Street  
P.O Box 120  
Mingenew, WA 6522

Dear Mr Whitely,

We met with our builder on Tuesday 7<sup>th</sup> March, at our block 50 Phillip Street. As he came to look at the site where the house is going to be positioned. He was not happy with how the site works are going. He suggested, we get in touch with Mr Smith from Dongara, who has an earthmoving Business. Mr Smith came to our block on Friday 10<sup>th</sup> in the afternoon, he also was not very impressed with the site.

As we are much happier with his input, to go about the job, we are going ahead with his solution on how to fix this mess. So as from the day you receive this letter we would like to terminate work with the Shire.

You will hear from us in due course regarding the payment for work done to date.

Regards

R.R & M.I Bickford

*R.R. Bickford*  
*M.I. Bickford*



# SHIRE OF MINGENEW

Victoria Street  
PO Box 120  
MINGENEW WA 6522  
Telephone: (08) 9928 1102  
Facsimile: (08) 9928 1128  
Email: ceo@mingenew.wa.gov.au

Your Ref: A400  
Our Ref:

2 March 2017

Rodney Muriel Bickford  
PO Box 122  
Mingenew WA 6522

Dear Rodney & Muriel

## SITE WORKS – LOT 4 PHILLIP STREET, MINGENEW

Thank you for meeting with me on site to discuss the site works required at your Lot 4 Phillip Street, Mingenew property.

I have spoken to the Works Manager, Warren Borrett and he has provided me with the following scope of works that the Shire will undertake to complete the required site works;

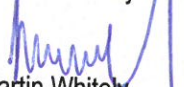
1. Firstly the final levels of the house and shed pads need to be finalised and agreed upon with the Works Manager and yourselves
2. Completion of digging out the sub-base
3. Marking out levels for house and shed pads
4. Cart in sand fill as required
5. Compaction of sand to final levels


The cost of completing the above works will be \$2,000 as originally quoted. The works completed to date are included within the quote of \$2,000, as such there will be no additional charges for the above scope of works.

The Shire is unable to complete the compaction testing and this will be an additional cost that will need to be taken into consideration. I have been given the details of Mike Smith who is based in Dongara. Mike's number is 0427 901 350 and he may be able to assist you with the compaction testing as required.

If you are happy with the proposed scope of works as outlined above please sign below and return to the Shire and the Shire will proceed with completing the site works.

Yours faithfully

  
Martin Whitely  
Chief Executive Officer

  
Rodney Bickford and/or Muriel Bickford

Dated:



STANDING PROUD  
GROWING STRONG



# SHIRE OF MINGENEW

Victoria Street  
PO Box 120  
MINGENEW WA 6522  
Telephone: (08) 9928 1102  
Facsimile: (08) 9928 1128  
Email: [ceo@mingenew.wa.gov.au](mailto:ceo@mingenew.wa.gov.au)

Your Ref: A400  
Our Ref:

5 April 2017

Rodney Muriel Bickford  
PO Box 122  
Mingenew WA 6522

Dear Rodney & Muriel

## SITE WORKS – LOT 4 PHILLIP STREET, MINGENEW

I am following up on your letter received 10 March 2017 where you raised your dissatisfaction at the site works carried out at the above mentioned address.


I refer to the letter dated 2 March 2017 where both parties agreed to the following scope of works that the Shire would undertake to complete the required site works;

1. Firstly the final levels of the house and shed pads need to be finalised and agreed upon with the Works Manager and yourselves
2. Completion of digging out the sub-base
3. Marking out levels for house and shed pads
4. Cart in sand fill as required
5. Compaction of sand to final levels

It would be greatly appreciated if you could provide me with some additional information with regards to the above mentioned works as to your level of satisfaction to allow me to address the matter internally.

Should you have any queries please do not hesitate to contact me on 9928 1102 or [ceo@mingenew.wa.gov.au](mailto:ceo@mingenew.wa.gov.au)

Yours faithfully



Martin Whitely  
Chief Executive Officer





# SHIRE OF MINGENEW

ABN: 41 454 990 790

COUNCIL OFFICE: VICTORIA STREET  
PO BOX 120, MINGENEW WA 6522  
Ph: 08 9928 1102 Fax: 08 9928 1128  
ceo@mingenew.wa.gov.au  
www.mingenew.wa.gov.au

## TAX INVOICE

INVOICE NO: **8021**  
DEBTOR NO: DB68  
DATE ISSUED 8/05/2017  
PAGE: 1

RR & MI Bickford  
Po Box 122  
MINGENEW WA 6522

DATE	DESCRIPTION	AMOUNT
08/03/2017	Hire of backhoe and loader to excavate house and sand pad to the instructions of the owner.	
0004	PRIVATE WORKS - PLANT HIRE/OTH Backhoe Hire 10.00 @ 120.00 ea	1,200.00 *
0004	PRIVATE WORKS - PLANT HIRE/OTH Loader Hire 5.00 @ 150.00 ea	750.00 *
	* Local Govt. Charge \$1,772.73 GST charge \$177.27	

The total price includes GST of \$177.27

Payment is due in 30 days

<b>TOTAL PAYABLE</b>	<b>\$ 1,950.00</b>
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### OFFICE COPY ONLY

IF NO RECEIPT IS REQUIRED, RETAIN TOP PORTION FOR YOUR RECORDS AND RETURN LOWER PORTION WITH REMITTANCE.  
OFFICIAL RECEIPT MUST BEAR IMPRINT OF CASH REGISTER TO BE VALID.




## SHIRE OF MINGENEW

**NAME:** RR & MI Bickford

**DEBTOR NO.:** DB68

**TOTAL PAYABLE:** 1,950.00

**INVOICE NO.:** 8021

	<b><u>Pay By Mail</u></b>	Make crossed cheque payable to Shire of Mingenew PO Box 120 MINGENEW WA 6522
	<b><u>Pay In Person</u></b>	Council Office - Victoria Street, Mingenew Between 9.00am and 4.30pm, Mon - Fri Cash, Cheque or Money Orders only
	<b><u>Direct Credit</u></b>	BSB - 086 833      A/C # - 508 355 531 A/C Name - Mingenew Shire Council Reference - Debtor No./name; Invoice No.

### 9.3.2 WRITE OFF DEBT – PRIVATE WORKS: RR & MI BICKFORD

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** A400  
**Date:** 8 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council authorise the CEO to write off an invoice previously raised for private works carried out for RR & MI Bickford.

#### **Attachment**

Letter from RR & MI Bickford  
Invoice 7982

#### **Background**

In January 2017 I was informed by staff that the Shire of Mingenew was approached by the Bickford's to slash their block at Lot 4 Phillip Street, Mingenew. These works were completed by the Shire the next day on 6 January 2017. In the letter from the Bickford's on 16 February 2017 they state that they were not satisfied with the amount of works completed when they received their invoice for the works completed. There is no documentation between the Shire and the Bickford's agreeing to the works to be completed.

#### **Comment**

The difficulty arising in this situation is that there is no documentation where the Bickford's have agreed to what slashing was expected. Again, it appears that the expectations from the Bickford's and the Shire as to the level of the scope of site works is substantially different.

The private works completed by the Shire were completed with internal plant and staff, so there were no material costs incurred with the completion of the site works. While writing off the debt will have a financial impact on the 2016/17 financial year it will have little impact on the cash flow position of the organisation.

It is my recommendation that the original invoice be written off and the Shire raise a new invoice being for 1 hour hire of the tractor & slasher. I believe it is reasonable to charge a minimum of 1 hour for any slashing works that the Shire would complete as private works.

As I only have delegated authority to write off debts under \$100 I am requesting that Council support this decision to waive the private works fees for Invoice 7982.

#### **Consultation**

Rodney & Muriel Bickford

#### **Statutory Environment**

Local Government Act 1995

### 5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
  - (a) this Act other than those referred to in section 5.43; or
  - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

*\* Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### **5.43. Limits on delegations to CEO**

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

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

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

which is owed to the local government.

*\* Absolute majority required.*

#### **Policy Implications**

#### **Shire of Mingenew Register of Delegations**

#### **04 POWER TO WAIVE OR WRITE OFF DEBTS**

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

#### **Financial Implications**

Writing off Invoice 7982 and generating a new invoice as per the recommendation would result in a reduction of \$336.36 (GST Exclusive) in private works fees in the 2016/17 financial year.



**Strategic Implications**

Community Strategic Plan

Outcome 4.2.6 – Maintain a high standard of customer service with a can do attitude

**Voting Requirements**

Absolute Majority

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**OFFICER RECOMMENDATION – ITEM 9.3.2**

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**That Council;**

- 1. Agree to write off debtor invoice 7982 to the value of \$520 (GST Inclusive) charged to RR & MI Bickford for private works at Lot 4 Phillip Street, Mingenew, and**
- 2. That a new invoice be raised for an amount of \$150 (GST Inclusive) being a charge for a minimum of one hour hire of the tractor & slasher as per the 2016/17 Fees & Charges Schedule**

ADM0071  
ICR175094

RR & MI Bickford  
Po Box 122  
Mingenew  
WA  
6522

Attention;  
Mr Martin Whitely  
Mingenew Shire  
Victoria Street  
Mingenew  
WA  
6522

16 February 2017

Dear Mr Whitely,

My name is Mrs Bickford, both my husband Rodney and myself have just recently moved to Mingeneew.

We were told that the Shire also done private works. We came to the office and asked to see Mr Borrett, however as he was on leave, the office staff member said she could put in a work order for slashing. We explained we only wanted the building site which we had pegged out done.

The next day 06/01/17, two work men arrived at our block, 50 Philip Street. They said they were here to do the slashing, one of them said we will do the whole 5 acres as it should have been done by the previous owners. We had already rotary hoed the fire break on the 16/10/16. It was the day of the opening of the new ambulance station, my son and Rodney saw the celebration that was going on and didn't hoe right at the bottom of the block as they didn't want dust flying over the celebration. So there was no need to slash and as there was a fire break done we feel we only need to pay for the house pad slashing, which would have taken approximately half an hour at the most and half an hour for the fire unit. A total of which I have calculated, at \$37.50 slashing and \$27.50 fire unit. We do realise that we have to pay for things to be done, however, when you explain what is to be done, it's not our problem if more is done, so we aren't prepared to pay this amount we have been charged.

Also we would like to point out another matter, relating to works being done on our block 50 Philips Street. We applied to the Works Department, for our site works to be done. Mr Borrett met us up at the block 7/2/17 as he was away before that and so were we. When we met Mr Borrett, we explained that we need a shed pad and house pad which we had measured out and flagged. The work started sometime that week, not sure of the date as we had so much going on. We thought Mr Borrett would have taken levels before the work started, which he didn't. The works have taken truck loads out and there looks like two big dams on our block and still no levels taken. We were told by Mr Borrett that we needed fill. Then he said he would put back our own fill, which is absolutely ridiculous. Why take it out in the first place, levels should have been taken first. As far as we are

concerned, hours of unnecessary work has been done and now we are left with huge mounds of dirt and as of today still no levels done.

We wish to halt the works as we were going to have our driveway done and turn around, however this will no longer be required by the shire.

You can send the a/c to Mr Borrett for the mess he has caused. Please find enclosed account for amendment.

We will be waiting on an answer from the shire on this matter. Thank you.

Kind Regards

RR & MI Bickford

*R. R. Bickford*  
*M. I. Bickford*



# SHIRE OF MINGENEW

ABN: 41 454 990 790

COUNCIL OFFICE: VICTORIA STREET  
PO BOX 120, MINGENEW WA 6522  
Ph: 08 9928 1102 Fax: 08 9928 1128  
ceo@mingenew.wa.gov.au  
www.mingenew.wa.gov.au

## TAX INVOICE

INVOICE NO: **7982**  
DEBTOR NO: **DB68**  
DATE ISSUED **8/05/2017**  
PAGE: **1**

RR & MI Bickford  
Po Box 122  
MINGENEW WA 6522

DATE	DESCRIPTION	AMOUNT
07/02/2017	<b>Block Slashing</b>	
0004	PRIVATE WORKS - PLANT HIRE/OTH Block Slashing 5 Acres 4.00 @ 75.00 ea	300.00 *
0004	PRIVATE WORKS - PLANT HIRE/OTH Fire Unit 2.00 @ 110.00 ea	220.00 *
* Local Govt. Charge \$472.73 GST charge \$47.27		

The total price includes GST of \$47.27

Payment is due in 30 days

**TOTAL PAYABLE** \$ **520.00**

### OFFICE COPY ONLY

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OFFICIAL RECEIPT MUST BEAR IMPRINT OF CASH REGISTER TO BE VALID.

## SHIRE OF MINGENEW

**NAME:** RR & MI Bickford

**DEBTOR NO.:** DB68

**TOTAL PAYABLE:** 520.00

**INVOICE NO.:** 7982



#### Pay By Mail

Make crossed cheque payable to Shire of Mingenew  
PO Box 120  
MINGENEW WA 6522



#### Pay In Person

Council Office - Victoria Street, Mingenew  
Between 9.00am and 4.30pm, Mon - Fri  
Cash, Cheque or Money Orders only



#### Direct Credit

BSB - 086 833 A/C # - 508 355 531  
A/C Name - Mingenew Shire Council  
Reference - Debt No./Name; Invoice No.

**9.3.3 WRITE OFF DEBT – HIRE OF FACILITIES: MINGENEW IRWIN GROUP**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** DM68  
**Date:** 8 May 2017  
**Author:** Martin Whitely, Chief Executive Officer

**Summary**

This report recommends that Council waive hire charges for the Recreation Centre.

**Attachment**

Letter of Complaint  
Invoice 8015

**Background**

In February 2017 the Mingenew Irwin Group (“MIG”) hired the Recreation Centre facilities for a Grain Research & Development (“GRD”) and MIG Crop Update. After the GRD event held in February 2017 a verbal complaint was made by MIG over the cleanliness of the facilities that were hired. On Wednesday 22 February 2017 a written complaint was filed by MIG after they came to collect the keys for the Recreation Centre & Turf Bar Facilities and commented that the facilities were still in the same state from the event earlier in the month.

**Comment**

As a result of the complaint made on 22 February 2017 MIG arranged to have the facility cleaned at their cost. They have since spoken with the CEO and commented that the state of the facilities was unacceptable. I forwarded the complaint to the cleaner and our records show that both facilities had been cleaned in the days leading up to both events.

I spoke with Laura Dorman on 8 March to apologise for any inconvenience and again with Sally McTaggart on 11 April 2017. I advised Sally that in light of the circumstances I would be happy to waive the hire costs for the GRD event held on 24 February 2017. As I only have delegated authority to write off debts under \$100 I am requesting that Council support this decision to waive the hire fees for MIG.

Clearly there appears to a difference in opinion as to whether the facilities had been cleaned, however given that MIG paid for their own cleaner prior to the event held on 24 February 2017 it is my recommendation that the invoice be written off to keep the matter amicable.

**Consultation**

Laura Dorman, Mingenew Irwin Group  
Sally McTaggart, Mingenew Irwin Group

**Statutory Environment**

Local Government Act 1995

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  - (a) this Act other than those referred to in section 5.43; or
  - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

*\* Absolute majority required.*

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#### **5.43. Limits on delegations to CEO**

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
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  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money,

which is owed to the local government.

*\* Absolute majority required.*

#### **Policy Implications**

#### **Shire of Mingenew Register of Delegations**

#### **04 POWER TO WAIVE OR WRITE OFF DEBTS**

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

#### **Financial Implications**

Writing off Invoice 8015 will result in a reduction of \$454.55 (GST Exclusive) in hire fees for the 2016/17 financial year.

**Strategic Implications**

Community Strategic Plan

Outcome 4.2.6 – Maintain a high standard of customer service with a can do attitude

**Voting Requirements**

Absolute Majority

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**OFFICER RECOMMENDATION – ITEM 9.3.3**

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**That Council agree to write off Invoice 8015 in its entirety.**



# SHIRE OF MINGENEW

ABN: 41 454 990 790

COUNCIL OFFICE: VICTORIA STREET  
PO BOX 120, MINGENEW WA 6522  
Ph: 08 9928 1102 Fax: 08 9928 1128  
ceo@mingenew.wa.gov.au  
www.mingenew.wa.gov.au

## TAX INVOICE

INVOICE NO: **8015**  
DEBTOR NO: **DM68**  
DATE ISSUED: **8/05/2017**  
PAGE: **1**

MINGENEW-IRWIN GROUP  
PO BOX 6  
MINGENEW WA 6522

DATE	DESCRIPTION	AMOUNT
01/03/2017	Hire of Recreation Centre and New Pavillion (Turf Club Bar) for Crop Update	
0008	RECREATION CENTRE HIRE 2.00 @ 145.00 ea	290.00 *
0008	RECREATION CENTRE HIRE NEW PAVILLION HIRE 2.00 @ 105.00 ea	210.00 *
	* Local Govt. Charge \$454.55 GST charge \$45.45	

The total price includes GST of \$45.45

Payment is due in 30 days

**TOTAL PAYABLE** \$ **500.00**



### OFFICE COPY ONLY

IF NO RECEIPT IS REQUIRED, RETAIN TOP PORTION FOR YOUR RECORDS AND RETURN LOWER PORTION WITH REMITTANCE.  
OFFICIAL RECEIPT MUST BEAR IMPRINT OF CASH REGISTER TO BE VALID.

## SHIRE OF MINGENEW

**NAME:** MINGENEW-IRWIN GROUP

**DEBTOR NO.:** DM68

**TOTAL PAYABLE:** 500.00

**INVOICE NO.:** 8015



### Pay By Mail

Make crossed cheque payable to Shire of Mingenew  
PO Box 120  
MINGENEW WA 6522



### Pay In Person

Council Office - Victoria Street, Mingenew  
Between 9.00am and 4.30pm, Mon - Fri  
Cash, Cheque or Money Orders only



### Direct Credit

BSB - 086 833 A/C # - 508 355 531  
A/C Name - Mingenew Shire Council  
Reference - Debt No. Name; Invoice No.





# SHIRE OF MINGENEW

## NOTICE OF COMPLAINT/COMPLIMENT

This form is to be used to bring to the attention of Council staff any matter of Complaint or Compliment.

Name of Complainant: Mingenew Inwin Group

Address of Complainant: Po Box 6  
Mingenew WA 6522

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Details of complaint/compliment (please provided as much detail as possible concerning your complaint/compliment; eg, if it is concerning a road, include the name of the road, location and nature of complaint/compliment.

Wednesday 8<sup>th</sup> of February 2017 - collected keys for  
Rec centre for GRDC event on Thursday 9<sup>th</sup>,  
Rec centre was not clean - mouse poo on counters,  
windows excessively dirty, toilets dirty, no toilet paper and  
mouse poo around sink in bathroom.

Wednesday 22<sup>nd</sup> of Feb - collected keys for Rec centre & turf bar,  
Windows in rec centre still havent been cleaned from before, everything  
just generally dirty.

Signed by complainant/Councillor: [Signature]

### OFFICE USE ONLY

Ward \_\_\_\_\_

Ward Councillor \_\_\_\_\_

Action taken to rectify complaint \_\_\_\_\_

\_\_\_\_\_

Date completed \_\_\_\_\_ Signed by officer \_\_\_\_\_

Referred to Council Yes/No

## 9.4 TOWN PLANNING

### 9.4.1 MINGENEW TOWNSITE MOBILE PHONE TOWER

<b>Location/Address:</b>	13 (Lot 1) Shenton Street, Mingenew
<b>Name of Applicant:</b>	Visionstream for Telstra
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM0075
<b>Date:</b>	29 March 2017
<b>Author:</b>	Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
<b>Senior Officer:</b>	Martin Whitely, Chief Executive Officer

#### Summary

Council approved an application for a 25m high mobile phone mast at 13 (Lot 1) Shenton Street, Mingenew at its 20 July 2016 meeting. Council is now in receipt of an amended application seeking approval for a 35m high mast.

#### Attachment

Copy of submitted development application.

#### Background

Lot 1 is a 994m<sup>2</sup> property in the Mingenew townsite, owned by Telstra, located on the south-western corner of the Shenton Street and King Street intersection. The property contains a telephone exchange building, a small shed and a 10m telecommunications mast.

**Figure 9.1.1(a) – Location Plan for 13 (Lot 1) Shenton Street, Mingenew**



The application approved by Council at its 20 July 2016 meeting consists of the following:

- 25m high grey monopole (replacing the existing 10m high steel pole);
- 6 panel antennas and amplifiers mounted on the top of the pole (taking the total height of the facility to 27m above ground level);
- 3m x 2m (6m<sup>2</sup>), 3m high approx. equipment shed at the base of the pole.



The revised application now submitted to Council for its consideration consist of the following:

- 35m high grey monopole (the proposed site for the mast has moved approximately 8m south-west of the previous proposed mast location due to design and structural constraints);
- 6 panel antennas and amplifiers mounted at a height of 25m on the pole;
- addition of a 0.9m radio dish atop the pole;
- 3m x 2m (6m<sup>2</sup>), 3m high approx. equipment shed at the base of the pole.

**Figure 9.1.1(b) – View of proposed site looking south-west from Shenton Street**



**Figure 9.1.1(c) – View of proposed site looking south from King Street**



The submitted development plans, that elaborate upon this proposal and includes a site plan and an elevation plan that illustrates the proposed pole height in comparison to the existing pole height, has been provided as **Attachment 9.4.1**.

**Comment**

Lot 1 Shenton Street is zoned 'Residential 12.5' under the Shire of Mingenew Local Planning Scheme No.3 ('the Scheme').

The application would meet the definition of 'Telecommunications Infrastructure' which is defined under Schedule 1 of the Scheme as follows:

*"means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network."*

'Telecommunications Infrastructure' is not listed, however, in the Zoning Table of the Scheme, and this application must therefore be addressed through Section 4.4.2 of the Scheme:

*"4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonable be determined as falling within the type, class or genus of activity of any other use category the Local Government may:*

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted."*

Council may determine in accordance with Section 4.4.2(a) that a mobile phone tower is consistent with the objectives of the 'Residential' zone which are listed in the Scheme as follows:

*"The use of land in the Residential Zone shall be consistent with the following objectives:*

- the zone shall be predominantly residential in nature;*
- non-residential uses permitted under the provision of the Scheme shall be of service to, compatible in character and of a scale and operation which is not detrimental to the predominant residential use;*
- any non-residential use shall not detract from or adversely affect the residential amenity of the area."*

The application could be assessed under the definition of a 'Public Utility' which is listed as a 'Permitted' use within the 'Residential' zone, however, it is considered that the definition of 'Telecommunications Infrastructure' is more appropriate in this instance. 'Public Utility' is defined under Schedule 1 of the Scheme as follows:

*"means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services."*

Section 5.7 of the Scheme addresses the issue of visual amenity by limiting the height of development under which Shire staff may approve an application under delegated authority to 10m in height, after which an application must be referred to Council for its consideration.

*"5.7.1 No site shall be developed or building or structure constructed to contain more than two storeys or exceed 10m in height from the natural mean ground level of the site. Council may use its discretion and vary these requirements if it can be assured that any height variation proposed will not affect the privacy enjoyed by neighbouring*

*developments and is sympathetic with the scale and character of the surrounding built environment.”*

*“5.7.3.1 Free standing structures such as promotional towers and radio/TV masts proposed to exceed the height limit shall be individually assessed by the Council, after due consideration of the effect such a structure may have on established views and amenity generally.”*

In its consideration of the application it is suggested that the application has some merit on the following grounds:

- there is practical need for the development to exceed 10m in height;
- although the development will be highly visible from within the townsite, and particularly the neighbouring residences, it is not uncommon for radio, phone and television masts that serve a community need to be sited in urban areas/townsites;
- the design of the mobile phone tower is a monopole rather than a guyed mast or 4-sided pylon design and might therefore be considered to be the least prominent style of these forms of facility;
- the cost to the community of limited mobile phone reception can include personal, business and emergency communication; &
- the proposed mast would be co-located with an existing Telstra exchange building facility, and involve the replacement of an existing mast with another, albeit much larger, mast.

### **Consultation**

Council is not required to undertake community consultation for this application should it be considered under Section 4.4.2(a) of the Scheme.

It is noted that the site is located within a residential area and has residences immediately abutting to the south and west. Council may therefore choose to advertise the application for public comment under Sections 4.4.2(b) and 9.4 of the Scheme should it wish to seek comment on the proposal and return the matter to a future meeting of Council for consideration of any received submissions, prior to making its determination.

In their original proposal the applicant advised that they intended to conduct their own public notification process as follows:

- *Run a newspaper ad in the local paper (Geraldton Guardian);*
- *Sent letters to the two adjoining landowners;*
- *Uploaded the RFNSA consultation page; and*
- *Sent a letter to Mingenew Primary School.*

*The notification period will run from 11/07/2016 to 22/07/2016. Also submissions have been directed to Visionstream, and I will provide you with a summary if we receive any submissions.”*

### **Statutory Environment**

The Commonwealth *Telecommunications Act 1997* exempts telecommunications equipment from environmental and planning legislation except where the facility does not meet the definition of a 'low impact' facility, in this case requiring the lodgement of a planning application and assessment by Council of this matter.

In addition to the requirements of the *Telecommunications Act 1997* and the *Planning and Development Act 2005* the applicant is also bound by the *Telecommunications Code of Practice 1997*, and the Australian Communications and Media Authority's *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003*.

### **Policy Implications**

The Western Australian Planning Commission have prepared Statement of Planning Policy 5.2 'Telecommunications Infrastructure' (2015) for applications for above and below ground telecommunications infrastructure other than those facilities exempted under the *Telecommunications Act 1997*. The policy has the following objectives:

- facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,
- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

Section 5.1 of the policy recognises that in many instances the primary impact of a mobile phone tower is a visual one and provides the following guidance:

*"For telecommunications infrastructure to be effective, structures are generally located prominently, at high points in the landscape or on top of buildings, where they are more likely to be visible to the public.*

*The planning authority may exercise discretion in addressing the visual impacts of telecommunications infrastructure. Visual impacts of an infrastructure development proposal should be assessed by applying the following set of policy measures to guide the location, siting and design of the structure.*

*5.1.1 The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.*

- i) Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case by case basis;*
- ii) Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:*
  - a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
  - b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*
  - c) not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised and*
  - d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;*

- iii) *In addition to the existing exemptions under the Telecommunication Act, local governments should consider exempting telecommunications infrastructure from the requirement for development approval where:
  - a) *The infrastructure has a maximum height of 30 metres from finished ground level;*
  - b) *The proposal complies with the policy measures outlined in this policy; and*
  - c) *The proponent has undertaken notification of the proposal in a similar manner to ‘low impact facilities’ as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2011);**
- iv) *Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and*
- v) *Telecommunications infrastructure should be collocated and whenever possible:
  - a) *Cables and lines should be located within an existing underground conduit or duct; and*
  - b) *Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.”**

The applicant is considered to have satisfactorily addressed the key assessment criteria of WAPC State Planning Policy 5.2 in Table 1 and Section 6 of the documentation submitted with the original application (that was provided as an attachment to the 20 July 2016 Council Agenda).

#### **Financial Implications**

The applicant made payment of the \$960 planning application fee with the original application. The application would not have a budgetary impact to Council.

#### **Strategic Implications**

The proposed mobile phone tower would assist in meeting the following outcomes identified within the Shire of Mingenew Strategic Community Plan (2012):

Outcome 1.5 – Ensure the provision of adequate services to support economic growth.

Outcome 1.5.3 – Improved telecommunications.

#### **Voting Requirements**

Simple Majority

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

**That Council grant formal planning approval for the revised application for Telecommunications Infrastructure upon 13 (Lot 1) Shenton Street, Mingenew (inclusive of a 35m high mast) subject to compliance with the following:**

#### **Conditions:**

- 1 Development shall generally be in accordance with plans included within Attachment 9.1.1 to the Council Agenda report and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.**

- 3 The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- 4 The applicant must submit and adhere to a Traffic Management Plan to the approval of the local government for the temporary closure of Shenton Street during the construction phase of the development.

**Notes:**

- (a) All operations must be carried out in accordance with the separate requirements of the Australian Communications and Media Authority, and Australian Radiation Protection and Nuclear Safety Agency pertaining (but not limited) to electromagnetic energy.
- (b) The facility must be in compliance with any separate requirements of the Civil Aviation Safety Authority.
- (c) Should the applicant be aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

## **9.5 BUILDING**

Nil

## **10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## **11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

### **11.1 ELECTED MEMBERS**

### **11.2 STAFF**

## **12.0 CONFIDENTIAL ITEMS**

Nil

## **13.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 21 June 2017 commencing at 4.30pm.

## **14.0 CLOSURE**