



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

**Wednesday 15 March 2017**

## SHIRE OF MINGENEW

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## SHIRE OF MINGENEW

### MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 15 March 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 ATTENDANCE

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 4:47pm

#### 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 February 2017

<b>COUNCIL DECISION – ITEM 7.1</b>
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Moved Cr Criddle

Seconded Cr Eardley

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

**CARRIED: 7/0**

**7.1.2 ANNUAL ELECTORS MEETING HELD 15 FEBRUARY 2017**

**COUNCIL DECISION – ITEM 7.1.2**

**Moved Cr Pearce**

**Seconded Cr Lucken**

**That the Minutes of the Annual Electors Meeting of the Shire of Mingenew held in the Council Chambers on 15 February 2017 be received and that no further action from minutes needs to be taken.**

**CARRIED: 7/0**

**8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**9.0 OFFICERS REPORTS**

## **9.1 CHIEF EXECUTIVE OFFICER**

### **9.1.1 2016 COMPLIANCE AUDIT RETURN**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0057  
**Date:** 9 March 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends that Council review and adopts the 2016 Compliance Audit Return for the period 1 January 2016 to 31 December 2016.

#### **Attachment**

A copy of the completed Compliance Audit Return is attached for Council consideration.

#### **Background**

Every year local government is required to carry out a compliance audit for the period 1 January to 31 December. Section 7.13 of the Local Government Act 1995 requires Council to complete the Compliance Audit Return in the form specified by the Department of Local Government and Communities and return by 31 March in the year that the Compliance Audit Return is completed.

#### **Comment**

There were areas of non compliance identified during the completion of the 2016 Return.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995  
Local Government (Functions & General) Regulations 1996  
Local Government (Administration) Regulations 1996  
Local Government (Audit) Regulations 1996  
Local Government (Elections) Regulations 1997  
Local Government (Rules of Conduct) Regulations 2007

#### **Policy Implications**

The Shire's Policy Manual should adhere with items contained within the Compliance Audit Return.

#### **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

#### **Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.1**

**That Council;**

**Accept the 2016 Compliance Audit Return for the period 1 January 2016 to 31 December 2016 as tabled without change as per the recommendation of the Audit Committee.**

**COUNCIL DECISION – ITEM 9.1.1**

**Moved Cr Cosgrove**

**Seconded Cr Lucken**

**That Council;**

**Accept the 2016 Compliance Audit Return for the period 1 January 2016 to 31 December 2016 as tabled without change as per the recommendation of the Audit Committee.**

**CARRIED 7/0**

### 9.1.2 RAV NETWORK REVIEW COMMITTEE

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0197  
**Date:** 9 March 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### Summary

This report recommends the establishment of a Committee to commence a review of the RAV Network in the Shire of Mingenew.

#### Attachment

Nil

#### Background

A meeting was held on Thursday 13 October 2016 by a group of local farmers raising concerns over some of the conditions currently imposed by Main Roads on RAV Network roads and in some cases the omission of certain roads for part of the RAV Network. Of particular concern were conditions placed on both the Coalseam and Mingenew Mullewa Road's that trucks are not to operate during school bus hours. Since that meeting the CEO has been liaising with Main Roads regarding a number of anomalies with roads on the RAV network in the Shire of Mingenew.

#### Comment

The purpose of the Committee would be to provide feedback and advice in relation to the road network within the Shire of Mingenew and providing the CEO with the required information to liaise with Main Roads to allow the assessment of selected roads that would be beneficial in having their current RAV category reviewed. The information from Main Roads will also allow Council to plan for any proposed works that may need to be completed in the 2017/18 financial year to have these roads added to the network.

Currently there are three Council Committees and these are the Audit Committee, Executive Management Committee and Independent Living Units Working Group Committee.

Under the Local Government Act 1995 a Committee must consist of 3 or more persons and may include elected members, employees and other persons. Council Committee meetings are generally open to the public with the exception of the matters listed at section 5.23(2) of the Local Government Act where the meeting would be closed to the public.

#### Consultation

Nil

#### Statutory Environment

Local Government Act 1995 – Section 5.8 & 5.9  
Local Government Act 1995 – Section 5.16, 5.17 & 5.18  
Local Government Act 1995 – Section 5.22 & 5.23

#### Policy Implications

Nil

#### Financial Implications

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 1.4.2 – Support sustainable farming and other industry developments including mining

Outcome 2.5.1 – Maintain and improve road assets

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

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.2**

That Council appoint Cr Cosgrove, Cr Lucken and the CEO to the RAV Network Review Committee.

**COUNCIL DECISION – ITEM 9.1.2**

Moved Cr Newton

Seconded Cr Pearce

That Council appoint Cr Cosgrove, Cr Lucken and the CEO to the RAV Network Review Committee.

**CARRIED 7/0**

### 9.1.3 TOWN HALL REFURBISHMENT COMMITTEE

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0013  
**Date:** 9 March 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

This report recommends the establishment of a Committee to oversee the refurbishment of The Mingenew Town Hall.

#### **Attachment**

Nil

#### **Background**

At the February Ordinary Meeting Council were presented with the tenders submitted for the refurbishment of the town hall. We also have an insurance claim in at the moment due to damage sustained to the ceiling in the storm event at the end of the January. On the basis that the claim is approved and we are looking to replace the ceiling it would seem prudent to replace the roof at the same time which may present itself as an opportune time to establish a working group for the project.

#### **Comment**

The purpose of the Committee would be to provide feedback and advice in relation to the scope of works to be undertaken in the event that refurbishment works do commence on the town hall in the 2016/17 financial year.

I am currently in the process of putting in a funding application to Lotterywest to help fund the refurbishment and thought that it would be prudent to establish a working group so that we are to progress any works that may need to be completed in the 2016/17 financial year.

Currently there are three Council Committees and these are the Audit Committee, Executive Management Committee and Independent Living Units Working Group Committee.

Under the Local Government Act 1995 a Committee must consist of 3 or more persons and may include elected members, employees and other persons. Council Committee meetings are generally open to the public with the exception of the matters listed at section 5.23(2) of the Local Government Act where the meeting would be closed to the public.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995 – Section 5.8 & 5.9  
Local Government Act 1995 – Section 5.16, 5.17 & 5.18  
Local Government Act 1995 – Section 5.22 & 5.23

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

**Strategic Implications**

Community Strategic Plan

Outcome 3.2.8 – Undertake improvements to the Mingenew Town Hall to ensure that it continues to be used

Outcome 3.6.1 – Continue to provide quality facilities for events

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

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.3**

**That Council seek nominations from interested elected members to form a Town Hall Refurbishment Committee.**

**COUNCIL DECISION – ITEM 9.1.3**

**Moved Cr Eardley**

**Seconded Cr Pearce**

**That Council Nominated Cr Newton, Cr Bagley, Cr Lucken, Cr Criddle and the Chief Executive Officer to form a Town Hall Refurbishment Committee.**

**CARRIED 7/0**

#### **9.1.4 ROAD INSPECTION**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0201  
**Date:** 9 March 2017  
**Author:** Martin Whitely, Chief Executive Officer

##### **Summary**

This report recommends that Council set a date to conduct a road inspection of the Shire of Mingenew in preparation for the 2017/18 Budget.

##### **Attachment**

Nil

##### **Background**

Council in the past have conducted road inspections in the Shire. The last road inspection appears as if it was conducted on 16 April 2014.

##### **Comment**

It would be a valuable exercise for Council to conduct a road inspection to assist with the 2017/18 Budget preparation. In terms of timing, for the road inspection to take place it would be best to schedule it no later than the April Council Meeting which will be held on Wednesday 19 April 2017.

##### **Consultation**

Nil

##### **Statutory Environment**

Nil

##### **Policy Implications**

Nil

##### **Financial Implications**

Nil

##### **Strategic Implications**

Community Strategic Plan  
Outcome 2.5.1 – Maintain and improve road assets

##### **Voting Requirements**

Simple Majority

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

**That Council set a date to conduct a road inspection of the Shire to assist with the preparation of the 2017/18 Budget.**

**COUNCIL DECISION – ITEM 9.1.4**

**Moved Cr Pearce**

**Seconded Cr Newton**

**That Council conduct a road inspection on 19 April 2017 commencing at 8:30am.**

**CARRIED 7/0**

### 9.1.5 BUDGET REVIEW

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0130  
**Date:** 9 March 2017  
**Author:** Martin Whitely, Chief Executive Officer

#### **Summary**

Council is requested to review and adopt the documentation tabled for the 2016/17 Budget Review.

#### **Attachment**

Detailed Budget Review Documents

#### **Background**

Regulation 33A of the Local Government (Financial Management) requires a local government to carry out a review of its annual budget between 1 January and 31 March each financial year.

#### **Comment**

There are various timing and permanent timing variances that have been addressed in the budget review. Explanations for these variances are provided in the Budget Review commentary and a conservative approach has been taken in finalising the forecast closing surplus position.

#### **Consultation**

Durga Ojha, Finance Manager

#### **Statutory Environment**

Local Government (Audit) Regulations 1996

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

The Budget Review process is an integral part of the integrated planning frameworks and risk management processes carried out by Council.

#### **Voting Requirements**

Simple Majority

<b>OFFICER RECOMMENDATION – ITEM 9.1.5</b>
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That Council

1. Adopts the 2016/17 Budget Review as tabled, and
2. That administration staff make the required budget amendments within the chart of accounts to reflect those changes adopted in “Note 4 – Predicted Variances” within the 2016/17 Budget Review document.

**COUNCIL DECISION – ITEM 9.1.5**

**Moved Cr Eardley**

**Seconded Cr Cosgrove**

**That Council**

- 1. Adopts the 2016/17 Budget Review as tabled, and**
- 2. That administration staff make the required budget amendments within the chart of accounts to reflect those changes adopted in “Note 4 – Predicted Variances” within the 2016/17 Budget Review document.**

**CARRIED 7/0**

## 9.2 FINANCE

### 9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 28 FEBRUARY 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>	3 March 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 28 February 2017 is presented to Council for adoption.

#### Attachment

Finance Report for period ending 28 February 2017.

#### Background

The Monthly Financial Report to 28 February 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	\$132,232
Reserve Maximiser Account	\$330,499

## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 15 March 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 28 February 2017:

	<b>Current</b>	<b>30+ Days</b>	<b>60+ Days</b>	<b>90+ Days</b>	<b>TOTAL</b>
Amount	1,625	40	487	271	2,423

Rates Outstanding at 28 February 2017 were:

	<b>Current</b>	<b>Arrears</b>	<b>TOTAL</b>
Rates	175,158	42,452	217,610
Rubbish	4,503	2,070	6,573
ESL	1,995	670	2,665
Payment Plan Fees	200	0	200
<b>TOTAL</b>	<b>181,856</b>	<b>45,192</b>	<b>227,048</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2016/2017 financial year.

### **Consultation**

Chief Executive Officer  
Senior Finance 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 —
- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
  - budget estimates to the end of the month to which the statement relates; and
  - actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
  - material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - 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 —
- 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
  - 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

**OFFICER RECOMMENDATION – ITEM 9.2.1**

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 28 February 2017 be received.**

**COUNCIL DECISION – ITEM 9.2.1**

**Moved Cr Eardley**

**Seconded Cr Criddle**

**That the Monthly Statement of Financial Activity for the period 1 July 2016 to 28 February 2017 be received.**

**CARRIED 7/0**

## 9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 28 FEBRUARY 2017

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 7 March 2017  
**Author:** Julie Borrett, Senior Finance Officer  
**Senior Officer:** Durga Ojha, Manager of Finance

### **Summary**

This report recommends that Council confirm the payment of creditors for the month of February 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

**OFFICER RECOMMENDATION – ITEM 9.2.2**

That Council confirm the accounts as presented for February 2017 from the Municipal Fund totalling \$201,138.33 represented by Electronic Funds Transfers of EFT 10590 to EFT10643, Direct Deduction DD7959.1, 2,3 and 4 DD7971.1, 2 and 3, DD7908.1, 2,3 & 4, Trust Cheque 495,496 & 497 and Cheque numbers 8125-8130.

**COUNCIL DECISION – ITEM 9.2.2**

**Moved Cr Lucken**

**Seconded Cr Eardley**

That Council confirm the accounts as presented for February 2017 from the Municipal Fund totalling \$201,138.33 represented by Electronic Funds Transfers of EFT 10590 to EFT10643, Direct Deduction DD7959.1, 2,3 and 4 DD7971.1, 2 and 3, DD7908.1, 2,3 & 4, Trust Cheque 495,496 & 497 and Cheque numbers 8125-8130.

**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**

The President thought it appropriate to acknowledge the tragic accident that took place in the main street of Mingenew on the Tuesday evening where a 7 year old boy was killed. The Shire of Mingenew and the greater community are deeply saddened by the tragedy and on behalf of all Councillors and Staff would like to extend our heartfelt condolences to the family.

**11.2 STAFF**

Nil

**12.0 CONFIDENTIAL ITEMS**

Nil

**13.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 19 April 2017 commencing at 4.30pm.

**14.0 CLOSURE**

The Presiding Person closed the meeting at 4.57pm