



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

Wednesday 20 December 2017

Shire of Mingenew

Ordinary Council Meeting Notice Paper

20 December 2017

Madam President and Councillors,

An Ordinary Meeting of Council is called for Wednesday, 20 December 2017, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm.

Martin Whitely
Chief Executive Officer

15 December 2017

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Mingenew expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

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 15 November 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 15 NOVEMBER 2017



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

Wednesday 15 November 2017

Shire of Mingenew

Ordinary Council Meeting Notice Paper

15 November 2017

Madam President and Councillors,

An Ordinary Meeting of Council is called for Wednesday, 15 November 2017, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm.

Martin Whitely
Chief Executive Officer

10 November 2017

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SHIRE OF MINGENEW

MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 15 November 2017 COMMENCING AT 4.35pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The CEO, Martin Whitely, declared the meeting open at 4.35pm and welcomed all in attendance.

1.1 ELECTION OF SHIRE PRESIDENT

Background

Council is required to elect the President and Deputy President as the first item at the first meeting following an ordinary election day.

The term of the positions is for 2 years (until the next ordinary election).

Comment

The process of election is the same *mutatis mutandis* as the process for election of that of a Councillor.

The CEO is to preside at the meeting until the Office of President is filled. Once a Councillor has been elected and completed the declaration, the President is to assume the Chair.

Statutory Implications

Section 2 of Schedule 2.3 of the *Local Government Act* provides that, in relation to the Office of President:

- (1) The office is to be filled as the first matter dealt with —
- (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day.

Section 3 provides that the CEO is to preside at the meeting until the Office is filled.

Section 4 provides:

- (1) the Council is to elect a Councillor to fill the office.
- (2) the election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) nominations for the Office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) if a Councillor is nominated by another Councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

- (5) the Councillors are to vote on the matter by secret ballot as if they were electors voting at an election

In relation to the role of the President Section 2.8 provides that:

- (1) The president —
 - (a) presides at meetings in accordance with this Act;
 - (b) provides leadership and guidance to the community in the district;
 - (c) carries out civic and ceremonial duties on behalf of the local government;
 - (d) speaks on behalf of the local government;
 - (e) performs such other functions as are given to the president by this Act or any other written law; and
 - (f) liaises with the CEO on the local government's affairs and the performance of its functions.

Section 5.34 provides that if —

- (a) the office of President is vacant; or
- (1) the President is not available or is unable or unwilling to perform the functions of the mayor or president, then the deputy President may perform the functions of president.

Regulation 13 of the *Local Government (Constitution) Regulations* (Oaths, affirmations and declarations) provides that:

- (2) For the purposes of sections 2.29 and 2.42 —
 - (b) the form of declaration for a mayor, president, deputy mayor, deputy president or Councillor is that in Form 7;
 - (c) the form of declaration for a commissioner is that in Form 8.
- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
 - (a) the immediate predecessor of the person in the office of mayor or president; or
 - (b) an authorised person.
- (3) A declaration required by section 2.29 to be made by a person elected as a Councillor, deputy mayor or deputy president is to be made before an authorised person.
- (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person
- (5) In this regulation —

“authorised person” means a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

The Chief Executive Officer advised that he had received two nominations in writing for the position of President. The following candidates had been nominated;

- | | |
|-------------------------|-----------------------------------|
| 1. Cr G Cosgrove | Nominated by Cr G Cosgrove |
| 2. Cr HM Newton | Nominated by Cr HM Newton |

The Chief Executive Officer then called for further nominations for the position of President. No other nominations were received.

Ballot papers were drawn. The meeting was adjourned at 4:39pm to prepare the ballot papers and resumed at 4:42pm. The vote was conducted by secret ballot with the Chief Executive Officer as the Returning Officer.

The Chief Executive Officer declared Cr Helen Newton elected as Shire President for a period of 2 years. The vote was 4/3.

Cr HM Newton having read aloud and signed the Declaration required under the Local Government Act 1995, was formally sworn in as the Shire President before the Chief Executive Officer, Martin Whitely.

Cr HM Newton then took up the position of Shire President and assumed the Chair for the remainder of the meeting at 4:47pm.

1.2 ELECTION OF DEPUTY PRESIDENT

Council is required to elect the President and Deputy President as the first item at the first meeting following an ordinary election day.

Comment

The process of electing the Deputy President is the same process for the election of the President.

Statutory Implications

In relation to the Office of Deputy President, Section 7 provides:

- (2) If the local government has a Councillor president the office of deputy president is to be filled
 - (a) as the next matter dealt with after the president is elected at the first meeting of the council after an ordinary elections day;

In relation to the role of the Deputy President Section 2.9 provides that the deputy President performs the functions of the President when authorised to do so under section 5.34.

Regulation 13 of the *Local Government (Constitution) Regulations* provides that:

- (1) For the purposes of sections 2.29 and 2.42 —
 - (c) the form of declaration for a mayor, president, deputy mayor, deputy president or Councillor is that in Form 7;
 - (d) the form of declaration for a commissioner is that in Form 8.
- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
 - (a) the immediate predecessor of the person in the office of mayor or president; or
 - (b) an authorised person.
 - (3) A declaration required by section 2.29 to be made by a person elected as a Councillor, deputy mayor or deputy president is to be made before an authorised person.
 - (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.
 - (5) In this regulation —
“**authorised person**” means a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2000*.

The President advised that one nomination had been received in writing for the position of Deputy President. The following candidate had been nominated;

1. Cr C Lucken Nominated by Cr C Lucken

The President then called for further nominations for the position of Deputy President. The following candidate was nominated;

1. Cr L Eardley Nominated by Cr L Eardley

Ballot papers were drawn. The meeting was adjourned at 4:50pm to prepare the ballot papers and resumed at 4:53pm.

The vote was conducted by secret ballot with the Chief Executive Officer as the Returning Officer.

The Chief Executive Officer declared Cr Crispian Lucken elected as Shire Deputy President for a period of 2 years. The vote was 4/3.

Cr Lucken having read aloud and signed the Declaration required under the Local Government Act 1995 was formally sworn in as the Shire Deputy President before the Chief Executive Officer, Martin Whitely.

2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

HM Newton	President	Town Ward
C Lucken	Deputy President	Town Ward
G Cosgrove	Councillor	Rural Ward
J Bagley	Councillor	Rural Ward
RW Newton	Councillor	Rural Ward
K McGlenn	Councillor	Town Ward
LM Eardley	Councillor	Town Ward

STAFF

MG Whitely	Chief Executive Officer
D Ojha	Finance Manager
B Bow	Governance Officer

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 the public, the President proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 5:15pm

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

Cr Lucken requested to be excused from the meeting for work purposes. Permission granted by President Newton.

Cr Lucken left the meeting at 5.00pm.

6.0 DECLARATIONS OF INTEREST
Nil

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1.1 ORDINARY MEETING HELD 18 OCTOBER 2017

COUNCIL DECISION – ITEM 7.1.1

Moved: Cr Eardley

Seconded: Cr RW Newton

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 18th October 2017 be confirmed.

CARRIED 6/0

7.1.2 EXECUTIVE COMMITTEE MEETING HELD 16 OCTOBER 2017

COUNCIL DECISION – ITEM 7.1.2

Moved: Cr Bagley

Seconded: Cr Eardley

That the minutes of the Executive Committee Meeting of the Shire of Mingenew held in the Council Chambers on the 16th October 2017 be confirmed.

CARRIED 6/0

7.1.3 SPECIAL MEETING HELD 3 NOVEMBER 2017

COUNCIL DECISION – ITEM 7.1.3

Moved: Cr RW Newton

Seconded: Cr McGlenn

That the minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on the 3rd November be confirmed.

CARRIED 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 DELEGATIONS TO COMMITTEES & COMMUNITY ORGANISATIONS

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0303
Date: 31 October 2017
Author: Martin Whitely, Chief Executive Officer

Summary

Council is requested to review and appoint delegations to the various committees and community organisations.

Attachment

Nil

Background

It is common practice for many local authorities to review appointments of Elected Members and Staff to serve on various Committee's and Community Organisations. It should be noted that this is a separate exercise to appointing members of a Council Committee.

Delegations to Committees & Community Organisations were last reviewed in July 2017 and below is a record of the appointments from the July 2017 Ordinary Council meeting:

WALGA Northern Country Zone

Delegates: Cr Bagley & Cr Cosgrove
Proxy: Cr Lucken

Main Roads Western Australia Regional Road Group

Delegates: Cr Cosgrove
Proxy: Cr Bagley

Tourist & Promotion Committee

Delegates: Community Development Officer
Proxy: Cr Eardley

Silver Chain Branch Committee

Delegates: Cr Eardley
Proxy: Nil

Community Resource Centre Management Committee

Delegates: Cr Criddle
Proxy: Nil

Local Emergency Management Committee

Delegates: Cr Cosgrove
Proxy: Chief Executive Officer

Wildflower Country Inc

Delegates: CEO
Proxy: Cr Bagley & Community Development Officer

Comment

Since the delegations were last reviewed in July 2017 the 2017 Council Elections have been held and as a result we now have 4 new Council representatives. As such it is appropriate to revisit any vacancies to the previous delegations to Community Organisations and Committees as a result of the two resignations.

It should be noted that there is an expectation that Council have representation on both the WALGA Northern Country Zone and Main Roads Western Australian Regional Road Group Committee's. It was also the decision of the Wildflower Country Inc. Committee that Council preferably have a Council and a Staff representative. There is no requirement for Councillor's to nominate for other Committee's, it is suggested that if a Councillor has a particular area of interest then they nominate for the respective Committee, alternatively a position on the Committee can be filled by a Staff member in the absence of a Council representative.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

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 appoint delegates to the various Committees and Community Organisation as follows:

WALGA Northern Country Zone

Delegates: _____ & _____
Proxy: _____

Main Roads Western Australia Regional Road Group

Delegates: _____ & _____
Proxy: _____

Tourist & Promotion Committee

Delegates: _____ & _____
Proxy: _____

Silver Chain Branch Committee

Delegates: _____ & _____
Proxy: _____

Community Resource Centre Management Committee

Delegates: _____ & _____
Proxy: _____

Local Emergency Management Committee

Delegates: _____ & _____
Proxy: _____

Wildflower Country Inc

Delegates: _____ & _____
Proxy: _____

COUNCIL DECISION – ITEM 9.1.1

Moved Cr Eardley

Seconded Cr RW Newton

That Council appoint delegates to the various Committees and Community Organisation as follows:

WALGA Northern Country Zone

Delegate(s): Pr HM Newton & Cr Lucken
Proxy: Cr McGlinn

Main Roads Western Australia Regional Road Group

Delegate(s): Cr Cosgrove
Proxy: Cr Bagley

Tourist & Promotion Committee

Delegate(s): CDO Budrikis
Proxy: Cr McGlinn

Silver Chain Branch Committee

Delegate(s): Cr Eardley
Proxy: Cr McGlinn

Community Resource Centre Management Committee

Delegate(s): Pr HM Newton
Proxy: CDO Budrikis

Local Emergency Management Committee

Delegate(s): Cr HW Newton

Proxy: CEO Whitely

Wildflower Country Inc

Delegate(s): Cr McGlenn & CDO Budrikis

Proxy: CEO Whitely

CARRIED 6/0

DRAFT

9.1.2 COMMITTEES OF COUNCIL

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0303
Date: 6 November 2017
Author: Martin Whitely, Chief Executive Officer

Summary

Council is requested to review and appoint delegates to the various Committees of Council.

Attachment

Nil

Background

Where Council elect to have Committees of Council each Committee must consist of 3 or more persons as per Section 5.8 of the Local Government Act 1995. Section 5.9 of the Local Government Act 1995 specifies the make up of a Committee with some examples below:

- Council members only
- Council members and employees
- Council members, employees and other persons
- Council members and other persons

Comment

Currently Council have 5 Committees of Council, these being;

1. Audit Committee
2. Executive Management Committee
3. RAV Network Committee
4. Town Hall Refurbishment Committee
5. Independent Living Units Working Group Committee

Council is required to review delegations to committees every financial year as per section 5.18 of the Local Government Act 1995 and given the recent Council Elections in October 2017 now is an opportune time to review the delegations to these Committees.

Audit Committee

As with other Committees of Council the Audit Committee must consist of at least 3 or more persons and the Chief Executive Officer is not permitted to be a member of the Audit Committee. At the Special Meeting held on Friday 3 November Council resolved to appoint the Full Council as the Audit Committee for the Shire of Mingenew so there is no need to review this delegation.

Executive Management Committee

The purpose of the Executive Management Committee is primarily to deal with the appointment of the Chief Executive Officer and the Chief Executive Officer Performance Review, therefore seem appropriate not to include the Chief Executive Officer on this Committee. Historically the Committee has consisted of the President, Deputy President and 1 Councillor. The last meeting was held on Monday 16 October 2017.

As per the resolution made at the July 2017 Ordinary Meeting the Executive Management Committee is made up of the following 3 elected members;

- Cr Bagley

- Cr Cosgrove
- Cr Lucken

RAV Network Review Committee

The purpose of the Committee is 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.

As per the resolution made at the March 2017 Ordinary Meeting the RAV Network Review Committee is made up of the following 3 members;

- Cr Cosgrove
- Cr Lucken
- Chief Executive Officer

The last meeting was held on 1 June 2017 which resulted in various submissions being made to Main Roads Heavy Vehicle Services in Perth to have the Mingenew Mullewa, Scroops Road, Coalseam Road, Boundary Road, Erangy Springs Road and Milo Road roads reviewed and added to the RAV 7 Network. The Committee is likely to need to meet again in the future.

Town Hall Refurbishment Committee

The purpose of the Committee is 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 2017/18 financial year.

As per the resolution made at the March 2017 Ordinary Meeting the RAV Network Review Committee currently consists of the following members;

- Cr Bagley
- Cr Lucken
- Cr Criddle
- Chief Executive Officer

Since there are only 2 current members on this Committee at least one additional person will need to be assigned to the Town Hall Refurbishment Committee.

Independent Living Units Working Group Committee

The purpose of the Committee was to provide feedback and advice in relation to the design of the units to ensure that the units were fitted out appropriately for aged person and/or people with disabilities. As per the resolution made at the November 2016 Ordinary Meeting the Committee consists of the following members;

- Cr Bagley
- Cr Cosgrove
- Chief Executive Officer

As the project will be completed in the coming 4-6 weeks my recommendation is that there is no longer a need to have an Independent Living Units Working Group Committee.

Consultation

Nil

Statutory Environment

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

* *Absolute majority required.*

5.9. Committees, types of

- (1) In this section —
other person means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only; or
 - (b) council members and employees; or
 - (c) council members, employees and other persons; or
 - (d) council members and other persons; or
 - (e) employees and other persons; or
 - (f) other persons only.

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

* *Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the term of the person's appointment as a committee member expires; or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,whichever happens first.

5.12. Presiding members and deputies, election of

- (1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —
 - (a) to "office" were references to "office of presiding member"; and
 - (b) to "council" were references to "committee"; and
 - (c) to "councillors" were references to "committee members".
- (2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —
 - (a) to "office" were references to "office of deputy presiding member"; and
 - (b) to "council" were references to "committee"; and
 - (c) to "councillors" were references to "committee members"; and
 - (d) to "mayor or president" were references to "presiding member".

5.13. Deputy presiding members, functions of

If, in relation to the presiding member of a committee —

- (a) the office of presiding member is vacant; or
- (b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,

then the deputy presiding member, if any, may perform the functions of presiding member.

5.14. Who acts if no presiding member

If, in relation to the presiding member of a committee —

- (a) the office of presiding member and the office of deputy presiding member are vacant; or

- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,

then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

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.

5.19. Quorum for meetings

The quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.

5.20. Decisions of councils and committees

- (1) A decision of a council does not have effect unless it has been made by a simple majority or, if another kind of majority is required under any provision of this Act or has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (2) A decision of a committee does not have effect unless it has been made by a simple majority or, if another kind of majority has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (3) This section does not apply to elections —
 - (a) by a council of the local government's mayor or president under section 2.11; or
 - (b) by a council of the local government's deputy mayor or president under section 2.15; or
 - (c) by a committee of the committee's presiding member or deputy presiding member under section 5.12.

5.21. Voting

- (1) Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.
- (2) Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.
- (3) If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.
- (4) If a member of a council or a committee specifically requests that there be recorded —
 - (a) his or her vote; or
 - (b) the vote of all members present,

on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

- (5) A person who fails to comply with subsection (2) or (3) commits an offence.

[Section 5.21 amended by No. 49 of 2004 s. 43.]

5.22. Minutes of council and committee meetings

- (1) The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting's proceedings.

- (2) The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.
- (3) The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) 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; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

5.24. Question time for public

- (1) Time is to be allocated for questions to be raised by members of the public and responded to at —
 - (a) every ordinary meeting of a council; and
 - (b) such other meetings of councils or committees as may be prescribed.
- (2) Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

Policy Implications

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

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

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.1.2

That Council

1. Resolve that the Independent Living Units Working Group Committee be disbanded, and
2. Appoint the following representatives to form the following Committees of Council;

Executive Management Committee

- President
- Deputy President
- Cr _____

RAV Network Review Committee

- Cr Cosgrove
- Cr Lucken
- Chief Executive Officer

Town Hall Refurbishment Committee

- Cr Lucken
- Cr _____
- Cr _____
- Chief Executive Officer

COUNCIL DECISION – ITEM 9.1.2

Moved Cr McGlinn

Seconded Cr Bagley

That Council

- 1. Resolve that the Independent Living Units Working Group Committee be disbanded, and**
- 2. Appoint the following representatives to form the following Committees of Council;**

Executive Management Committee

- **Pr HM Newton**
- **Cr Lucken**
- **Cr RW Newton**

RAV Network Review Committee

- **Cr Cosgrove**
- **Cr Lucken**
- **CEO Whitely**

Town Hall Refurbishment Committee

- **Cr Lucken**
- **Cr RW Newton**
- **Cr Bagley**
- **CEO Whitely**

CARRIED 6/0

9.2 FINANCE

9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 OCTOBER 2017

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0304
Date:	3 November 2017
Author:	Durga Ojha, Manager of Finance
Senior Officer:	Martin Whitely, Chief Executive Officer

Summary

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

Attachment

Finance Report for period ending 31 October 2017

Background

The Monthly Financial Report to 31 October 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

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Fund & Cash on Hand	\$84,919
3 Month Term Deposit @ 2.45%	\$750,000
3 Month Term Deposit @ 2.45%	\$750,000
Restricted Funds (Unspent Grants)	\$568,498
Trust Fund	\$71,555

Reserve fund (6 Month Term Deposit) @ 2.55%	\$396,475
---	-----------

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 October 2017:

Amount	Current	30+ Days	60+ Days	90+ Days	TOTAL
	455	41,372	925	781	43,532

Rates Outstanding at 31 October 2017 were:

	October 2017	September 2017
Rates	585,914	603,004
Rubbish	22,125	23,669
ESL	7,301	7,709
TOTAL	625,340	634,382

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2017/18 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 sub regulation (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 sub regulation (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 2017 to 31 October 2017 be received.

COUNCIL DECISION – ITEM 9.2.1

Moved Cr Eardley

Seconded Cr Bagley

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

CARRIED 6/0

9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 31 OCTOBER 2017

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Disclosure of Interest: Nil
Date: 3 November 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 October 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 October 2017 from the Municipal & Trust Fund totalling \$374,094.29 represented by Electronic Funds Transfers of EFT 11083 to EFT11143 & EFT11145, Direct Deduction DD8248.1, 2, 3, 4, 5 & 6 , DD 8249.1, 2, 3, 4,&6, and Municipal Cheque numbers 8525to 8528.

COUNCIL DECISION – ITEM 9.2.2

Moved Cr RW Newton

Seconded Cr McGlenn

That Council confirm the accounts as presented for October 2017 from the Municipal & Trust Fund totalling \$374,094.29 represented by Electronic Funds Transfers of EFT 11083 to EFT11143 & EFT11145, Direct Deduction DD8248.1, 2, 3, 4, 5 & 6 , DD 8249.1, 2, 3, 4,&6, and Municipal Cheque numbers 8525 to 8528.

CARRIED 6/0

9.3 ADMINISTRATION

9.2.3 2016/17 ANNUAL REPORT

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0243
Disclosure of Interest:	Nil
Date:	8 November 2017
Author:	Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council accepts the Draft 2016/2017 Annual Report and considers a date for convening the Annual Electors Meeting.

Attachment

Draft 2016/17 Annual Report

Background

The Local Government Act 1995 requires Council to prepare and accept an Annual Report for each financial year by 31 December after that financial year.

The Annual Report highlights, among other inclusions, the Shire of Mingenew's achievements from the Strategic Community Plan in the 2016/17 Financial Year.

Comment

Section 5.53(1) of the Local Government Act 1995 ("LGA") requires local governments to prepare an Annual Report for each financial year. The report summarises the year's highlights and achievements, and includes major initiatives that are proposed to commence or to continue in the next financial year.

Section 5.53(2) of the LGA specifies the content of the Annual Report is to contain:

- a) a report from the mayor or president;
- b) a report from the CEO;
- c) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- d) the financial report for the financial year;
- e) such information as may be prescribed in relation to the payments made to employees;
- f) the auditor's report for the financial year;
- g) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
- h) details of entries made under section 5.121 during the financial year in the register of complaints, including
 -
 - (i) the number of complaints recorded in the register of complaints;
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
- i) such other information as may be prescribed.

In addition, the State Records Commission Standard 2 requires certain information to be included in the Annual Report.

Section 5.54(1) of the LGA requires the Annual Report for a financial year to be accepted by absolute majority no later than 31 December after the reported financial year.

Section 5.27 (2) of the LGA requires the Annual Electors meeting to be held within 56 days of the Annual Report for the previous financial year being accepted by Council. Should Council accept the draft Annual Report, an Annual Electors Meeting is required to be held no later than 10 January 2018. This report recommends the Annual Electors Meeting is held Wednesday 20 December 2017 commencing at 6.00pm which is after the December Ordinary Meeting of Council.

The attached Annual Report 2016/2017 is in draft format. Following acceptance by Council, arrangements will be made for the final production of the report for availability prior to the Annual Electors Meeting. A copy will also be available on the Shire's website.

Consultation

Consultation on the Annual Report will be undertaken through the presentation of the Report to the Annual General Meeting of Electors.

Statutory Environment

Local Government Act 1995

5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and
 - [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
 - (f) the financial report for the financial year; and
 - (g) such information as may be prescribed in relation to the payments made to employees; and
 - (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*; and
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require;and
 - (i) such other information as may be prescribed.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* *Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Division 2 – Council meetings, committees and their meetings and elector's meetings
Subdivision 4 – Electors' meetings

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.29. Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving —
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

Disability Services Act 1993

29. Report about disability access and inclusion plan

- (2) A local government or regional local government that has a disability access and inclusion plan must include in its annual report prepared under section 5.53 of the Local Government Act 1995 a report about the implementation of the plan.

State Records Commission Standard 2 – Record keeping Plans

Principle 6 – Compliance

Government organisations ensure their employees comply with the recordkeeping plan.

Rationale

An organisation and its employees must comply with the organisations recordkeeping plan.

Organisations should develop and implement strategies for ensuring that each employee is aware of the compliance responsibilities.

Minimum Compliance Requirements

The recordkeeping plan is to provide evidence to adduce that:

1. The efficiency and effectiveness of the organisation's recordkeeping systems is evaluated not less than once every 5 years.
2. The organisation conducts a recordkeeping training program.
3. The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.
4. The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.
5. The organisation includes within its annual report an appropriate section that addresses points 1-4.

Policy Implications

Nil

Financial Implications

There will be a cost for producing the Annual Report in a few format and funds have been allocated in the 2017/18 Budget to meet these costs.

Strategic Implications

Nil

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.3.1
--

That Council

1. Pursuant to Section 5.54(1) of the Local Government Act 1995 Council accepts the Shire of Mingenew Annual Report for the 2016/2017 financial year as contained in the Attachment.
2. Pursuant to Section 5.27 of the Local Government Act 1995 Council convenes an Annual Electors Meeting to be held on Wednesday 20 December 2017 commencing at 6.00pm in the Council Chambers.
3. Notes that in accordance with Section 5.29 and 5.55 of the Local Government Act 1995, the Chief Executive Officer will provide local public notice of the Annual Electors Meeting to be held on Wednesday 20 December 2017 and of the availability of the Shire of Mingenew's Annual Report for 2016/2017.

COUNCIL DECISION – ITEM 9.3.1

Moved Cr Eardley

Seconded Cr RW Newton

That Council

- 1. Pursuant to Section 5.54(1) of the Local Government Act 1995 Council accepts the Shire of Mingenew Annual Report for the 2016/2017 financial year as contained in the Attachment.**
- 2. Pursuant to Section 5.27 of the Local Government Act 1995 Council convenes an Annual Electors Meeting to be held on Wednesday 20 December 2017 commencing at 6.00pm in the Council Chambers.**
- 3. Notes that in accordance with Section 5.29 and 5.55 of the Local Government Act 1995, the Chief Executive Officer will provide local public notice of the Annual Electors Meeting to be held on Wednesday 20 December 2017 and of the availability of the Shire of Mingenew's Annual Report for 2016/2017.**

CARRIED 6/0

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

Nil

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 20 December 2017 commencing at 4.30pm.

14.0 CLOSURE

Prior to closing Pr HM Newton welcomed all new Councillors and wished them luck in their tenure. Pr Newton then thanked all for attending and declared the meeting closed at 5.25pm.

These minutes were confirmed at an Ordinary Council meeting on 20 December 2017.

Signed _____
Presiding Officer

Date: _____

7.1.2 AUDIT COMMITTEE MEETING HELD 15 NOVEMBER 2017



**MINUTES FOR THE
AUDIT COMMITTEE MEETING
HELD ON**

Wednesday 15 November 2017

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SHIRE OF MINGENEW

MINUTES FOR AUDIT COMMITTEE TO BE HELD IN COUNCIL CHAMBERS ON 15 November 2017 COMMENCING AT 4.00pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Person, Cr Cosgrove declared the meeting open at 4.02pm and welcomed all in attendance.

2.0 RECORD OF ATTENDANCE/APOLOGIES

GJ Cosgrove	Deputy President	Rural Ward
RW Newton	Councillor	Rural Ward
JD Bagley	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
KJ McGlinn	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
CR Lucken	Councillor (4:18pm – 4:35pm)	Town Ward

STAFF

M Whitely	Chief Executive Officer
D Ojha	Finance Manager
B Bow	Governance Officer

APOLOGIES

3.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

There being no members of public the Presiding Person proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 4:18pm

4.0 DECLARATIONS OF INTEREST

Nil

5.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

5.1.1 AUDIT COMMITTEE MEETING HELD 15 MARCH 2017

COUNCIL DECISION – ITEM 5.1.1

Moved Cr Eardley

Seconded Cr Bagley

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

CARRIED 6/0

6.0 OFFICERS REPORTS

6.1 FINANCE

6.1.1 ANNUAL FINANCIAL REPORT & AUDIT REPORT 2016/17

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0057
Date: 6 November 2017
Author: Martin Whitely, Chief Executive Officer

Summary

The Audit Committee is required to consider and recommend to Council, the adoption of the annual financial report, examine the audit and management reports, and review the report prepared by the Chief Executive Officer.

Attachment

2016/17 Annual Financial Report
2016/17 Audit Report
2016/17 Management Letter

Background

Pursuant to Section 7.9 of the *Local Government Act 1995* ("LGA"), an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit. The Auditor is also required, by 31 December following the financial year to which the accounts and report relate, prepare a report thereon and forward a copy of that report to:

- (a) Mayor or President; and
- (b) The Chief Executive Officer; and
- (c) The Minister.

Furthermore, in accordance with Regulation 10(4) of the *Local Government (Audit) Regulations 1996* ("*Audit Regulations*"), where it is considered appropriate to do so, the Auditor may prepare a Management Report to accompany the Auditor's Report, which is also to be forwarded to the persons specified in Section 7.9 of the LGA.

On finalisation of the Shire's 2016/2017 final audit, the Auditors have forwarded the Annual Financials Statements along with the Audit Report and the Management Letter.

The Audit Committee is required to examine the reports of the auditor after receiving a report from the Chief Executive Officer ("CEO") on the matters reported and:

- Determine if any matters raised require action to be taken by the local government; and
- Ensure that appropriate action is taken in respect of those matters.

The Audit Committee is also required to review a report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption. A copy of the report is to be forwarded to the Minister prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.

The Audit Committee is requested to consider and recommend adoption of the annual financial report to Council.

Comment

Following is the CEO's report to the Audit Committee on matters arising from the audit and management reports.

Audit Report

There were no matters of statutory non-compliance reported.

Management Report

The Auditor's Management Report provides an overview of the approach undertaken in respect of the annual audit process and the associated outcomes of the audit. The Management Report also identifies any findings that, whilst generally not material in relation to the overall audit of the financial report, are considered relevant to the day to day operations of the Shire.

Written Quotes for Expenditure

The Management Letter notes that on some occasions two or more quotes were not provided for expenditure in excess of \$10,000. The Shire's Purchasing Policy requires all expenditure between \$10,000 and \$39,999 to have at least two quotes. While two written quotes are not required for purchases under \$10,000 staff are still encouraged to obtain several quotes for more significant transactions. The purpose for amending the levels of purchase order authorisation down to \$10,000 for the Works Supervisor, Finance Manager and Governance Officer is to limit the level of risk to Council for non-compliance since the CEO is the only authorised person to financially commit the Shire to amounts in excess of \$10,000. Written quotes have been obtained and attached to the purchase order for expenditure over \$10,000 since the review has been completed.

Tender Process

The Management Letter notes that there was no evidence of the Lighting Tower tender being opened with two people present. The Lighting Towers tenders were opened with the Deputy Chief Executive Officer present, however this was not documented in the tender file. This was a procedural issue which was been addressed for all tenders processed in the past 12 months.

Credit Card

The Management Letter comments that there was a lack of sufficient details on the supporting documentation to ascertain whether the expenditure incurred was of a business or personal nature for the Chief Executive Officer's credit card. As per my response I did not agree that this should be considered a "high" risk item since the CEO credit card statement includes narrations of the transactions incurred with supporting invoices and the credit card statement is presented to Council on a monthly basis. In further discussions with Marius van der Merwe, he made the comment that local government credit cards in general are considered to be high risk given recent events that have occurred at Shires such as Dowerin and Exmouth. Were possible additional documentation has been attached to credit card transactions since the review was completed.

Segregation of Duties

The Management Letter comments that since the staff restructure management is actively taking measures to train remaining members of staff in order to ensure appropriate levels of control and segregation of duties are maintained and management will continue to look at improving these measures. Due to the size of the organisation and the range of financial functions performed by the Shire, management will continually need to address the roles and responsibilities of the administration staff

Payment Listing

The Management Letter noted that on several occasions the payment listing presented to Council differed from the amount endorsed by Council. This is not acceptable and more care needs to be taken to ensure the payment listing presented to Council is a true reflection of payments that have been made during the month to ensure transparency of payments made by the organisation. The anomaly has been addressed since the March 2017 Ordinary Council Meeting.

Consultation

Nil

Statutory Environment
Local Government Act 1995

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
 - (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
 - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
 - (b) the annual financial report of the local government for the preceding financial year.

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers that —
 - (a) there is any error or deficiency in an account or financial report submitted for audit; or
 - (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
 - (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government,details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.
- (3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —
 - (a) prepare a report thereon; and
 - (b) forward a copy of that report to the Minister,and that direction has effect according to its terms.
- (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government.

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.

- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
 - (aa) examine an audit report received by the local government; and
 - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

** Absolute majority required.*
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Local Government (Audit) Regulations 1996

10. Report by auditor

- (1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.
- (2) The report is to give the auditor's opinion on —
 - (a) the financial position of the local government; and
 - (b) the results of the operations of the local government.
- (3) The report is to include —
 - (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
 - (b) any matters indicating non-compliance with Part 6 of the Act, the *Local Government (Financial Management) Regulations 1996* or applicable financial controls in any other written law; and
 - (c) details of whether information and explanations were obtained by the auditor; and
 - (d) a report on the conduct of the audit; and
 - (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
 - (i) the asset consumption ratio; and
 - (ii) the asset renewal funding ratio.
- (4A) In subregulation (3)(e) —

asset consumption ratio has the meaning given in the *Local Government (Financial Management) Regulations 1996* regulation 50(2);

asset renewal funding ratio has the meaning given in the *Local Government (Financial Management) Regulations 1996* regulation 50(2).

- (4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor’s report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor’s report.

Local Government (Financial Management) Regulations 1996

17A. Assets, valuation of for financial reports etc.

- (1) In this regulation —
fair value, in relation to an asset, means the fair value of the asset measured in accordance with the AAS.
- (2) Subject to subregulation (3), the value of an asset shown in a local government’s financial reports must be the fair value of the asset.
- (3) A local government must show in each financial report —
- (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
 - (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government —
 - (i) that are plant and equipment; and
 - (ii) that are —
 - (I) land and buildings; or
 - (II) infrastructure;
- and
- (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.
- (4) A local government must revalue all assets of the local government of the classes specified in column 1 of the Table to this 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

Class of asset	Day
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.

Policy Implications

2013 RISK MANAGEMENT POLICY

PURPOSE

The Shire of Mingenew (“the Shire”) Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire’s strategies, goals or objectives.

POLICY

It is the Shire’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire’s Integrated Planning Framework.

The Shire’s Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as, direct and monitor implementation, practice and performance.

Every employee within the Shire is recognized as having a role in risk management from the identification of risks to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process, or management of specific risks or categories of risk.

DEFINITIONS (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

RISK MANAGEMENT OBJECTIVES

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.

- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organisational resilience.
- Identify and provide for the continuity of critical operations.

RISK APPETITE

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilized; however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

ROLES, RESPONSIBILITIES AND ACCOUNTABILITIES

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

MONITOR AND REVIEW

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be kept under review by the Shire's Management Team and its employees. It will be formally reviewed within a three year cycle.

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 organisation.

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	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; <ul style="list-style-type: none"> • Value for money • Knowledge of general cost of item / service • Buy local principles • Ongoing good relationship with supplier • Reliability of supplier

<p>\$5,000 to \$9,999</p>	<p><u>Obtain at least one (1) verbal or written quotation from suppliers.</u> The following factors are to be considered in the decision making process;</p> <ul style="list-style-type: none"> • Value for money • Knowledge of general cost of item / service • Buy local principles • Ongoing good relationship with supplier • Reliability of supplier
<p>\$9,999 - \$39,999</p>	<p>Obtain at least two (2) written quotations (e.g. email, fax or original copy). OR 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. OR 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. OR 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 record keeping policies and Regulation 11A of the Local Government (Functions and 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
 - whether or not Tender responses can be submitted by facsimile or other electronic means, and if so, how Tenders may so be submitted.
- 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 Tenders 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 record keeping policies and 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 between \$5,000 - \$9,999 the Local Government may undertake a verbal Request for Quotation process.

At least one (1) verbal or written 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)* the Local Government's internal Records Management Policy and Regulation 17 of the Local Government (Functions & General) Regulations 1996.

Application

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

For a Tender process, this includes:

- Tender documentation.
- Internal documentation.
- Evaluation documentation.
- Enquiry and response documentation.
- Approval documentation.

- Notification and award documentation.

For a Request for Quotation process, this includes:

- 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.

3010 CORPORATE CREDIT CARD POLICY

General

- An agreement shall be signed by the cardholder and the local government which sets out the cardholder's responsibilities and legal obligations when using the credit card.
- A register of all current cardholders shall be kept which includes; card number, expiry date of the credit card, credit limit and details of goods and services the cardholder has authority to purchase.
- All new and existing cardholders shall be provided with a copy of the policies in relation to the use of credit cards.
- The card is withdrawn in the event employment ceases, an extended period of leave is taken or they are moved to a position which does not require the use of a credit card.
- Cardholders are responsible for the use of the corporate credit card in accordance with these guidelines and other operational guidelines, and must ensure the safe-keeping of the card at all times. Loss or theft of the corporate credit card must be reported to the Chief Executive Officer immediately or in the case of the Chief Executive Officer the President.
- Credit cards shall not be transferred to other users.
- Cards are the property of the bank and the Bank should be responsible for the destruction of all surrendered credit cards.
- Where the cardholder fails to meet the policy guidelines, the CEO, or Council in the case of the CEO, may request that the card be withdrawn or a temporary disqualification from use of the credit card be enforced.
- The cardholder will be required to sign a certification, on each and every credit card statement issued from this date forward, to the effect all purchases made using the corporate credit card were for official business purposes.
- For all expenditure, the cardholder shall obtain a tax invoice and/or receipt, which itemises the details of the expenditure. If the invoice or receipt does not provide sufficient details of the item purchased, further details must be recorded on the invoice or receipt by the cardholder. In the case of expenditure relating to meals or entertainment the person/s attending and purpose are to be recorded.
- Pin issued by the bank is not to be changed.

Purchasing

Corporate credit cards issued by the Shire can only be used for the business purposes of the Shire. Among the permitted uses are –

- In person, across the counter retail purchases,
- Facsimile/telephone/internet business related purchases,
- Mail order purchases and subscriptions,
- Official travel, accommodation and related expenses,
- Entertainment and business hospitality expenses.

The corporate credit card must not be used for –

- Personal or non work related expenditure,
- Obtaining cash advances

- The purchase of goods or services where the cardholder gains personal advantage through the transaction (e.g. special offers such as Fly Buys that benefit individuals).

Cardholder's and Limits

Maximum credit limits shall be based on the cardholder's need. These are currently:

\$7,500 for the Chief Executive Officer

\$5,000 for the Finance Manager

\$2,000 for the Works Supervisor

Payments

- Payments of accounts should be made monthly to ensure that credit charges are minimised (currently direct debit arrangement in place with the Bank to clear the outstanding balance).
- Authorisation of accounts must be done by a person other than the cardholder.

Financial Implications

Nil

Strategic Implications

Community Strategic Plan

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

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION – ITEM 6.1.1

That Council on recommendation from the Audit Committee:

1. **Receives the Chief Executive Officer's report relating to the audit**
2. **Receives the Audit Report and Audit Management Report dated 6 November 2017**
3. **Adopts the Annual Financial Report for the year ended 30 June 2017**

COUNCIL DECISION – ITEM 6.1.1

Moved Cr Eardley

Seconded Cr RW Newton

That Council on recommendation from the Audit Committee:

1. **Receives the Chief Executive Officer's report relating to the audit**
2. **Receives the Audit Report and Audit Management Report dated 6 November 2017**
3. **Adopts the Annual Financial Report for the year ended 30 June 2017**

CARRIED 7/0

7.0 CLOSURE

The Presiding Person closed the meeting at 4.35pm.

These minutes were confirmed at an Ordinary Council meeting on 20 December 2017.

Signed _____

Presiding Officer

Date: _____

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 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 December 2017
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 Aboriginal Corporation - Letter Requesting Additional Information
Murchison 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 18 September 2017 and was received by the Shire of Mingenew on 22 September 2017, this clearly falls inside of the 42 day period as specified under Section 6.76 of the Local Government Act 1995. As such Council are required to consider objections inside 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 should Council resolve to not allow the rates exemption.

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 2017/18 were \$1,466.80.

I did request some additional information from MRAC with regards to the current tenancy of the property and there response is attached for Council information.

Vacant land is not eligible for a rates exemption under the definition of a charitable purpose unless this land is used for charitable purposes at some stage in the future.

The CEO has delegated authority to write off amounts up to an amount of \$100.

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 \$1,466.80 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 9.1.1
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That Council

- 1. Agree to the request from the Murchison Aboriginal Regional Corporation for a rates exemption for the property located at 14 Field Street, Mingenew (Assessment 219) for the 2017/18 financial year, and**
- 2. Notify the Murchison Aboriginal Regional Corporation that similar requests for future financial years are required to be made to the Shire of Mingenew in accordance with Section 6.76 (2)(a) of the Local Government Act 1995.**



MURCHISON REGION ABORIGINAL CORPORATION

25 Crawford Street,
P.O. Box 2072, Geraldton W.A. 6531
Tel: (08) 9923 0055
Fax: (08) 9923 0066
E-mail: office@mrac.net.au
ABN 48 700 809 001 ICH 500

Mr Martin Whitely
Chief Executive Officer
Shire of Mingenew
P O Box 120
MINGENEW WA 6522

21 November 2017

By email: ceo@mingenew.wa.gov.au

Dear Martin

**Re: Murchison Region Aboriginal Corporation (MRAC)
Rate exemption application**

I write in response to your letter dated 20 November 2017 and address your queries below.

Ms Imelda Jones was signed on a three-month trial tenancy ending 13 November 2013. Clause 20 of the agreement allows the tenant to stay if agreeable to both parties. This tenancy is now on a periodic basis.

1. Ms Imelda Jones is still the tenant at the property
2. For areas outside Carnarvon and Geraldton, MRAC charges a cost rent.
3. MRAC passes on any savings from rates exemption directly to the tenant.

Subject to the area involved, rates exemption provided by any local government area (**LGA**) is passed directly to the tenant either as a credit to their account if they in arrears or part credit, part ongoing rent reduction, or just as ongoing rent reductions.

As areas like Mingenew are charged rent on a cost recovery basis, the rates exemption amount would be passed on to the tenant. How this is done is dependent on the tenant's circumstances. There is only one tenancy in Mingenew and privacy considerations prohibit me from being more specific. Essentially, all MRAC tenants receive the benefit of any rates exemption the organisation gains.

I trust the above answers your queries. If you require any further clarification, please do not hesitate to contact me on telephone number 9923 0055.

Yours sincerely

Mary Marshall
Chief Executive Officer



MURCHISON REGION ABORIGINAL CORPORATION

25 Crawford Street,
P.O. Box 2072, Geraldton W.A. 6531
Tel: (08) 9923 0055
Fax: (08) 9923 0066
E-mail: office@mrac.net.au
ABN 49 700 809 001 KRM 500



18 September 2017

Chief Executive Office
Shire of Mingenew
P O Box 120
MINGENEW WA 6522

Dear Sir/Madam

Application for rates exemption

1 Background

Murchison Region Aboriginal Corporation (**MRAC**) is a member based, not-for-profit dedicated Aboriginal community housing organisation operating in the Mid West and Gascoyne regions of Western Australia.

One of MRAC's properties is located within the Shire of Mingenew.

MRAC has received rate notices from the Shire of Mingenew for this property.

MRAC objects to the rate records for this property located within the Shire of Mingenew under section 6.76(1)(a)(ii) of the *Local Government Act 1995 (WA)* (**LG Act**) on the ground that there is an error in the rate records as this property does not constitute rateable land.

MRAC is of the view that its property located within the Shire of Mingenew does not constitute rateable land as it satisfies the criteria in section 6.26(2)(g) of the LG Act and MRAC is accordingly applying for a rate exemption under section 6.26(2)(g) of the LG Act with respect to its property located within the Shire of Mingenew.

2 Grounds for exemption

MRAC is applying for a rates exemption on the basis that its property located within the Shire of Mingenew is used exclusively for charitable purposes.

Please find enclosed the following documents in support of MRAC's application:

- (a) an extract from the Office of the Registrar of Indigenous Corporations for MRAC as at 20 February 2017;
- (b) an extract from the Australian Charities and Not-for-profits Commission's Charity Register for MRAC as at 8 February 2017 evidencing that MRAC is a registered charity;

RECEIVED - MRAC	
DATE	22.09.2017
FILE	NDM003A
CORRO NO	ICR175422
ATTENTION	CEO
ANSWERED	

Tabled @ Oct 17 Meeting 30/9/17

- (c) a letter from the ATO dated 19 January 2017 confirming MRAC is endorsed for charity tax concessions;
- (d) a letter from the ATO dated 19 January 2017 confirming MRAC is endorsed as a deductible gift recipient;
- (e) a copy of MRAC's rule book dated 2 December 2016;
- (f) a copy of MRAC's financial report for the year ended 30 June 2016;
- (g) a copy of MRAC's housing eligibility criteria dated 29 April 2017; and
- (h) an operational overview of MRAC's activities.

Please also find enclosed Property Details Forms setting out the relevant details with respect to the MRAC property located within the Shire of Mingenew. We note that plans for the property has not been provided as MRAC does not possess these and they are too costly to have prepared. Instead, we have provided a brief description and photo for each property.

As demonstrated by the enclosed materials:

- (a) MRAC provides safe, secure and affordable housing to:
 - (i) Aboriginal persons, Torres Strait Islander persons, persons who have a partner who is either Aboriginal or Torres Strait Islander or non-Aboriginal persons with custody of Aboriginal children;
 - (ii) who are resident within the Midwest or Gascoyne region for a period of 6 months;
- (b) This MRAC property located within the Shire of Mingenew is leased to a tenant who meet MRAC's housing eligibility criteria;
- (c) MRAC charges its tenants rent on either a percentage of market rent basis or on a cost recovery basis and any moneys generated through rental revenue is reinvested in upgrading its properties or purchasing additional housing stock to meet the high level of demand for housing; and
- (d) most of MRAC's tenants rely on full or partial benefits from Centrelink and are unable to obtain housing in the private rental market due to a lack of access to suitable employment, their Aboriginality, previous tenancy history, long waiting lists for social housing and the lack of housing in remote areas which are close to their cultural homeland and/or close to other family members.

Accordingly, as:

- (a) MRAC uses its property located within the Shire of Mingenew for the purpose of improving the economic position, social condition and traditional ties of an Aboriginal community; and

- (b) it is generally accepted that Aboriginal people as a class are in need of protection and assistance, and purposes directed towards the advancement of Aboriginal people are charitable,

MRAC clearly satisfies the requirements of section 6.26(2)(g) of the LG Act and should be granted a rate exemption for its property located within the Shire of Mingenew.

If you require any further information in order to process MRAC's applications, please contact me.

Yours sincerely



Mary Marshall

Chief Executive Officer

Murchison Region Aboriginal Corporation

T +61 8 9923 0055

M +61 408 973 946

mmarshall@mrac.net.au

Enclosures

- 1 An extract from the Office of the Registrar of Indigenous Corporations for MRAC as at 20 February 2017
- 2 An extract from the Australian Charities and Not-for-profits Commission's Charity Register for MRAC as at 8 February 2017
- 3 A letter from the ATO dated 19 January 2017 confirming MRAC is endorsed for charity tax concessions
- 4 A letter from the ATO dated 19 January 2017 confirming MRAC is endorsed as a deductible gift recipient
- 5 A copy of MRAC's rule book dated 2 December 2016
- 6 A copy of MRAC's financial report for the year ended 30 June 2016
- 7 A copy of MRAC's housing eligibility criteria dated 29 April 2017
- 8 An operational overview of MRAC's activities
- 9 One Property Details Forms, together with the following attachments:
 - (a) a title search for the property;
 - (b) the rates notice for the property;
 - (c) any applicable tenancy agreement; and
 - (d) a description and photo for the property.



This extract contains information derived from the ERICCA information system from information and documents lodged with the Registrar of Indigenous Corporations and processed as at the date the extract was produced.

Please notify ORIC of any inaccuracies in this extract.

· Freecall: 1800 622 431 (not free for mobiles) · Email: info@oric.gov.au · Website: www.oric.gov.au

Murchison Region Aboriginal Corporation

Indigenous Corporation Number: 500
 Australian Business Number: 48700809001
 Registration date: 20/11/1986
 Principal activity: Housing;
 Corporation Size: MEDIUM
 Does the corporation own land?: Unknown

Current corporation details

Corporation name: Murchison Region Aboriginal Corporation
 Name start date: 20/11/1986
 Registration status: REGISTERED
 Regulation Action:
 Main place of business: 25 Crawford Street, GERALDTON WA 6530
 Contact numbers: Telephone 08 9923 0055 Fax
 Corporation's email address: mmarshall@mrac.net.au
 Preferred method of communication: Email
 Registered office address (ROA) / document access address: 25 Crawford Street, GERALDTON WA 6530
 Postal address: PO Box 2072, GERALDTON PO WA 6531

Directors

Mr Adrian Bartlett
 Previous name(s) (if any):
 Residential address: 11 Nixon Street GERALDTON WA 6530
 Born: 20/8/1968 Three Springs
 Date of Appointment: 3/9/2015
 Appointment Term: This director will hold office for up to 2 year(s)
 This person is a: Director

Ms Sandra Lee Bellottie

Previous name(s) (if any):

Residential address: 125 Mitchell Street SPALDING WA 6530

Born: 10/8/1963 Carnarvon

Date of Appointment: 21/1/2017

Appointment Term: This director will hold office for up to 1 year(s)

This person is a: Director

Ms Deborah Leigh Brittain

Previous name(s) (if any):

Residential address: 3 Zeewyck Court GERALDTON WA 6530

Born: 15/2/1958 Dumbleyung

Date of Appointment: 3/9/2015

Appointment Term:

This person is a: Director

Mr James Brockman

Previous name(s) (if any):

Residential address: 12 Houtman Street WONTHELLA WA 6530

Born: 26/5/1972 Daiwaline

Date of Appointment: 21/1/2017

Appointment Term: This director will hold office for up to 2 year(s)

This person is a: Director

Mr James Edward Dillon

Previous name(s) (if any):

Residential address: 154 Brede Street GERALDTON WA 6530

Born: 18/9/1958 England

Date of Appointment: 3/9/2015

Appointment Term:

This person is a: Director

Ms Beverley Drage

Previous name(s) (if any):

Residential address: 165 Anderson Street SPALDING WA 6530

Born: 27/10/1961 Geraldton

Date of Appointment: 19/11/2016

Appointment Term: This director will hold office for up to 1 year(s)

This person is a: Director

Ms Ada Fossa

Previous name(s) (if any):

Residential address: 31 Brockman Street Denham WA 6537

Born: 9/11/1934 Carnarvon

Date of Appointment: 19/11/2016

Appointment Term: This director will hold office for up to 1 year(s)

This person is a: Director

Mr Colin Hamlett

Previous name(s) (if any):

Residential address: 15 Stokes Road MORAWA WA 6623

Born: 3/4/1944 Mullewa

Date of Appointment: 3/9/2015

Appointment Term: This director will hold office for up to 2 year(s)

This person is a: Director

Stefhanie Mippy

Previous name(s) (if any):

Residential address: 84 Darlot Street MEEKATHARRA WA 6642

Born:

Date of Appointment: 12/3/2016

Appointment Term:

This person is a: Director

Ms Kerry (Kay) Mongoo

Previous name(s) (if any):

Residential address: 7 Carson Place CARNARVON WA 6701

Born: 16/1/1962 Geraldton

Date of Appointment: 3/9/2015

Appointment Term: This director will hold office for up to 2 year(s)

This person is a: Director

Ms Pamela Mongoo

Previous name(s) (if any):

Residential address: 116 Darlot Street MEEKATHARRA WA 6642

Born: 20/11/1947 Cue

Date of Appointment: 19/11/2016

Appointment Term: This director will hold office for up to 1 year(s)

This person is a: Director

Ms Gloria Whitehurst

Previous name(s) (if any):

Residential address: 31B McCleary Street MEEKATHARRA WA 6642

Born: 18/4/1953 Cue

Date of Appointment: 19/11/2016

Appointment Term: This director will hold office for up to 2 year(s)

This person is a: Director

Contact person / secretary

Contact person for a small or medium corporation: Y Secretary for a large corporation: N

Ms Mary Elizabeth Marshall

Previous name(s) (if any):

Residential address: 25 Crawford Street GERALDTON WA 6530

Date of Appointment: 21/11/2015

Members

Adrian Bartlett

Residential address: 13 Nixon Street GERALDTON WA 6530

Caelene Bartlett
Residential address: 3 McLaren Way GERALDTON WA 6530

Clifton Beauchamp
Residential address: 36 Richter Avenue MORAWA WA 6623

Mr Steven Beeson
Residential address: 129 Hill Street Meekatharra WA 6642

Kayla Bellotti
Residential address: 7 Carson Place CARNARVON WA 6701

Michael Bellotti
Residential address: 18 Clematis Street GERALDTON WA 6530

Ms Sandra Bellotti
Residential address: 125 Mitchell Street SPALDING WA 6530

Gregory Bellottie
Residential address: 82 Durlacher Street SHARK BAY WA 6537

Lynette Bellottie
Residential address: 82 Durlacher Street SHARK BAY WA 6537

Kenneth Raymond Boundy
Residential address: C/- Post Office NORTHAMPTON WA 6535

Yvonne Bradley
Residential address: 31 Newhaven Street GERALDTON WA 6530

Mr James Brockman
Residential address: 12 Houtman Street WONTHELLA WA 6530

Kevin Brockman
Residential address: C/- Post Office MOUNT MAGNET WA 6638

Ms Nadine Brown
Residential address: 6 Saw Street CARNARVON WA 6701

Jackie Cameron
Residential address: 12 Orr Street CARNARVON WA 6701

Ms Rosemary Cameron
Residential address: 209 Piesse Street YALGOO WA 6635

Mr Thomas Cameron
Residential address: 25 Queens Road MEEKATHARRA WA 6642

Mr Darren Capewell
Residential address: 64 Durlacher Street SHARK BAY WA 6537

Mr Kevin Capewell
Residential address: 16 Shallcross Street CARNARVON WA 6701

Fred Clinch
Residential address: 14 Gran-bery Drive CARNARVON WA 6701

Ms Valerie Clinch
Residential address: Lot 83 Milligan Street YALGOO WA 6635

Charles Collard
Residential address: 29A Nautilus Crescent GERALDTON WA 6530

Mr Charles Comeagain
Residential address: 10 Main road MULLEWA WA 6630

Mervyn Comeagain
Residential address: L510 Jones Street MOUNT MAGNET WA 6638

Mervyn Comeagain
Residential address: 24 Fry Street MULLEWA WA 6630

Mr Alfred Christopher Cooper
Residential address: 4 William Street EAST CARNARVON WA 6701

Alana Councillor
Residential address: 8B Lewinton Land CARNARVON WA 6701

Des Councillor
Residential address: 12b Granville Street MORAWA WA 6623

Mervyn Councillor
Residential address: 19a Tonkin Crescent CARNARVON WA 6701

Phillip Councilor
Residential address: 21 Wheelock Way CARNARVON WA 6701

Arthur Davies
Residential address: 1 Severn Close GREENOUGH WA 6532

Rosalind Dick
Residential address: 77 Broome Street GERALDTON WA 6530

Barry Dodd
Residential address: 61 Kenny Street GERALDTON WA 6530

Ashton Drage
Residential address: 77 West Street NORTHAMPTON WA 6535

Ms Beverley Drage
Residential address: 165 Anderson Street SPALDING WA 6530

Colleen Drage
Residential address: 77 West Street NORTHAMPTON WA 6535

Kenneth Drummond
Residential address: 14 Skipworth Street CARNARVON WA 6701

Rodney Drummond
Residential address: 10 Ridley Place CARNARVON WA 6701

Ms Jarnie Roberta Farrell
Residential address: 11 Scott Street RANGEWAY WA 6530

Ms Ada Fossa
Residential address: 31 Brockman SHARK BAY WA 6537

Robert Fullgrave
Residential address: 259b Seventh Street GERALDTON WA 6530

Ferry George
Residential address: 216 Hepburn Street MOUNT MAGNET WA 6638

Ms Olive Gibson
Residential address: 25 Selwyn Street YALGOO WA 6635

Beverley Gilla
Residential address: 96 Darlot Street MEEKATHARRA WA 6642

Joelene Gilla
Residential address: 94 Darlot Street MEEKATHARRA WA 6642

Ms Valma Gilla
Residential address: 1 Queen Street MEEKATHARRA WA 6642

Colin Hamlett
Residential address: 15 Stokes Road MORAWA WA 6623

Colleen Hamlett
Residential address: 7 Burgess Street MULLEWA WA 6630

Dawn Hamlett
Residential address: 15 Stokes Road MORAWA WA 6623

Ms Jennylyn Hamlett
Residential address: 26 Houston Street Spalding WA 6530

Liza Hamlett
Residential address: 57 Hesford Street PERENJORI WA 6620

Natasha Hansen
Residential address: 48 Coojarra Street STRATHALBYN WA 6530

Mr Leigh Harris
Residential address: 2/174 Brade Street GERALDTON WA 6530

Roberta Hill
Residential address: 47 Morgan Way Carnarvon WA 6701

Shauna Hill
Residential address: 47 Morgan Way Carnarvon WA 6701

Gina Hodder
Residential address: 195 Laurie Street MOUNT MAGNET WA 6638

Ms Gladys Hodder
Residential address: 52 Campbell Street YALGOO WA 6635

Ms Narelle Hodder
Residential address: C/- Post Office YALGOO WA 6635

Sondra Hodder
Residential address: 87 Milligan Street YALGOO WA 6635

Ms Tamisha Hodder
Residential address: 92 Henty Street YALGOO WA 6635

Veronica Ingram
Residential address: 19 Hubble Street CARNARVON WA 6701

Glenda Jackamarra
Residential address: 41 Drew Street GERALDTON WA 6530

Ms Fleur Jackson
Residential address: 7 King Street WONTHELLA WA 6530

Colin Jones
Residential address: 15 Curlewis Street GERALDTON WA 6530

Mr Michael Jones
Residential address: 36 Selwyn Street YALGOO WA 6635

Ms Victoria Jones
Residential address: 44 Solomon Circle KARLOO WA 6530

rene Kelly
Residential address: 33 Hale Street GERALDTON WA 6530

Kerry Kelly
Residential address: 8 Hammersly Street GERALDTON WA 6530

Patricia Kelly
Residential address: 221A First Street GERALDTON WA 6530

Mr Tristan Kempton
Residential address: 42 Shallcross Street CARNARVON WA 6701

Vicky Kempton
Residential address: 10 Tuckey Court CARNARVON WA 6701

Mary Little
Residential address: 192 Laurie Street MOUNT MAGNET WA 6638

Ms Edith Maher
Residential address: 442 Fitzgerald Street NORTHAMPTON WA 6535

Nora Mallard
Residential address: Po Box 926 CARNARVON WA 6701

Marianne Miller
Residential address: 31 Tamblyn Street GERALDTON WA 6530

Stephanie Mippy
Residential address: Post Office Box 171 MEEKATHARRA WA 6642

Ms Aileen Mitchell
Residential address: 55 Carey Street CARNARVON WA 6701

Kira Mitchell
Residential address: 6 Smart Street CARNARVON WA 6701

Ms Helen Moncrieff
Residential address: 29 Angelo Street CARNARVON WA 6701

Ms Natasha Moncrieff
Residential address: 29 Angelo Street CARNARVON WA 6701

Karlene Mongoo
Residential address: C/- Post Office NORTHAMPTON WA 6535

Kerry-Anne Mongoo
Residential address: 7 Carson Place CARNARVON WA 6701

Pamela Mongoo
Residential address: Po Box 97 MEEKATHARRA WA 6642

Wesley Mongoo
Residential address: 7 Carson Place CARNARVON WA 6701

Ms Alison Morris
Residential address: C/- Post Office NORTHAMPTON WA 6535

Ms Beryl Mourambine
Residential address: 2 Rosser Street NORTHAMPTON WA 6535

Mr Victor Mourambine
Residential address: 30 West Street NORTHAMPTON WA 6535

Marika Oakley
Residential address: 1a Cross Street SHARK BAY WA 6537

Vicki Oakley
Residential address: 30 Capewell Street SHARK BAY WA 6537

Ms Lennelle Papertalk
Residential address: 13 Nixon Street GERALDTON WA 6530

Ms Bobby-Lee Pearce
Residential address: 22 Iduna Road WANDINA WA 6530

Terry Phillips
Residential address: 10 Tuckey Court CARNARVON WA 6701

Teresa Poland
Residential address: 6 Hoult Street Denham WA 6537

Aaron Randall
Residential address: 13 Curlewis Street GERALDTON WA 6530

Lillian Randall
Residential address: 15 Joel Court GERALDTON WA 6530

Rowena Randall
Residential address: 37 Hardman Street GERALDTON WA 6530

Mr Scott Randall
Residential address: 11/7 Morrell Court CARNARVON WA 6701

Vivian Robinson
Residential address: 665 Consol Road MEEKATHARRA WA 6642

Raymond Roe
Residential address: 43 Babbage Island Road CARNARVON WA 6701

Ms Tanya Roe
Residential address: 16A Olivia Terrace CARNARVON WA 6701

Frevor Roe
Residential address: 2 Rosser Street NORTHAMPTON WA 6535

Thomas Rouse
Residential address: 14 Dean Street GERALDTON WA 6530

Mr Arthur Ryan
Residential address: 5 Watson Street GERALDTON WA 6530

Colin Ryan
Residential address: 8 Stroud Street CARNARVON WA 6701

Mrs Lorna Ryan
Residential address: 8 Stroud Street CARNARVON WA 6701

Donald Ryan Snr
Residential address: 8 Stroud Street CARNARVON WA 6701

Casey Ryder
Residential address: 70 Tallarook Way GERALDTON WA 6530

Janette Ryder
Residential address: 23 Willessee Street CARNARVON WA 6701

Mr Paul Ryder
Residential address: 29 Angelo Street CARNARVON WA 6701

Devis Ryder
Residential address: 38 Selwyn Street YALGOO WA 6635

Ms Joan Sedgwick
Residential address: 20 Wheelock Way CARNARVON WA 6701

Claudine Simpson
Residential address: C/- Post Office YALGOO WA 6635

Ms Kathleen Simpson
Residential address: 112 Campbell Street YALGOO WA 6635

Mr Ronald Simpson
Residential address: 217 Darlot Street MEEKATHARRA WA 6642

Mr Bradley Smith
Residential address: 9 Naomi Way Karloo WA 6530

Christina Starr
Residential address: 21 Wheelock Way CARNARVON WA 6701

Janice Strickland
Residential address: 49 Hepburn Street MOUNT MAGNET WA 6638

Gerald Taylor
Residential address: 41b Newhaven Street GERALDTON WA 6530

Joanne Taylor
Residential address: 216 Hepburn Street MOUNT MAGNET WA 6638

Karen Taylor
Residential address: Lot 461 Jensen Close MOUNT MAGNET WA 6638

Kaylene Taylor
Residential address: 138 Abraham Street GERALDTON WA 6530

Desmond Thompson
Residential address: C/- Post Office MOUNT MAGNET WA 6638

Virginia Walsh
Residential address: 302 Laurie Street MOUNT MAGNET WA 6638

Warren Walsh
Residential address: 192 Laurie Street MOUNT MAGNET WA 6638

Phyllis Welsh
Residential address: 241B Sixth Street WONTHELLA WA 6530

Donald Wheelock
Residential address: 12 Orr Street CARNARVON WA 6701

Bianca Whitby
Residential address: 6 Smart Street CARNARVON WA 6701

Karen Whitby
Residential address: 32 Holden Street CARNARVON WA 6701

Gloria Whitehurst
Residential address: C/- Post Office Meekatharra WA 6642

Ms Annabelle Winder
Residential address: 2 William Street CARNARVON WA 6701

Charmaine Yeates
Residential address: 19 Nixon Street SPALDING WA 6530

Documents lodged (publicly available only)

<u>Date received</u>	<u>Title</u>
10/02/2017	Notification of a Change to Corporation Officer Details (Published)
15/12/2016	Consolidated Rule Book

08/12/2016	Member List - (Published)
24/11/2016	Member List - (Published)
06/11/2016	General Report 2016 (Published)
15/10/2016	Letter notifying corporation that post-special administration monitoring has ended
21/09/2016	Notification of a Change to Corporation Officer Details (Published)
13/09/2016	Financial Report (Lodged)
28/04/2016	General Report 2015 (Published)
18/03/2016	Member List - (Published)
11/12/2015	Notification of a Change to Corporation Officer Details (Published)
07/09/2015	S336-1(1) + S453-5(1) Notice - Post special administration monitoring of corporation (7 September 2015)
03/09/2015	Special administration - Media release (3 September 2015)
03/09/2015	Notification of Termination of Special Administration - Cover Letter - Corporation
03/09/2015	Notification of a Change to Corporation Officer Details (Published)
02/09/2015	Financial Report (Lodged)
06/08/2015	Special administration - Notice of AGM (29 August 2015)
03/07/2015	Media release (3 July 2015)
12/06/2015	Special administration - Notice of information meeting (1 July 2015)
28/05/2015	Financial Report (Lodged)
11/05/2015	Special administration - Newsletter (May 2015)
26/03/2015	Special administration - Notice of information meeting (17 April 2015)
11/03/2015	Notification of a Change to Corporation Officer Details (Published)
06/03/2015	Special administration - Media Release (6 March 2015)
05/03/2015	Special administration - Notice of determination and appointment (6 March 2015)
17/01/2015	General Report 2014 (Published)
17/01/2015	Financial Report (Lodged)
17/01/2015	Auditor's Report (Lodged)
18/12/2014	Cover Letter for Notice to Show Cause to Corporation
12/12/2011	Director's Report (Lodged)
18/12/2009	Director's Report (Lodged)
21/01/2008	List of Names & Addresses of Members [2006/07]
21/01/2008	Compliance Statement [2006/07]
21/01/2008	Examiner's / Audit Report [2006/07]
21/01/2008	Income & Expenditure Statement [2006/07]
21/01/2008	Balance Sheet [2006/07]
02/02/2007	Compliance Statement [2005/06]
02/02/2007	Income & Expenditure Statement [2005/06]
02/02/2007	Balance Sheet [2005/06]
02/02/2007	Examiner's / Audit Report [2005/06]
02/02/2007	List of Names & Addresses of Members [2005/06]
20/11/1986	Certificate of Incorporation

Annual returns / general report

CATSI Reporting

<u>Financial Year</u>	<u>General Report</u>	<u>Financial Report</u>	<u>Directors Report</u>	<u>Total Income</u>	<u>Total Assets</u>	<u>Number of Employees</u>
2015/16	Submitted	Submitted	Exempted	\$1,612,559.00	\$22,952,152.00	0
2014/15	Submitted	Submitted	Exempted	\$1,492,521.00	\$29,541,919.00	4
2013/14	Submitted	Submitted	Exempted	\$1,661,146.00	\$29,722,491.00	7
2012/13	Submitted	Submitted	Exempted	\$1,750,260.00	\$29,677,721.00	8
2011/12	Submitted	Submitted	Exempted	\$1,879,592.00	\$29,753,355.00	7
2010/11	Submitted	Submitted	Submitted			
2009/10	Submitted	Submitted	Exempted	\$1,525,809.00	\$11,559,918.00	9
2008/09	Submitted	Submitted	Submitted	\$1,402,899.00	\$11,426,151.00	7
2007/08	Submitted	Submitted	Submitted	\$1,162,154.00	\$238,083.00	0

ACA Reporting

<u>Financial Year</u>	<u>Audited Financial Statements</u>	<u>Member List</u>	<u>Statement of Compliance</u>
2005/06	Supplied	Supplied	Supplied
2006/07	Supplied	Supplied	Supplied

* Annual returns due 31st December each year

*** End of corporation extract ***

*** Registrar of Indigenous Corporations ***

Deceased people: This extract may contain the names of deceased people. The Registrar strives to treat Indigenous culture and beliefs with respect. We acknowledge that to some communities it is distressing and offensive to show images or say the names of people who have died.

Note: Where no information is reported it means that the corporation has not provided the information or it is not available.



MURCHISON REGION ABORIGINAL CORP
PO BOX 288
GERALDTON PO WA 6531

Our reference: 7104947124759
Phone: 1300 130 248
Client ID: 48 700 809 001

19 January 2017

Your organisation is endorsed for charity tax concessions

Dear Sir/Madam

We have endorsed your organisation for charity tax concessions and enclose your *Notice of endorsement for charity tax concessions*.

The following details will appear on the Australian Business Register:

- your organisation's endorsement to access charity tax concessions
- the date or period of effect.

You can view the details including the type of charity concessions at www.abr.business.gov.au

If your organisation has also applied for other endorsements, you will receive separate notification.

What you need to do

Your organisation should regularly review its entitlement to charity tax concessions. We recommend a yearly review. If there are any changes (for example, to governing rules, structure or operations) and you are no longer entitled to endorsement, you must notify us before or as soon as possible after the event.

For more information

Detailed information on your non-profit entitlements, obligations and how to subscribe to regular updates is available from our website, www.ato.gov.au/non-profit

You can phone us on **1300 130 248** between 8.00am and 6.00pm, Monday to Friday for help with matters specific to non-profit organisations, including the endorsement process for charities and deductible gift recipients, income tax, goods and services tax (GST) and fringe benefits tax (FBT) concessions.

What you need if you phone us

We need to know we are talking to the right person before we can discuss your tax affairs. We will ask for details only you or someone you have authorised would know. An authorised contact is someone who you have previously told us can act on your behalf. It will help if you quote 'Our reference', which you will find at the top of this letter. If you can, please have your Australian business number with you.

Yours faithfully

Michael Cranston
Deputy Commissioner of Taxation



19 January 2017

Notice of endorsement for charity tax concessions

This endorsement notice has been issued to:

Name **MURCHISON REGION ABORIGINAL CORP**
Australian business number **48 700 809 001**

MURCHISON REGION ABORIGINAL CORP, a registered public benevolent institution, is endorsed to access the following tax concessions from the dates shown:

Income tax exemption from **1 July 2000** under Subdivision 50-B of the *Income Tax Assessment Act 1997*.

GST concessions from **1 July 2005** under Division 176 of *A New Tax System (Goods and Services Tax) Act 1999*.

FBT exemption from **1 July 2005** under section 123C of the *Fringe Benefits Tax Assessment Act 1986*.

As an endorsed public benevolent institution, benefits your organisation provides to its employees are exempt from FBT where the total grossed-up value of certain fringe benefits for each employee during the FBT year is \$30,000 or less.

If the grossed-up value of benefits received by the employees of your organisation exceeds this threshold, your organisation is liable for FBT on the excess amount.

Reportable fringe benefits

If the value of certain fringe benefits provided to your organisation's employees exceeds \$2,000 in an FBT year, your organisation is required to record the grossed-up taxable value of those benefits on its employee's payment summary for the corresponding income year. This requirement applies even if your organisation is not liable to pay FBT.

Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abr.business.gov.au

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Chris Jordan
Commissioner of Taxation
Registrar of the Australian Business Register



MURCHISON REGION ABORIGINAL CORP
PO BOX 288
GERALDTON PO WA 6531

Our reference: 7104947126742
Phone: 1300 130 248
ABN: 48 700 809 001

19 January 2017

Your organisation is endorsed as a deductible gift recipient

Dear Sir/Madam

We have endorsed your organisation as a deductible gift recipient and enclose your *Notice of endorsement as a deductible gift recipient*.

This endorsement enables your organisation to receive gifts which are tax deductible to donors.

The following details will appear on the Australian Business Register:

- your organisation's endorsement as a deductible gift recipient
- the date or period of effect.

You can view the details at www.abr.business.gov.au

If your organisation has also applied for other endorsements, you will receive separate notification.

What you need to do

Your endorsement was based on the information you gave us. Your organisation should regularly review its endorsement as a deductible gift recipient. We recommend a yearly review. If there are any changes (for example, to governing rules, structure or operations) and you are no longer entitled to endorsement, you must notify us before or as soon as possible after the event.

For more information

You can find out more about your non-profit entitlements, obligations and how to subscribe to regular updates on our website, www.ato.gov.au/non-profit If you have any questions about matters specific to non-profit organisations, please phone us on **1300 130 248** between 8.00am and 6.00pm, Monday to Friday.

What you need if you phone us

We need to know we are talking to the right person before we can discuss your tax affairs. We will ask for details only you or someone you have authorised would know. An authorised contact is someone who you have previously told us can act on your behalf. It will help if you quote 'Our reference' which you will find at the top of the letter. If you can, please have your Australian business number with you.

Yours faithfully

Michael Cranston
Deputy Commissioner of Taxation



19 January 2017

Notice of endorsement as a deductible gift recipient

Endorsement as a deductible gift recipient under Subdivision 30-BA of the *Income Tax Assessment Act 1997* is provided as detailed below.

Name	MURCHISON REGION ABORIGINAL CORP
Australian business number	48 700 809 001
Endorsement date of effect	1 July 2000
Provision for gift deductibility	Item 1 of the table in section 30-15 of the <i>Income Tax Assessment Act 1997</i>
Item(s) in Subdivision 30-B of the <i>Income Tax Assessment Act 1997</i>	4.1.1 registered public benevolent institution

Your organisation's endorsement as a deductible gift recipient together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abr.business.gov.au

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Chris Jordan
Commissioner of Taxation and
Registrar of the Australian Business Register

Murchison Region Aboriginal Corporation

Charity Details

Name	Murchison Region Aboriginal Corporation
Other Name	
Charity ABN	48700809001
Charity Address for Service	25 Crawford Street GERALDTON WA
Charity Street Address	25 Crawford Street GERALDTON WA 6530
Website	
E-Mail	rrandall.mrac@westnet.com.au
Phone	0899230055

About the Charity

Date Established	20/11/1986
Who the Charity Benefits	Aboriginal and Torres Strait Islander people
Size of Charity	
Financial Year End	06/30

Where the Charity Operates

Operating State(s)	Western Australia
Operates in (Countries)	

Using the information on the Register

Information on this Register has been provided to the ACNC by the charity or transferred from the Australian Taxation Office (ATO) and the Australian Business Register (ABR). If information is not shown, this may be because the charity has not yet provided the information or because the ACNC is progressively confirming and uploading information received. The ACNC may also approve information be [withheld from the Register](#) in certain circumstances. The Register will be updated over time as we work through the information received and any applications for information to be withheld. Read more about [information on the Register](#).

Murchison Region Aboriginal Corporation

Registration Details	
Entity Type	Charity
Sub-Entity Type	2014 Public benevolent institution (01/01/2014) Charity to select subtype
Registration Status	Registered
Basic Religious Charity	

Responsible Persons	
Position	Name
Director	Adrian Bartlett
Director	Colin Hamlett
Director	Arthur (Sandy) Davies
Director	Deborah Brittain
Director	James Dillon
Director	Paul Ryder
Director	Kerry (Kay) Mongoo
Director	Ada Fossa
Director	Stefhanie Mippy

Registration Status History	
Effective Date	Status
03/12/2012	Registered

SubType History		
Start Date	End Date	Entity Subtypes
1/01/2014		2014 Public benevolent institution
3/12/2012	31/12/2013	2012 Another purpose beneficial to the community
3/12/2012	31/12/2013	2012 Public benevolent institution (PBI)

Using the information on the Register

Information on this Register has been provided to the ACNC by the charity or transferred from the Australian Taxation Office (ATO) and the Australian Business Register (ABR). If information is not shown, this may be because the charity has not yet provided the information or because the ACNC is progressively confirming and uploading information received. The ACNC may also approve information be [withheld from the Register](#) in certain circumstances. The Register will be updated over time as we work through the information received and any applications for information to be withheld. Read more about [information on the Register](#).

Murchison Region Aboriginal Corporation

Annual Reporting

<u>Due Date</u>	<u>Document</u>	<u>Status</u>	<u>Date Received</u>
31/12/2013	AIS 2013	Not required	
31/12/2014	AIS 2014	Not required	
31/12/2015	AIS 2015	Not required	
31/12/2016	AIS 2016	Not required	
31/12/2017	AIS 2017		

Using the information on the Register

Information on this Register has been provided to the ACNC by the charity or transferred from the Australian Taxation Office (ATO) and the Australian Business Register (ABR). If information is not shown, this may be because the charity has not yet provided the information or because the ACNC is progressively confirming and uploading information received. The ACNC may also approve information be [withheld from the Register](#) in certain circumstances. The Register will be updated over time as we work through the information received and any applications for information to be withheld. Read more about [information on the Register](#).



**MURCHISON REGION
ABORIGINAL CORPORATION**

Murchison Region Aboriginal Corporation (MRAC)

Housing eligibility Receiving and assessing housing applications Approving housing applications to the waiting list

Document status: Approved
Date: 29 April 2017

Introduction

MRAC as a not-for-profit dedicated Aboriginal community managed housing organisation provides safe, secure and affordable housing to Aboriginal people in the Mid West and Gascoyne regions of Western Australia. MRAC provides a fair and equitable housing service to all eligible applicants and tenants.

Context

MRAC offers long term housing to eligible applicants in the order that their application is approved to the relevant waiting list.

Applicants must be able to:

- Live independently;
- Manage their tenancy obligations including paying their rent and water charges regularly and on time;
- Care for the property they live in; and
- Ensure that their behaviour and that of household members and their visitors does not negatively impact on their neighbours.

MRAC does not offer emergency or priority housing and does not rank housing applications according to need.

As MRAC is not government funded, applicants with complex needs including those who are homeless, challenging mental health diagnoses, and/or serious drug and alcohol issues will not be offered housing unless there is a documented support network and case management plan in place.

The same applies to women and women and children escaping family violence. Unless there is a support network in place and the applicant has waited their turn on the waiting list, MRAC cannot offer housing to this group. The CEO has discretion in this area to offer housing if there is evidence that the family will be safe and secure and can manage the tenancy.

Applicants with children in care under the Department of Child Protection will have their individual circumstances assessed at time of application and when their application comes to the top of the waiting list. If a support plan is in place, MRAC will work with the applicant/s and the Department to achieve a sustainable housing outcome for the family.

People with disabilities can be housed by MRAC subject to the extent of the disability. As an example, MRAC will offer housing to people with disabilities providing the housing stock meets the person's needs. MRAC cannot undertake disability modifications to properties, but may allow modifications to be undertaken provided this is funded by another organisation.

Any application that shows an applicant has some level of complex needs must be referred to the CEO immediately for investigation and a decision. It is unfair on applicant/s to accept a housing application if MRAC is unable to house them in the future.

Eligibility criteria

Criterion	Details
Aboriginality	<p>All applicants must be either:</p> <ul style="list-style-type: none">◦ Aboriginal; or◦ Torres Strait Islander; or◦ If not Aboriginal or Torres Strait Islander, have a partner who is either; or◦ Be a non-Aboriginal person with custody of Aboriginal children. <p>If an applicant claims Aboriginality and it is not apparent, particularly if they are from another jurisdiction, a confirmation of Aboriginality form must be completed for the MRAC Board to consider at their next meeting. This form must include sufficient details for the MRAC Board to make an informed decision.</p>
Residency requirements	<p>All applicants must be resident in the area they are applying for a period of six months.</p> <p>The CEO has discretion to accept applications from non-resident applicants in their choice of location based on their individual circumstances. In those circumstances, the applicant may be requested to provide supporting documentation showing links to the area they wish to be housed in.</p>
Rental history	<p>Applicants will be required to provide two references from former landlords (including the Department of Housing), sign relevant consent forms for MRAC to undertake reference checks and provide contact information.</p>
Outstanding debts	<p>Where an applicant has an outstanding debt to MRAC from a former tenancy but otherwise a good tenancy record, the applicant will be given the opportunity to pay off that former debt whilst they wait to be housed.</p> <p>If the debt is significant, MRAC may accept an agreement where the tenant pays a regular amount off. If this is maintained for a six-month period, the CEO has discretion to house the applicant.</p> <p>Similarly, if the applicant has an outstanding debt to the Department of Housing or other housing provider and they provide evidence that they have regularly been paying that debt off, the CEO has discretion to house the applicant.</p>

Capacity to pay MRAC rent housing affordability – All income documentation is required at the time of application and updated income documentation provided at time of allocation.

MRAC will assess an applicant's capacity to pay as a percentage of income based on income plus rent assistance where the applicant is eligible to claim this benefit.

All adult applicants will be required to sign the tenancy agreement. This includes applicants that receive independent Centrelink income and who may be under 18 years of age.

Appropriate identification

All applicants who will be signing the tenancy agreement must provide photographic identification; for instance, a driver's licence. If an applicant is unable to provide photographic identification, MRAC reserves the right to ask for other forms of identification.

Housing size

MRAC will determine the most appropriate housing size to allocate applicant/s based on the number of people to be housed and affordability. Under no circumstances will MRAC permit overcrowding and in general, there can be no more than two individuals per bedroom in any MRAC property.

Housing assets

Applicants who already own or are purchasing a property are not eligible for MRAC housing. Where the asset cannot be utilised, the CEO has discretion to approve an application to the waiting list. Examples where discretion may be exercised are:

- Vacant blocks of land;
- Property settlements where the settlement is subject to a court hearing; for instance, a Family Court dispute; or
- A share in a property that cannot be realised.

Murchison Region Aboriginal Corporation (MRAC)

Operational overview

Introduction

1. MRAC is a member based not-for-profit dedicated Aboriginal community housing organisation operating in the Mid West and Gascoyne Regions of Western Australia. MRAC is established and operates under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and is registered under the Office of the Registrar of Indigenous Corporations (ORIC).

Grounds for objection

2. It is generally accepted that Aboriginal people as a class are in need of protection and assistance (see *Shire of Ashburton v Bindibindi Community Aboriginal Corporation* [1999] WASC 108; *In re Mathew* [1951] VLR 226 and *Aboriginal Hostels Ltd v Darwin City Council* (1985) 75 FLR 197). Accordingly, land used for the purpose of improving the economic position, social condition and traditional ties of an Aboriginal community will generally constitute a charitable purpose (see *Shire of Derby-West Kimberley v Yungngora Association Inc* [2007] WASC 233) and so will purposes directed towards the advancement and well-being of Aboriginal persons (see *Shire of Ashburton v Bindibindi Community Aboriginal Corporation* [1999] WASC 108).

MRAC's operations

3. MRAC offers eligible Aboriginal people quality affordable accommodation to approved applicants on the relevant waiting lists in date order the application is approved.
4. All MRAC's properties are dedicated to the provision of affordable rental accommodation with the main office; 25 Crawford Street, Webberton used to administer the services of the organisation.
5. Any profit generated through rental revenue is reinvested in upgrading properties and where possible, purchasing additional stock to meet the high level of demand for housing. No commercial activities are conducted by MRAC.

Housing eligibility

6. Housing eligibility criteria are:
 - Aboriginality;
 - Residency requirements;
 - Rental history;
 - Outstanding debts; and
 - Capacity to pay rent.

7. MRAC determines the most appropriate housing size in consultation with the applicant. (See attached policy and procedure). Every applicant that lodges an application with MRAC that meets the eligibility criteria will be housed.

Housing need

8. Whilst MRAC does not formally consider need, where an applicant with specific needs is close to the top of the waiting list and a suitable property becomes vacant, the applicant may be housed out of turn.
9. These scenarios include access to specific schools where a special needs child has an existing worker in place, access to hospitals, medical or other support needs, or a specific location with a more than secure property for victims of family violence.
10. The same applies to applicants with limited mobility. Where a property becomes vacant that has good flat access and an appropriate bathroom, those applicants may be housed out of order.
11. Where applicants have some level of complexity of need; for instance, homelessness, challenging mental health issues, or women or women and children escaping family violence, MRAC will only house these applicants with a documented case and support plan in place.
12. Work is currently underway to establish Memorandums of Understanding (MOUs) with related support services to ensure once a case plan is in place, all parties are clear on their rights, responsibilities and information access.
13. All applicants still need to have lodged a housing application and waited their turn on the waiting list. Wait times vary but in general terms applicants for three bedroom properties in Geraldton are housed within 18 months of approved application to the waiting list.

Applicant/tenant profile

14. Most MRAC tenants and applicants receive full or part Centrelink benefits. Many are unable to rent in alternative rental markets due to their income type, their Aboriginality, previous tenancy history or long waiting lists for social housing.
15. In more remote areas, there is virtually no private rental market. Options for Aboriginal people who wish to reside in their cultural homeland and/or close to other family members are becoming more and more limited as successive governments reframe the delivery of remote Aboriginal housing.
16. During 2016-2017, MRAC acquired two, 2-bedroom properties that are dedicated to older persons Aboriginal housing and further two units are currently being purchased; 7A and 7B Marri Court, Rangeway. The acquisition and allocation of these properties to eligible older Aboriginal people recognises the need for people to age in place in appropriate accommodation.

Rent setting

17. MRAC calculates rent based on the number of bedrooms and the location of the property. For Geraldton and Carnarvon, the rent calculation is a percentage of market rent and in other areas, on a cost recovery basis.
18. Whilst market rents can fluctuate across locations; for example, currently there is an oversupply in the private rental market in Geraldton, a recent ATO private ruling has confirmed that MRAC rents are considered below the stipulated 74.9% of market rent. Charging rents at or below this benchmark enables MRAC to claim GST paid each quarter from the ATO.
19. No meaningful data analysis has been undertaken to date to determine whether rental charges ex Geraldton and Carnarvon are covering the cost of providing housing in these areas. A new chart of accounts has been implemented for the 2016-2017 financial year that will provide the required level of detail to contribute to this analysis.
20. MRAC is currently reviewing its rent setting model for Geraldton and Mullewa based on the approved \$50,000 refund from the City of Greater Geraldton for the 2016-2017 rates assessment.
21. The rent modelling considers the SEIFA index for each suburb as well as property amenity and condition. Rents will be lowered based on the refund available and some additional savings MRAC has achieved, consequently the amount of the rent reduction will not be uniform across each property. This is subject to Sub-Committee approval however it is envisaged this will be implemented by mid to late September 2017 or earlier.

Tenancy management

22. All new MRAC tenancies have a six-month fixed term 'trial' tenancy. During that period, MRAC monitors the tenancy for rental payments, maintenance of the property and neighbourhood behaviour. If there are issues during the trial period, MRAC works with the tenant to resolve them whether through referral to appropriate support services or direct support from MRAC.
23. MRAC has three options at the end of the fixed term tenancy:
 - Provide the tenant with 30 days' notice to vacate if it is deemed there is no doubt the tenancy will fail; or
 - Extend the trial period if the tenancy has been problematic but there have been improvements and/or support mechanisms established; or
 - Transfer to a periodic tenancy.

24. Once on a periodic tenancy, all MRAC tenants have security of tenure unless they breach their tenancy agreement. In the last 15 months, all tenancies have continued apart from one each in one in category one and two in category two.

25. MRAC considers that any eviction, whether in the trial period or subsequently, is a MRAC failure and every effort is made to sustain every tenancy, particularly as eviction is often straight into homelessness.

26. Tenancy support approaches include:

- Referral to support services for financial management and/or financial assistance; e.g. the Private Rental Aboriginal Loans Scheme (PRAAL), WA NILs, Red Cross and Salvation Army etc.;
- Referral to Centrelink to ensure correct payments like rent assistance are received;
- Referrals to health providers including occupational therapists, counsellors, drug & alcohol etc.;
- Reasonable repayment agreements to allow a tenant to catch up on any outstanding rental, tenant liability or water charges;
- Referrals to advocacy services so tenants have access to independent tenancy advocacy and advice;
- Stay orders rather than orders of possession to give the tenant every opportunity to repay outstanding debt and maintain their tenancy;
- In limited circumstances, tenancy transfers to move tenants to more affordable and/or appropriate accommodation where available. This approach, although not common, is not limited to instances of housing affordability but is also used for medical, social and educational reasons.

27. Other tenancy transfers may be approved for cultural reasons; most commonly related to death in the property of a family member. This is not advertised more broadly.

28. Property management

29. MRAC's property management approach is underpinned by two principles:

- A quality and responsive maintenance service to tenants; and
- Asset protection and improvement.

30. All legislated works reported by tenants is completed well within the required time frames and in many instances the same or next day.

31. MRAC aligns its response to maintenance with the Victorian Residential Tenancies Act (RTA) approach based on urgent works completed within 24 hours, priority works in seven days and normal works in 14 days. The WA RTA legislation is considered pro landlord and falls well short of MRAC's service standards.

32. Where MRAC relocates tenants for upgrade works, MRAC provides both financial and practical support.

Complaints, grievances and appeals processes

33. MRAC has developed an appeals process for applicants and tenants. The complaints and grievance process will be submitted to the MRAC Board at their next scheduled Board meeting in October 2017.

Rights and responsibilities

34. Anecdotal evidence and experience suggests that many Aboriginal people are unaware of their rights. MRAC has developed a rights and responsibilities framework so that all applicants and tenants are clear on what their rights and responsibilities are. This framework will also be submitted to the MRAC Board at their next scheduled Board meeting.

Mary Marshall
Chief Executive Officer
Murchison Region Aboriginal Corporation

23 August 2017

Property Details Form

Property Address	14 Field Street, Mingenew WA 6522
Rates Assessment Number	[A219]
Property Owner Details	Murchison Region Aboriginal Corporation 25 Crawford Street, Geraldton WA 6530 T + 61 8 9923 0055 M + 61 408 973 946 mmarshall@mrac.net.au
Lease Details (if applicable)	Currently leased by Murchison Region Aboriginal Corporation to [Imelda Jones].
Current Use of the Property	This property is currently leased to [Imelda Jones] in accordance with the attached tenancy agreement and the Murchison Region Aboriginal Corporation's housing eligibility criteria. The property has [4] bedrooms and [1] bathroom/s. A photograph of the property is attached.
Attached	<input checked="" type="checkbox"/> Title search <input checked="" type="checkbox"/> Rates notice <input checked="" type="checkbox"/> Tenancy agreement <input checked="" type="checkbox"/> Property description with photo

WESTERN



AUSTRALIA

REGISTER NUMBER 216/P2893	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
 UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
2069

FOLIO
801

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

B. Roberts
 REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 216 ON PLAN 2893

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

MURCHISON REGION ABORIGINAL CORPORATION OF 11 FORREST STREET, GERALDTON
 (T G122045) REGISTERED 11 MARCH 1996

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
 (SECOND SCHEDULE)

- *G242378 CAVEAT BY ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION LODGED 31.7.1996.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
 * Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
 Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 2069-801 (216/P2893).
 PREVIOUS TITLE: 1033-633.
 PROPERTY STREET ADDRESS: 14 FIELD ST, MINGENBW.
 LOCAL GOVERNMENT AREA: SHIRE OF MINGENBW.

WESTERN



AUSTRALIA

REGISTER NUMBER 216/P2893	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

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R. Roberts
REGISTRAR OF TITLES



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PREVIOUS TITLE: 1033-633.
PROPERTY STREET ADDRESS: 14 FIELD ST, MINGENEW.
LOCAL GOVERNMENT AREA: SHIRE OF MINGENEW.



Shire of Mingenew

RECEIVED

30 AUG 2017

ABN: 41 454 980 790

Victoria Street, MINGENEW WA 6522

PO Box 120, MINGENEW WA 6522

(08) 9928 1102

financemanager@mingenew.wa.gov.au

FINANCIAL YEAR 1 JULY 2017 TO 30 JUNE 2018

CHIEF EXECUTIVE OFFICER Martin Whitely

RATE NOTICE

If any of the information on this notice is incorrect, please advise in writing

Murchison Region Aboriginal Corporation

PO Box 2072

P.O. Box 2072

GERALDTON WA 6531

DESCRIPTION OF LAND

14 FIELD STREET

216 TOWNSITE

Assessment No: A219
 Due Date: 29.09.2017
 Date of Issue: 21.08.2017
 Ward: TOWN WARD
 Valuation: \$10,088.00 - GRV
 Rating Category: GRV RESIDENTIAL
 Late Payment Interest: 11.0000
 Land Status: RESIDENTIAL
 Minimum Rate: \$ 682.00

		CURRENT	ARREARS	TOTAL
GRV RESIDENTIAL	14.5400	\$1,466.80		
Emergency Services Levy	0.0000	\$75.00		
ESL Category 5				
Pre-payments		-\$1.14		
DOMESTIC REFUSE COLLECTIONS	1@369.00	\$369.00		
GST is nil				

TOTAL AMOUNT

\$1,909.66

ONE PAYMENT		\$1,909.66	29.09.2017	\$1,909.66
NO COST				
TWO INSTALMENTS	1ST INST	\$1,149.71	29.09.2017	\$1,149.71
OPTION COST \$21.85	2ND INST	\$781.80	30.11.2017	
	TOTAL	\$1,931.51		
FOUR INSTALMENTS	1ST INST	\$769.70	29.09.2017	\$769.70
OPTION COST \$65.44	2ND INST	\$401.80	30.11.2017	
	3RD INST	\$401.80	31.01.2018	
	4TH INST	\$401.80	01.04.2018	
	TOTAL	\$1,975.10		

Assessment No: A219
Name: Murchison Region Aboriginal Corporation
Property Address: 14 FIELD STREET

Shire of Mingenew



Pay by Mail: Cheques or Money Order to be made payable to Shire of Mingenew crossed 'Not Negotiable' and posted with this PAYMENT SLIP ONLY to Shire of Mingenew, PO Box 120, Mingenew WA 6522. The top portion of this notice should be retained for your records.

Pay in Person at Council: Please present this notice intact to the cashier, Shire of Mingenew, Victoria Street, Mingenew, during office hours.

Pay By Credit Card: MasterCard, Bankcard or Visa may be used to make payment by telephoning Council's office on 08 9928 1102, or by returning the bottom portion of this notice (see reverse).

Payment by Internet: Shire of Mingenew Municipal Account
BSB: 086-833 Account: 508-355-531

Please use your Assessment No. and Name for the reference

ONE PAYMENT \$1,909.66

TWO INSTALMENTS \$1,149.71

FOUR INSTALMENTS \$769.70

NOTICES

1. PAYMENTS

- Payment may be made at the Office of the Council as shown on the face side hereof.
- Cheques and Money Orders should be made payable in the name of the Council.
- If bank notes are forwarded by post, the letter should be registered.
- Where no election has been made to enter into an Instalment Option or alternative arrangements made, and where Rates and Service Charges remain outstanding 35 days after the date of issue, Legal Action may be taken for their recovery.
- All costs associated with the Legal Action are recoverable from the Ratepayer and will be added to the account.

2. PAYMENT OPTIONS

- Ratepayers have the option of paying Rates and Charges by way of:
 - a) Payment in full by the due date.
 - b) Payment by instalment.
- Where the instalment option is taken, rate accounts shall be levied with an additional "instalment Charge". Details of this charge are contained on the front of the notice. When paying instalments, Cheques and Money Orders should be made out for the exact amount of the instalment and should be paid by the due date to avoid penalty interest.

NOTE: Payment of the first instalment shall include all arrears outstanding from previous years.

3. RATES PENALTY FOR LATE PAYMENT (SECTION 6.51 LOCAL GOVERNMENT ACT 1995)

- NO INSTALLMENT OPTION TAKEN - Interest shall begin to accrue on all Rates and Charges that remain unpaid 35 days after the date of issue. Eligible Pensioners are exempt.
- INSTALMENT OPTION TAKEN - Interest shall begin to accrue on any instalment payment that remains unpaid after the due date of the instalment, until such time as the instalment is paid. Eligible Pensioners are exempt.
- ACCOUNT IN ARREARS - Interest shall begin to accrue as of 1st July on all Rates and Charges, including previous interest charges, that remain in arrears. Eligible Pensioners are exempt. NOTE: Interest shall accrue on a daily basis using simple interest at a rate set by the Council in the Budget for that Financial Year.

4. (i) OBJECTIONS AND APPEALS -RATE BOOK

SECTION 6.76 of the Local Government Act 1995 provides the grounds on which and time and manner in which, individual objections and appeals may be instituted as to entries in the rate book regarding ownership, or whether the property is rateable. WITHIN 60 DAYS after issue of this Notice of Valuation and Rate.

(ii) OBJECTIONS AND APPEALS -VALUATIONS

The Valuation of Land Act Part IV sets out the manner in which objections and appeals may be instituted as regards valuations. Objections (if any) must be lodged with the Valuer General, PO Box 2222 Midland 6936, WITHIN 60 DAYS after issue of this Notice of Valuation and Rate.

NOTE: SECTION 6.81 of the Local Government Act 1995 provides that rates must be paid, but are subject to adjustment if objection is successful.

5. REBATE AND DEFERMENT

(Applicable to RATES only, all other charges to be paid in full)

Pensioners who meet the eligibility criteria below, are entitled to claim a rebate of up to 50% off the current years rates, or may defer payment of those rates. Persons who hold a Seniors Card issued by the Office of Seniors Interest and a Commonwealth Seniors Health Card are entitled to the same level of concession as a pensioner.

Seniors who meet the following eligibility criteria are entitled to claim a rebate of up to 25%, where the rebate is limited to a maximum amount. Eligibility Criteria - to be eligible for concessions under the Rates and Charges (Rebates and Deferments) Act 1992, an applicant must:

If a Pensioner, either:

be in receipt of a pension and hold a pensioner concession card or State concession card; or hold both a Seniors Card Issued by the Office of Seniors Interests and a Commonwealth Seniors Health Card; or

if a Senior, hold a Seniors Card issued by the Office of Seniors Interests;

register your entitlement with Council or the Water Corporation (concessions only apply once your application is received and registered).

A pro-rata rebate may be available from the date of registration to the Pensioners and Seniors who become eligible after 1 July of the rating year.

Please contact Council where you have rate arrears outstanding on the property and you meet the eligibility criteria. You may be able to enter into an arrangement that entitles you to a rebate or deferment.

If your circumstances change - particularly with respect to your ownership or occupation of the property, or eligibility as a Senior or Pensioner - you must notify Council and the Water Corporation. Your registration will be cancelled or amended, as appropriate.

Any person who wilfully makes a false statement in an application made pursuant to this section or who remains registered as an entitled pensioner knowing that they are not qualified to be so registered is guilty of an offence. Penalty \$1,000.00.

6. EMERGENCY SERVICES LEVY

The Emergency Services Levy is forwarded to FESA to fund the Career Fire and Rescue Service, Volunteer Fire and Rescue Service, Bush Fire Brigades, SES units and FESA units throughout Western Australia. This is a State Government charge not Local Government.

7. DOG AND CAT REGISTRATIONS

Dog and cat registrations are due on November 1st each year. All dogs and cats three months old and over must be registered. Council will actively pursue the owners of unregistered dogs and cats.

REBATE REFERS TO CURRENT RATES ONLY, SERVICE CHARGES MUST BE PAID IN FULL BY ALL RATEPAYERS.

CHANGE OF OWNERSHIP OR ADDRESS
PLEASE SHOW CURRENT DETAILS BELOW

NAME(S) IN FULL: _____

ADDRESS: _____

POSTCODE: _____

DATE OF SALE: _____

SIGNED: _____

DATE: _____

All owners to sign

RESIDENTIAL TENANCY AGREEMENT FORM 24A
FIXED TERM TENANCY

THIS AGREEMENT is made between the OWNER(S):

Murchison Region Aboriginal Corporation

(The Owner/s)

of

25 Crawford Street Geraldton WA 6530

(full address)

and the TENANT(S)

Imelda Jones

THE OWNER AGREES TO LET to the TENANT who AGREES TO RENT the residential premises situated at 216 Field Street, Mingenew WA 6522

From the 15th day of August 2013
to 15th day of November 2013

for a term of 3 (Three) Months

CONDITIONS

Application of Residential Tenancies Act and Regulations.

2. The OWNER and TENANT shall comply with the provisions of the Residential Tenancies Act 1987, the Residential Tenancies Amendment Act 1988 and the Residential Tenancies Regulations 1989 as they apply to each party. The definition and interpretation of words used in the AGREEMENT shall be the same as the Residential Tenancies Act 1987 and the Residential Tenancies Amendment Act 1988.

Payment for Rent.

3. The OWNER lets and the TENANT takes the premises situated at 216 Field Street, Mingenew WA 6522 together with the furniture and chattels (if any) therein as set out in the attached schedule for use as a private dwelling to be occupied by **not more than 5 Persons**. The Weekly / ~~Fortnightly~~ / Calendar Monthly rent is \$270.00 payable in advance with the first payment to be made on or before the 15th August 2013.

Owner to provide and maintain premises in reasonable repair.

4. The OWNER shall hand over the residential premises in a reasonable state of cleanliness and maintain the residential premises in a reasonable state of repair having regard to their age, character and expected life and shall comply with all requirements in respect of buildings, health & safety in respect of residential premises.

Tenant to maintain cleanliness and report damage.

5. The TENANT shall keep the residential premises in a reasonable state of cleanliness and shall notify the owner as soon as practicable but within 3 days of any damage to the residential premises and of any state of disrepair which arises during the term of tenancy.

-Illegal purposes
-Nuisance
-Purposes other than dwelling

6. The TENANT shall not use the premises or cause or permit the premises to be used for any illegal purposes or cause or permit a nuisance. The premises shall be used solely for the purposes of a residence and the TENANT shall not cause or permit the premises to be used for any other purpose.

Vacant possession without legal impediment to be given at commencement of agreement.

7. On the date of the commencement of the agreement, the OWNER will grant vacant possession to the TENANT of the residential premises and the OWNER states that at the time of entering the agreement there is no legal impediment either known or imputed to him to the occupation of the residential premises as a residence for the term of the tenancy.

Interference with tenant's peace and comfort and privacy.

8. The OWNER shall not cause or permit any interference with the reasonable peace, comfort or privacy of the TENANT in the use of the premises and shall take all reasonable steps to enforce this obligation upon any other TENANT of the OWNER in occupation of adjacent premises.

Owner's rights of entry.

9. The OWNER may, subject to the obligations contained in paragraph 8 above, enter the premises in the following circumstances:

- with consent

a) with the consent of the TENANT given at, or immediately before, the time of entry;

- emergency

b) in any case of emergency;

- inspection

c) for the purpose of inspecting the premises or any other purpose on a day and at a reasonable hour specified in a notice given to the TENANT between seven and fourteen days in advance;

- repairs

d) for the purpose of carrying out necessary repairs to or maintenance of the premises, at any reasonable hour, after giving to the TENANT not less than seventy-two hours notice;

- prospective tenants

e) for the purpose of showing the premises to prospective tenants, at any reasonable hour and on a reasonable number of occasions during the period of twenty-one days preceding the termination of this agreement, after giving the TENANT reasonable notice;

- prospective purchasers

f) for the purpose of showing the premises to prospective purchasers, at any reasonable hour and on a reasonable number of occasions, after giving the TENANT reasonable notice.

- Locks and security devices.
10. The OWNER shall provide and maintain such locks and other devices as are necessary to ensure that the premises are reasonably secure and neither the OWNER nor the TENANT shall alter, remove or add any such lock or device without the consent of the other given at or immediately before the time of alteration removal or addition of any such lock or device.
- Fixtures
- Renovations
- Alterations or additions.
11. The TENANT shall not affix any fixture or make any renovation, alteration or addition to the residential premises, without the prior consent of the OWNER, provided that such consent shall not be unreasonably withheld.
- Removal of fixtures.
12. Where the OWNER has given consent pursuant to paragraph 11 above the TENANT may remove any fixture that the TENANT has affixed in the premises during the tenancy, unless the removal of the fixture would cause irreparable damage to the premises.
- Compensation for damage caused by removal of fixtures.
13. Where the TENANT causes damage to the premises by the removal of any fixture installed by the TENANT the tenant shall notify the OWNER, at whose option the tenant will repair or compensate the OWNER for any reasonable expenses incurred by the OWNER in repairing the damage.
- Rates, taxes and charges.
Water Consumption.
14. The OWNER shall bear the cost of all rates, taxes or charges imposed in respect of the premises under any of the following Acts: Local Government Act 1960, Land Tax Act 1976, any written law under which a rate, tax or charge is imposed for 'water services', as defined in the Water Authority Act 1984, other than a charge for water consumed. The OWNER shall pay NIL% of charges for water consumed and the TENANT shall pay the balance.
- Stamp duty.
15. Stamp duty which is payable on this agreement shall be paid by the TENANT.
- Sub letting or assignment.
16. The TENANT may sub let the premises or assign the tenant's interest under the AGREEMENT subject to the prior consent of the OWNER which consent shall not be unreasonably withheld. No charge shall be made by the OWNER for that consent, other than reasonable expenses incidental thereto.
- Notice of termination for breach of agreement by tenant (other than non-payment of rent).
17. If the TENANT does not keep his or her part of the agreement except for not paying rent, the OWNER may give a notice ('the first notice') requiring that the matter be put right. If the TENANT does not put the matter right, then not less than 14 days after the first notice was given the OWNER may give another notice ('the second notice') in the form of Form 1C of the Residential Tenancies Regulations to the TENANT ending the tenancy not less than seven days after the second notice is given.
- Notice of termination for breach of agreement by tenant (non-payment of rent.)
18. If the TENANT does not pay rent due under the agreement or gives a bad cheque in payment of rent due under the agreement, the OWNER may either-
- (i) give a notice ('the first notice') to the TENANT requiring payment of the outstanding rent and, if the rent is not paid, give another notice ('the second notice') to the TENANT in the form of Form 1A of the Residential Tenancies Regulations, not less than 14 days after the first notice was given, ending the tenancy not less than seven days after the second notice is given: or
- (ii) on the day after the rent was due or on the dishonouring of the cheque, give notice to the TENANT in the form of Form 1B of the Residential Tenancies Regulations ending the tenancy not less than seven days after the notice is given.

In the case of (ii) the tenancy shall not end if the TENANT pays the rent due under the agreement before the day specified in the notice for vacation of the premises. In addition, an application by the OWNER to the Local Court to end the tenancy shall not be continued if the TENANT pays the rent due together with the amount of any court application fee at least on day before the scheduled court hearing.

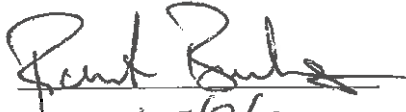
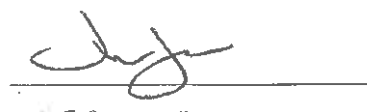
Termination for breach of agreement by owner.
Termination by Owner.

- 19. Where the OWNER has breached any term of this AGREEMENT the TENANT may apply to a Magistrate sitting in the Small Disputes Division for an order terminating the AGREEMENT.
- 20. If, with the approval of the OWNER, the TENANT shall remain in occupation of the premises after the expiration of the term of this AGREEMENT or of an extension thereof or this AGREEMENT shall continue subject to the conditions set out herein until determined by either party in accordance with the provisions of the Residential Tenancies Act.
- 21. The agreement may be terminated if both the OWNER and the TENANT agree in writing signed by both parties that the tenancy agreement be ended and the date it is to be ended.

Termination by mutual agreement

ADDITIONAL CONDITIONS

The undersigned tenant has agreed to have rent payments paid directly to Murchison Region Aboriginal Corporation
If the tenant after occupying premises cancels such payments they will have deemed to have broken their TENANCY AGREEMENT and will, after their 3 (three) months qualifying period expires, will not have their TENANCY AGREEMENT renewed if in arrears.

	OWNER(S)		TENANT
<u>15/8/13</u>	DATE	<u>15/8/13</u>	DATE
_____	WITNESS	_____	TENANT
_____	DATE	_____	DATE



MURCHISON REGION ABORIGINAL CORPORATION

PROPERTY DESCRIPTION



14 Field Street, Mingenew

Lot: 216
Land Size: 854m2
Council: Shire of Mingenew
Assessment #: A219
House Built: 1996
Title Details: 2069/801

Bedrooms	Four
Bathrooms	One
Toilets	One
Garage/Carport	One
External Fences	Fibro
Gutters	NIL
Roof Type	Colourbond
Oven Type	Electric
Stove Type	Electric
Aircon/Fans	Fans throughout
Floor Type	Vinyl tiles
Hot Water System	Electric
Additions	

9.1.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0093
Date: 14 December 2017
Author: Martin Whitely, Chief Executive Officer

Summary

Council is requested to review the current Local Emergency Management Committee arrangements.

Attachment

State EM Preparedness Procedures – Extract Only

Background

At the April 2017 Ordinary Meeting Council resolved to enter into a shared services arrangement of a Ranger & Emergency Services Officer with the Shire's of Three Springs and Carnamah. The decision made at April 2017 Ordinary Meeting resulted in the cessation of the previous arrangements for Ranger Services and the Community Emergency Services Manager.

Part of the role of the Community Emergency Services Manager was to act as the Executive Officer and coordinate arrangements for the Local Emergency Management Committee which was a joint arrangement between the Shire's of Mingenew, Morawa, Perenjori and Three Springs.

Comment

The Mingenew Morawa Perenjori Three Springs LEMC historically met every 3 months. The last meeting was held on 3 May 2017 and no meeting has been held since. The LEMC arrangements included having a rotating Chairperson, of which the Shire of Morawa is the current Chair effective from the date of the last meeting held in May 2017.

Although the Shire's of Three Springs and Mingenew have withdrawn from the Community Emergency Services Agreement with the Shire's of Morawa and Perenjori, the LEMC between the four Shires (Mingenew, Three Springs, Morawa and Perenjori) is still technically in place as no formal process has been undertaken to separate from the current LEMC arrangements.

An extract is attached from the State EM Preparedness Procedures outlining the process for amalgamation and separation of local governments for the purposes of emergency management.

On Friday 1 December discussions were held with the CEO's from Shire of Three Springs, Shire of Carnamah and the Office of Emergency Management to discuss the options for the Local Emergency Management Committee arrangements ("LEMC") going forward. These discussions evolved partly from the Council resolution at the April 2017 Ordinary Meeting when Council resolved to enter into a shared services arrangement of a Ranger & Emergency Services Officer with the Shire's of Three Springs and Carnamah and also with the demerger of the LEMC arrangements between the Shire of Carnamah and the Shire of Coorow. With the demerger of the LEMC arrangements between Carnamah and Coorow, Coorow have since formed an alliance with the Shire of Irwin, however the Shire of Carnamah are currently in limbo and to have not any formal LEMC arrangements in place. At this meeting it was agreed that the Shire's of Mingenew, Three Springs and Carnamah's preferred LEMC option was to include the Shire of Carnamah in the current LEMC arrangements in place for Mingenew, Morawa, Three Springs and Perenjori. As such it was agreed that the CEO's from the Shire's of Morawa and Perenjori be approached and get an indication of their preferred LEMC option going forward given that there is now a Community Emergency Services Manager ("CESM") agreement in place between Morawa, Perenjori, Yalgoo and the Murchison.

A phone conference between the CEO's of the Shire's of Mingenew, Morawa, Perenjori, Three Springs, Carnamah and the Office of Emergency Management was held on Tuesday 12 December 2017. During the conference Mingenew, Three Springs and Carnamah all indicated that their preferred option was for Carnamah to join the existing four local governments and form a LEMC consisting of all five local governments. Subject to Morawa and Perenjori agreeing to the proposal the alternative would be that Mingenew, Three Springs and Carnamah form a LEMC in the event that Morawa and Perenjori opted to separate from the existing LEMC.

Advice was received on Thursday 14 December from the Shire of Morawa that Council have indicated they are interested in exploring the move from the existing four local governments to include Carnamah into the LEMC arrangements and that the item would be tabled for Council consideration for a formal position at the December Ordinary Council Meeting. The Shire of Perenjori has also indicated that a similar item would be tabled at their December Council meeting.

The most obvious hurdle with Carnamah joining the current LEMC is the appointment of an Executive Officer for the LEMC. The previous CESM Rick Ryan was the Executive Officer for the LEMC. Mr Ryan is now employed as the CESM for Morawa, Perenjori, Yalgoo and Murchison. My thoughts are that both Mr Ryan and Grant Fidoch (Ranger & Emergency Services Officer – Mingenew, Three Springs & Carnamah) would work together in adding Carnamah into the current LEMC arrangements. Going forward, a suggestion would be that the Executive Officer for the new LEMC could be rotated, similar to that of the position of Chairperson, between the Morawa, Perenjori, Yalgoo and Murchison CESM and the Mingenew, Three Springs & Carnamah Ranger & Emergency Services Officer

My recommendation to Council is that an invitation is extended to the Shire of Carnamah to join the current LEMC. This seems to be the most logical solution since all five Shire's have commonalities in place that we all share the same emergency services, as and if required. It should also be noted that the Shire of Carnamah were previously actively involved with the existing LEMC through the involvement of President Merle Isbister in her capacity as a St John's Ambulance Officer.

In the event that Morawa and Perenjori resolve that their preferred option is to separate from the current LEMC then my recommendation to Council is that the Mingenew, Three Springs and Carnamah form a LEMC.

Consultation

Jonelle Tyson, Office of Emergency Management
Ian Comben, DFES
Shire's of Three Springs, Morawa, Perenjori & Carnamah

Statutory Environment

State EM Preparedness Procedures

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Community Strategic Plan
Outcome 3.7.3 – Continuously improve emergency services
Outcome 4.2.1 – Continue to deliver quality local government services and facilities.
Outcome 4.2.2 – To be strong advocates representing the Shire's interests

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.2
--

That Council

- 1. Extend an invitation to the Shire of Carnamah to join the Mingenew Morawa Perenjori Three Springs Local Emergency Management Committee, and**
- 2. Convene a Local Emergency Management Committee between all the Shire's to discuss the process of amalgamating the Shire of Carnamah into the existing Local Emergency Management Committee, and**
- 3. That if in the event of not all five local governments supporting to form a Local Emergency Management Committee that the Shire of Mingenew approach the Shire's of Three Springs and Carnamah to form a Local Emergency Management Committee and**
- 4. Authorises the CEO to make the necessary arrangements to implement the Local Emergency Management Committee as outlined above.**

9.1.3 BUSH FIRE RISK MANAGEMENT PLAN

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0147
Date: 14 December 2017
Author: Martin Whitely, Chief Executive Officer

Summary

Council is requested to review and endorse the Bushfire Risk Management Plan.

Attachment

Draft Bushfire Risk Management Plan

Background

The Shire was successful in obtaining funding under the National Bushfire Mitigation Program funded by the Department of Fire & Emergency Services and the State Emergency Management Committee Secretariat to have a Bushfire Risk Management Plan completed for the Shire of Mingenew. The purpose of the project was to have a Bush Fire Management Plan ("BRM") that can be clearly integrated with the Shire's Local Emergency Management Plan, Townsite Strategy Plan, Community Strategic Plan and other related key Shire strategic plans.

Comment

This BRM Plan is a strategic document that identifies assets at risk from bushfire and their priority for treatment. The Treatment Schedule sets out a broad program of coordinated multi-agency treatments to address risks identified in the BRM Plan

Expressions of interest were obtained and Mr Ralph Smith was engaged to complete the Bushfire Risk Management Plan. Mr Smith, who is now semi retired, was instrumental in preparing many like plans during his distinguished career at DFES.

The BRM Plan has been prepared in great detail and in accordance with the requirements of Westplan Fire and the Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines). The risk management processes used to develop this BRM Plan are aligned to the key principles of AS/NZS ISO 31000:2009 Risk management - Principles and guidelines (AS/NZS ISO 31000:2009), as described in the Second Edition of the National Emergency Risk Assessment Guidelines (NERAG 2015). This approach is consistent with the policies of the State Emergency Management Committee, specifically the State Emergency Management Policy 2.9 - Management of Emergency Risks.

The BRM Plan also includes recommendations to assist the Shire with the implementation of the Plan including a Communications Plan for key stakeholders.

Consultation

Ralph Smith, Smith Consulting

Statutory Environment

Westplan Fire and Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines)
State Emergency Management Policy 2.9 – Management of Emergency Risks
Risk management - Principles and guidelines
National Emergency Risk Assessment Guidelines

Policy Implications

2013 RISK MANAGEMENT POLICY

PURPOSE

The Shire of Mingenew (“the Shire”) Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire’s strategies, goals or objectives.

POLICY

It is the Shire’s Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire’s Integrated Planning Framework.

The Shire’s Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as, direct and monitor implementation, practice and performance.

Every employee within the Shire is recognized as having a role in risk management from the identification of risks to implementing risk treatments and shall be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process, or management of specific risks or categories of risk.

DEFINITIONS (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organization-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organization with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analyzing, evaluating, treating, monitoring and reviewing risk.

RISK MANAGEMENT OBJECTIVES

- Optimise the achievement of our vision, mission, strategies, goals and objectives.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Enhance risk versus return within our risk appetite.
- Embed appropriate and effective controls to mitigate risk.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhance organizational resilience.
- Identify and provide for the continuity of critical operations.

RISK APPETITE

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

All organizational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilized; however these cannot exceed the organizations appetite and are to be noted within the individual risk assessment.

ROLES, RESPONSIBILITIES AND ACCOUNTABILITIES

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

MONITOR AND REVIEW

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

This policy will be kept under review by the Shire's Management Team and its employees. It will be formally reviewed within a three year cycle.

Financial Implications

Funding was received to have the Bushfire Risk Management Plan prepared and funds were allocated in the 2017/18 Budget.

Strategic Implications

Community Strategic Plan

Outcome 3.7.3 – Continuously improve emergency services

Outcome 4.2.1 – Continue to deliver quality local government services and facilities.

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

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.3
--

That Council

- 1. Endorse the Bushfire Risk Management Plan as tabled, and**
- 2. Public Notice is given as to the endorsement of the Bushfire Risk Management Plan**

9.2 FINANCE

9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 NOVEMBER 2017

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

Summary

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

Attachment

Finance Report for period ending 30 November 2017

Background

The Monthly Financial Report to 30 November 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

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Fund & Cash on Hand	\$352,396
3 Month Term Deposit @ 2.45%	\$750,000
3 Month Term Deposit @ 2.45%	\$750,000
Restricted Funds (Unspent Grants)	\$568,498
Trust Fund	\$71,623
Reserve fund (6 Month Term Deposit) @ 2.55%	\$396,475

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 20 December 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 November 2017:

	Current	30+ Days	60+ Days	90+ Days	TOTAL
Amount	51,547	0	11,080	1,606	64,233

Rates Outstanding at 30 November 2017 were:

	November 2017	October 2017
Rates	417,233	585,914
Rubbish	15,938	22,125
ESL	6,468	7,301
TOTAL	439,639	625,340

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2017/18 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 sub regulation (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 sub regulation (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 2017 to 30 November 2017 be received.

SHIRE OF MINGENEW

MONTHLY FINANCIAL REPORT

For the Period Ended 30 November 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 November 2017 of \$2,816,905.

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

Preparation

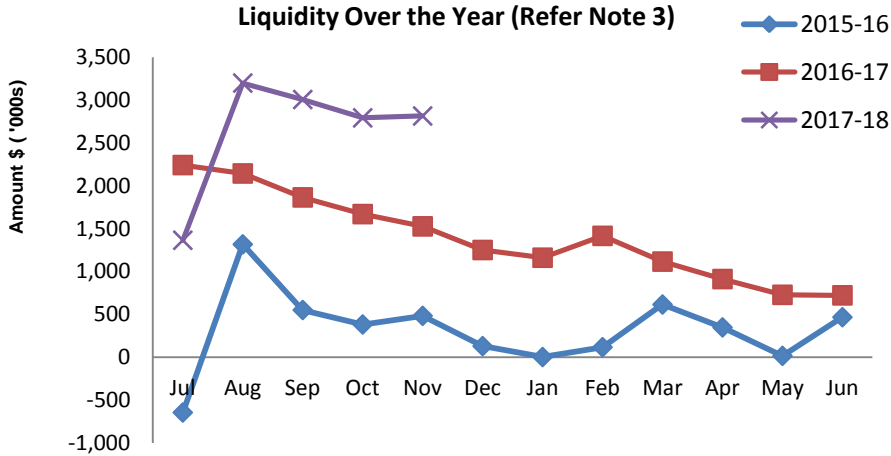
Prepared by: Durga Ojha
Reviewed by: Martin Whitely
Date prepared: 13/12/2017

Shire of Mingenew

Monthly Summary Information

For the Period Ended 30 November 2017

Liquidity Over the Year (Refer Note 3)



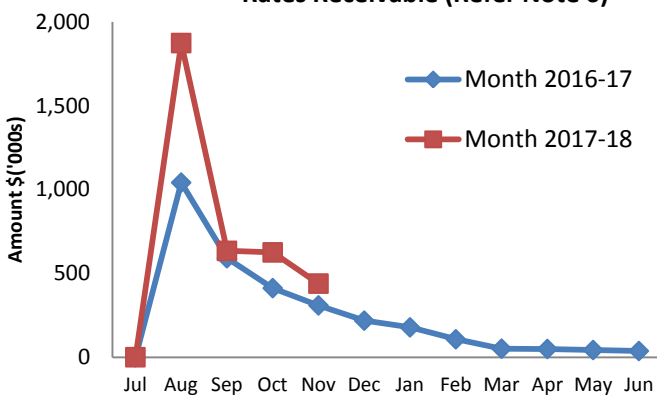
Cash and Cash Equivalents as at period end

Unrestricted	\$ 1,852,396
Restricted	\$ 964,973
	<u>\$ 2,817,370</u>

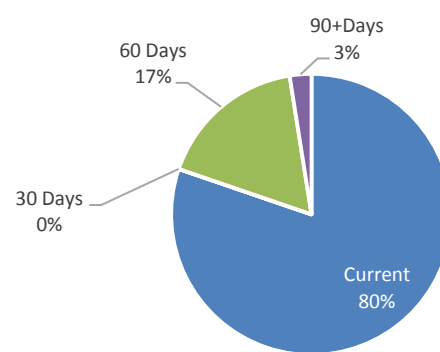
Receivables

Rates	\$ 451,118
Other	\$ 64,233
	<u>\$ 515,351</u>

Rates Receivable (Refer Note 6)



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



Comments

Rates were issued on 20 August 2017.
 First instalment was due 29 September 2017.
 Second Instalment was due 30 November 2017
 Third instalment was due 31 January 2018
 4th & Final instalment was due 1 April 2018

SUMMARY OF BILLING

Rates	1,816,567
Rubbish	71,291
ESL	27,450
	<u>1,915,308</u>

This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Mingenew

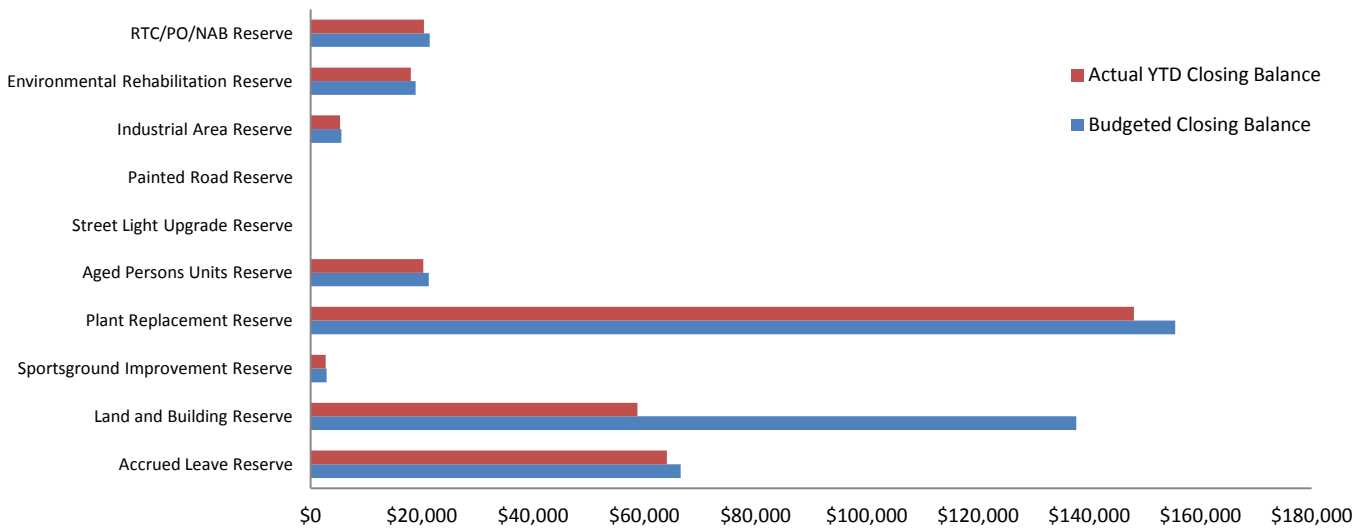
Monthly Summary Information

For the Period Ended 30 November 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.

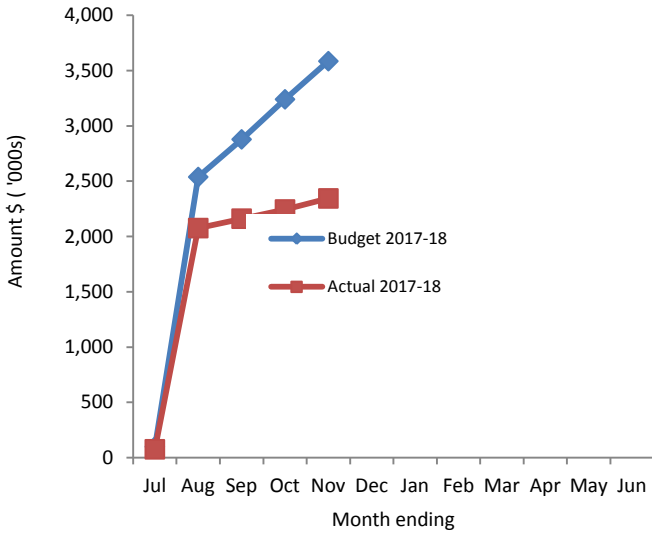
Shire of Mingenew

Monthly Summary Information

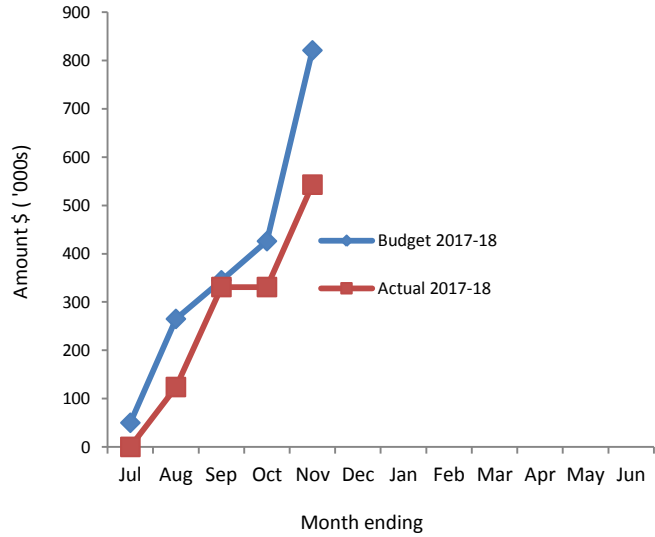
For the Period Ended 30 November 2017

Revenues

Budget Operating Revenues -v- Actual (Refer Note 2)

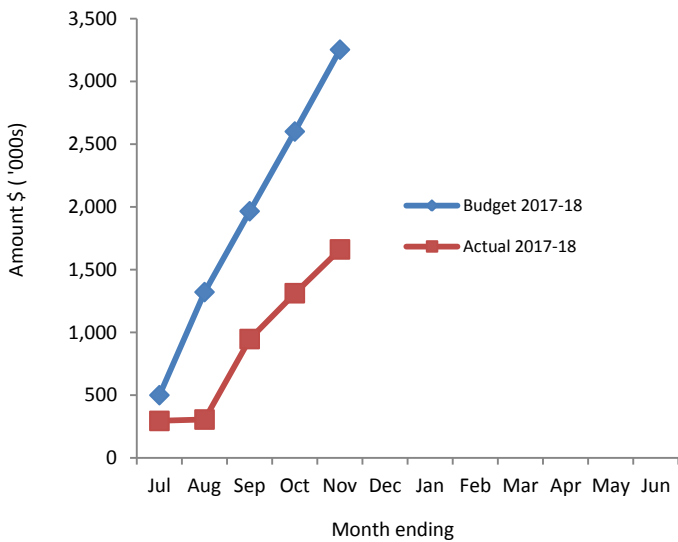


Budget Capital Revenue -v- Actual (Refer Note 2)

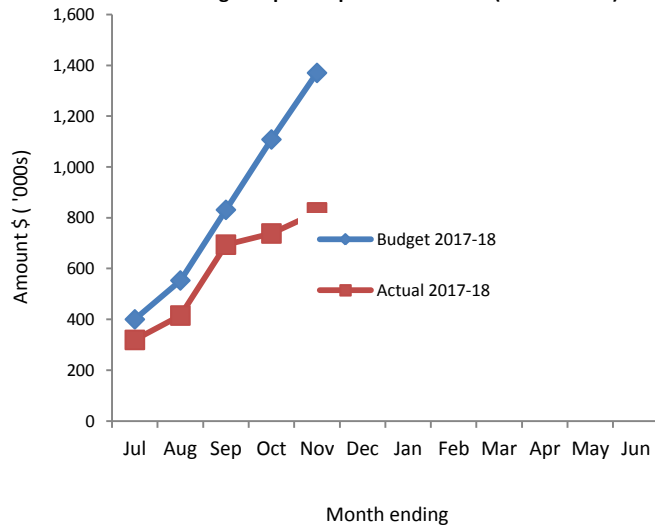


Expenditure

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 November 2017

Note	2017/18 Original Budget (a)	2017/18 YTD Budget (a)	2017/18 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues						
	\$	\$	\$	\$	%	
General Purpose Funding	2,018,070	1,901,106	1,972,734	71,628	3.77%	
Governance	12,586	5,240	12,123	6,883	131.36%	
Law, Order and Public Safety	60,874	44,793	12,076	(32,717)	(73.04%)	▼
Health	371	150	45	(105)	(69.70%)	
Education and Welfare	3,755	1,555	3,568	2,013	129.43%	
Housing	104,924	43,700	43,183	(517)	(1.18%)	
Community Amenities	83,595	78,945	65,029	(13,916)	(17.63%)	▼
Recreation and Culture	38,665	34,655	32,346	(2,309)	(6.66%)	
Transport	3,372,042	1,405,010	164,860	(1,240,150)	(88.27%)	▼
Economic Services	11,355	4,710	3,369	(1,341)	(28.47%)	
Other Property and Services	157,475	65,600	34,720	(30,880)	(47.07%)	▼
Total Operating Revenue	5,863,712	3,585,464	2,344,053	(1,313,039)		
Operating Expense						
General Purpose Funding	(47,511)	(19,785)	(24,866)	(5,081)	(25.68%)	
Governance	(205,931)	(143,006)	(121,634)	21,372	14.94%	▲
Law, Order and Public Safety	(124,627)	(57,264)	(45,226)	12,038	21.02%	▲
Health	(111,511)	(46,425)	(31,009)	15,416	33.21%	▲
Education and Welfare	(76,019)	(31,640)	(20,935)	10,705	33.84%	▲
Housing	(163,757)	(68,155)	(65,038)	3,117	4.57%	
Community Amenities	(314,842)	(120,705)	(133,043)	(12,338)	(10.22%)	▼
Recreation and Culture	(895,693)	(373,125)	(439,651)	(66,526)	(17.83%)	▼
Transport	(5,227,876)	(2,178,155)	(811,766)	1,366,389	62.73%	▲
Economic Services	(400,524)	(166,810)	(124,112)	42,698	25.60%	▲
Other Property and Services	(114,012)	(47,425)	156,151	203,576	429.26%	▲
Total Operating Expenditure	(7,682,303)	(3,252,495)	(1,661,128)	1,591,367		
Funding Balance Adjustments						
Add back Depreciation	2,190,310	912,610	726,234	(186,376)	(20.42%)	▼
Adjust (Profit)/Loss on Asset Disposal	(40,000)	0	1,653	1,653		
Adjust Provisions and Accruals	0	0	0	0		
Net Cash from Operations	331,719	1,245,579	1,410,812	93,604		
Capital Revenues						
Grants, Subsidies and Contributions	1,429,305	629,899	538,597	(91,302)	(14.49%)	▼
Proceeds from Disposal of Assets	365,650	141,913	4,545	(137,368)	(96.80%)	▼
Total Capital Revenues	1,794,955	771,812	543,143	(228,669)		
Capital Expenses						
Land Held for Resale	(200,000)	(83,330)	0	83,330	100.00%	▲
Land and Buildings	(867,720)	(236,490)	(212,072)	24,418	10.33%	▲
Infrastructure - Roads	(1,177,100)	(490,415)	(376,274)	114,141	23.27%	▲
Infrastructure - Other	(617,000)	(256,573)	(207,843)	48,730	18.99%	
Plant and Equipment	(742,364)	(294,725)	(24,909)	269,816	91.55%	▲
Furniture and Equipment	(21,000)	(8,745)	0	8,745	100.00%	▲
Total Capital Expenditure	(3,625,184)	(1,370,278)	(821,098)	549,180		
Net Cash from Capital Activities	(1,830,229)	(598,466)	(277,956)	320,510		
Financing						
Transfer from Reserves	0	0	0	0		
Proceed from new debenture	85,507	0	0	0		
Repayment of Debentures	(150,774)	(37,356)	(37,356)	0	0.00%	
Transfer to Reserves	(125,510)	0	0	0		
Net Cash from Financing Activities	(190,777)	(37,356)	(37,356)	0		
Net Operations, Capital and Financing	(1,689,287)	609,757	1,095,500	414,115		
Opening Funding Surplus(Deficit)	1,722,222	1,722,222	1,721,405	(817)	(0.05%)	
Closing Funding Surplus(Deficit)	32,937	2,331,979	2,816,905	413,297		

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 FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 November 2017

	Note	2017/18 Original Budget (a)	2017/18 YTD Budget (a)	2017/18 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	
Operating Revenues							
Rates	9	\$ 1,816,567	\$ 1,817,156	\$ 1,813,962	\$ (3,194)	% (0.18%)	
Operating Grants, Subsidies and Contributions	11	3,023,945	1,279,388	169,447	(1,109,941)	(86.76%)	▼
Fees and Charges		257,210	169,795	155,636	(14,159)	(8.34%)	
Interest Earnings		65,440	27,240	16,931	(10,309)	(37.85%)	▼
Other Revenue		660,550	275,220	188,076	(87,144)	(31.66%)	▼
Profit on Disposal of Assets	8	40,000	16,665	0			
Total Operating Revenue		5,863,712	3,585,464	2,344,053	(1,224,746)		
Operating Expense							
Employee Costs		(1,456,983)	(606,820)	(282,994)	323,826	53.36%	▲
Materials and Contracts		(3,097,470)	(1,325,863)	(319,461)	1,006,402	75.91%	▲
Utility Charges		(136,355)	(56,770)	(31,334)	25,436	44.81%	▲
Depreciation on Non-Current Assets		(2,190,310)	(912,610)	(726,234)	186,376	20.42%	▲
Interest Expenses		(22,523)	(9,355)	(7,388)	1,967	21.02%	▲
Insurance Expenses		(91,762)	(60,838)	(106,984)	(46,146)	(75.85%)	▼
Other Expenditure		(686,900)	(280,239)	(185,079)	95,160	33.96%	▲
Loss on Disposal of Assets	8	0	0	(1,653)			
Total Operating Expenditure		(7,682,303)	(3,252,495)	(1,661,128)	1,593,019		
Funding Balance Adjustments							
Add back Depreciation		2,190,310	912,610	726,234	(186,376)	(20.42%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(40,000)	0	1,653	1,653		
Adjust Provisions and Accruals		0	0	0	0		
Net Cash from Operations		331,719	1,245,579	1,410,812	183,550		
Capital Revenues							
Grants, Subsidies and Contributions	11	1,429,305	629,899	538,597	(91,302)	(14.49%)	▼
Proceeds from Disposal of Assets	8	365,650	141,913	4,545	(137,368)	(96.80%)	▼
Total Capital Revenues		1,794,955	771,812	543,143	(228,669)		
Capital Expenses							
Land Held for Resale	13	(200,000)	(83,330)	0	83,330	100.00%	▲
Land and Buildings	13	(867,720)	(236,490)	(212,072)	24,418	10.33%	▲
Infrastructure - Roads	13	(1,177,100)	(490,415)	(376,274)	0	0	
Infrastructure - Other	13	(617,000)	(256,573)	(207,843)			
Plant and Equipment	13	(742,364)	(294,725)	(24,909)	269,816	91.55%	▲
Furniture and Equipment	13	(21,000)	(8,745)	0	8,745	100.00%	▲
Total Capital Expenditure		(3,625,184)	(1,370,278)	(821,098)	386,309		
Net Cash from Capital Activities		(1,830,229)	(598,466)	(277,956)	157,640		
Financing							
Transfer from Reserves	7	0	0	0	0		
Advances to Community Groups	10	85,507	0	0	0		
Repayment of Debentures	10	(150,774)	(37,356)	(37,356)	0	0.00%	
Transfer to Reserves	7	(125,510)	0	0	0		
Net Cash from Financing Activities		(190,777)	(37,356)	(37,356)	0		
Net Operations, Capital and Financing		(1,689,287)	609,757	1,095,500	341,190		
Opening Funding Surplus(Deficit)	3	1,722,222	1,722,222	1,721,405	(817)	(0.05%)	
Closing Funding Surplus(Deficit)	3	32,937	2,331,979	2,816,905	340,372		

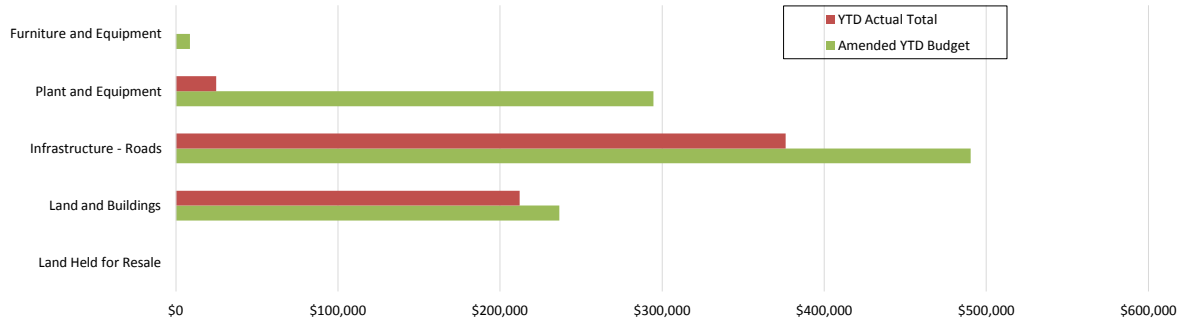
Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

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 November 2017

Capital Acquisitions	Note	YTD 30 11 2017					
		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	\$ 0	\$ 0	\$ 0	\$ 0	\$ 200,000	\$ 0
Land and Buildings	13	212,072		212,072	236,490	867,720	(24,418)
Infrastructure - Roads	13	376,274		376,274	490,415	1,177,100	(114,141)
Infrastructure -Other	13	207,843		207,843	256,573	617,000	(48,730)
Plant and Equipment	13	24,909		24,909	294,725	742,364	(269,816)
Furniture and Equipment	13	0		0	8,745	21,000	(8,745)
Capital Expenditure Totals		821,098	0	821,098	1,286,948	3,625,184	(465,850)

Capital Expenditure Program YTD



SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 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 November 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 November 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 November 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 November 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 November 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 November 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

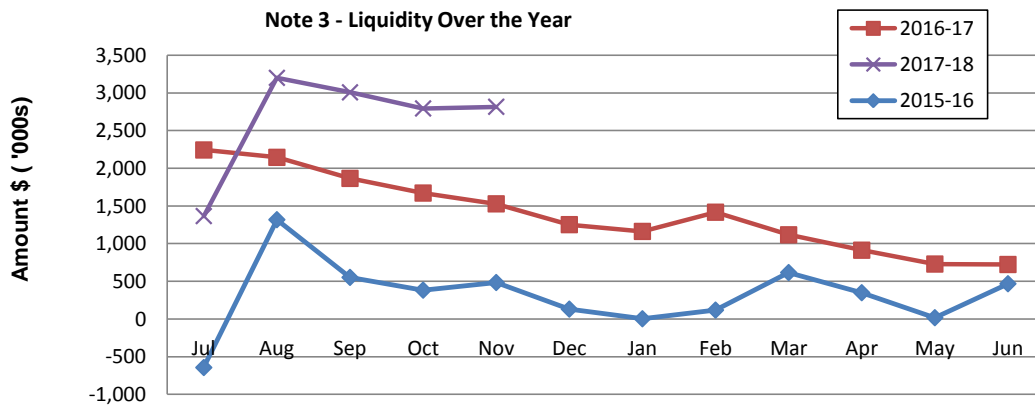
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
General Purpose Funding	71,628	3.77%			Special purpose Grants is more than expected \$249K
Governance	6,883	131.36%			Nil
Law, Order and Public Safety	(32,717)	(73.04%)	▼		Timing of receiving bush fire management plan Grants \$30K
Health	(105)	(69.70%)			Nil
Education and Welfare	2,013	129.43%			Nil
Housing	(517)	(1.18%)			Nil
Community Amenities	(13,916)	(17.63%)	▼		Rubbish removable fees are less than expected \$13,916
Recreation and Culture	(2,309)	(6.66%)			Nil
Transport	(1,240,150)	(88.27%)	▼		Timing of receiving flood damage grants \$1014K
Economic Services	(1,341)	(28.47%)			Nil
Other Property and Services	(30,880)	(47.07%)	▼		MWIRSA reimbursement is under \$ 16K
Operating Expenses					
General Purpose Funding	(5,081)	(25.68%)			Nil
Governance	21,372	14.94%	▲		Assets Depreciation and admin allocations is over \$37K
Law, Order and Public Safety	12,038	21.02%	▲		Assets depreciation is over by 11K
Health	15,416	33.21%	▲		Internal Admin allocations is under \$9K
Education and Welfare	10,705	33.84%	▲		Internal Admin allocations is under \$5K
Housing	3,117	4.57%			Nil
Community Amenities	(12,338)	(10.22%)	▼		Public convenience maintenance is over \$9K
Recreation and Culture	(66,526)	(17.83%)	▼		Assets Depreciation and admin allocations is over \$31K
Transport	1,366,389	62.73%	▲		Flood damage works is under \$1.2 Millions
Economic Services	42,698	25.60%	▲		Tourism and areas promotion is under \$6K, post office building maintenance is under \$8K and internal admin allocation is under \$6K
Other Property and Services	203,576	429.26%	▲		Gross Salary and wages is under \$152K Depreciation is under \$33K
Capital Revenues					
Grants, Subsidies and Contributions	(91,302)	(14.49%)	▼		Nil
Proceeds from Disposal of Assets	(137,368)	(96.80%)	▼		Timing of disposal of assets \$111K
Capital Expenses					
Land Held for Resale	83,330	100.00%	▲		Industrial subdivision allocation
Land and Buildings	24,418	10.33%	▲		independent living units
Infrastructure - Roads	114,141	23.27%	▲		Roads construction cost is under \$114K
Infrastructure - Footpaths	0				Nil
Infrastructure - Drainage & Culverts	0				Nil
Infrastructure - Aerodromes	0				Nil
Plant and Equipment	269,816	91.55%	▲		Timing of purchases
Furniture and Equipment	8,745	100.00%	▲		Timing of purchases
Financing					
Loan Principal	0	0.00%			Nil

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
	Note	YTD 30 Nov 2017	30th June 2017	YTD 30 Nov 2016
		\$	\$	\$
Current Assets				
Cash - Unrestricted	4	1,852,396	1,276,249	1,758,351
Cash - Restricted Reserves	4	396,475	396,475	309,610
Cash - Restricted Unspent Grants		568,498	568,498	216,626
Investments		0	0	0
Rates - Current	6	451,118	83,832	414,372
Sundry Debtors	6	64,233	79,873	5,936
Provision for Doubtful Debts		(1,585)	(1,585)	(1,585)
ESL Levy		0	0	0
GST Receivable		12,789	30,077	13,147
Receivables - Other		0	0	0
Inventories - Fuel & Materials		3,065	3,197	6,903
Inventories - Land Held for Resale		40,394	40,394	80,788
		3,387,384	2,477,010	2,804,149
Current Liabilities				
Sundry Creditors		(79,989)	(261,624)	(37,768)
GST Payable		(15,609)	(29,012)	(16,551)
PAYG		(24,766)	(12,709)	(14,150)
Accrued Interest on Debentures		(11,269)	(13,414)	0
Accrued Salaries & Wages		(1,977)	(1,977)	(1,977)
Current Employee Benefits Provision		(231,014)	(231,014)	(261,493)
Current Loan Liability		(113,420)	(150,775)	(91,854)
		(478,043)	(700,525)	(423,794)
NET CURRENT ASSETS		2,909,341	1,776,485	2,380,355
Less:				
Cash - Restricted Reserves		(396,475)	(396,475)	(309,610)
Inventories - Land Held for Resale		(40,394)	(40,394)	(80,788)
Add Back:				
Current Loan Liability		113,420	150,775	91,854
Cash Backed Employee Provisions	7	231,014	231,014	261,493
Net Current Funding Position (Surplus / Deficit)		2,816,905	1,721,405	2,343,304

0.00



Comments - Net Current Funding Position

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
3 Month term Deposit	2.45%	1,500,000			1,500,000	NAB	31 December 2017
Municipal Bank Account	1.25%	352,096	568,498		920,594	NAB	At Call
Trust Bank Account	1.25%			71,623	71,623	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	2.55%	0	396,475		396,475	NAB	30 December 2017
(b) Term Deposits							
Short Term Deposits	0.00%	0	0		0		
Total		1,852,396	964,973	71,623	2,888,993		

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

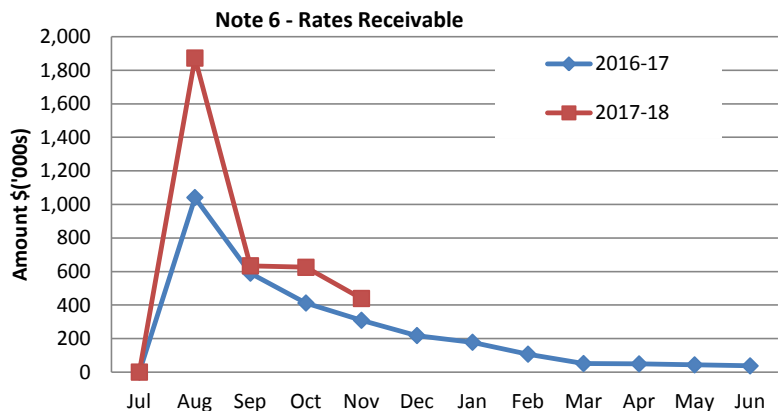
Purpose for Funds Being Restricted	Funding Organisation	Due Date to be Expended	Amount
1 Various Roads	Roads to Recovery	30 June 2019	151,206
2 Town Revitalisation Plan	Department of Planning	30 June 2018	60,000
3 Town Planning Scheme	Department of Planning	30 June 2018	25,000
4 Special Purpose Grants - Bridges	Financial Assistance Grants	30 June 2018	210,000
5 Mingenew Transfer Station	Mid West Development Commission	31 December 2017	45,000
6 Mingenew Museum	Mid West Development Commission	31 December 2017	13,712
7 Little Well Reserve	Lotterywest	30 June 2018	13,580
8 Recreation Oval Lights	DSR	30 June 2018	50,000
Sub-total			568,498

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 6: RECEIVABLES

Receivables - Rates & Rubbish Receivable

	YTD 30 Nov 2017	30 June 2016
Opening Arrears Previous Years	\$ 83,832	\$ 83,832
Levied this year	1,852,748	1,757,549
Less Collections to date	(1,485,461)	(1,757,549)
Equals Current Outstanding	439,638	83,832
Net Rates Collectable	439,638	83,832
% Collected	76.71%	95.45%



Receivables - General

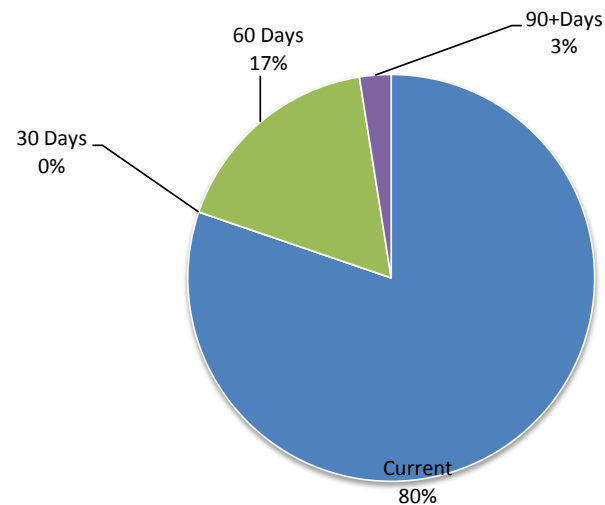
Receivables - General

Total Receivables General Outstanding

	Current	30 Days	60 Days	90+Days
Receivables - General	\$ 51,547	\$ 0	\$ 11,080	\$ 1,606
Total Receivables General Outstanding				64,233

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Note 6 - Accounts Receivable (non-rates)



Comments/Notes - Receivables Rates

Instalment Due Dates:

Instalment 1	30-Sep-17
Instalment 2	30-Nov-17
Instalment 3	31-Jan-18
Instalment 4	1-Apr-18

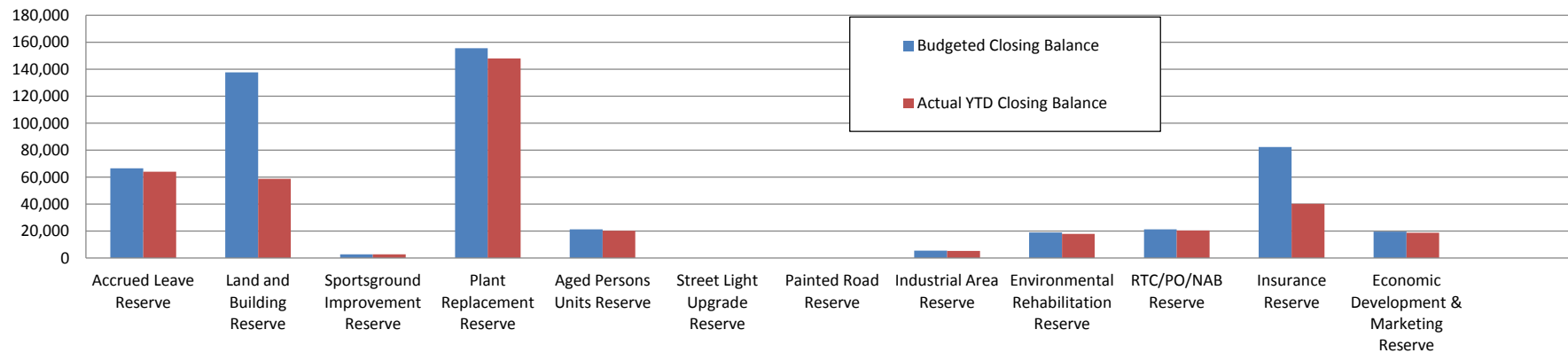
Comments/Notes - Receivables General

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 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	64,065	1,250	0	1,250	0	0			66,565	64,065
Land and Building Reserve	58,767	1,450	0	77,450	0	0			137,667	58,767
Sportsground Improvement Reserve	2,725	60	0	60	0	0	0		2,845	2,725
Plant Replacement Reserve	148,056	3,700	0	3,700	0	0	0		155,456	148,056
Aged Persons Units Reserve	20,230	500	0	500	0	0	0		21,230	20,230
Street Light Upgrade Reserve	0	0	0	0	0	0	0		0	0
Painted Road Reserve	0	0	0	0	0	0	0		0	0
Industrial Area Reserve	5,287	125	0	125	0	0	0		5,537	5,287
Environmental Rehabilitation Reserve	18,002	450	0	450	0	0	0		18,902	18,002
RTC/PO/NAB Reserve	20,382	500	0	500	0	0	0		21,382	20,382
Insurance Reserve	40,243	1,000	0	41,000	0	0	0		82,243	40,243
Economic Development & Marketing Reserve	18,719	475	0	475	0	0	0		19,669	18,719
				0	0	0	0			
	396,475	9,510	0	125,510	0	0	0	0	531,495	396,475

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 November 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 11 2017			
					2017/18 Budget Profit/(Loss)	2017/18 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	\$	\$	\$		
0			0	Plant and Equipment				
			0	CEO Vehicle		0		
			0	DCEO Vehicle		0	0	
			0	Works Manager Vehicle		0	0	
0	0	0	0		0	0	0	

Comments - Capital Disposal/Replacements

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

9. RATING INFORMATION

RATE TYPE	Rate in \$	Number of properties	Rateable value \$	2017/18 interim rates \$	2017/18 back rates \$	Actual Rate Revenue \$	2017/18 Budgeted rate revenue \$	2017/18 Budgeted interim rates \$	2017/18 Budgeted back rates \$	2017/18 Budgeted total revenue \$
General rate										
GRV - Mingenew	0.145400	129	1,131,000	0	0	164,447	164,447	0	0	164,447
GRV - Yandanooka	0.145400	2	13,884	0	0	2,019	2,019	0	0	2,019
GRV- Commercial	0.145400	14	349,700			50,846	50,846			50,846
GRV - Industrial	0.145400	1	12,480			1,815	1,815			1,815
UV Rural & Mining	0.013350	120	110,861,500			1,480,001	1,480,001			1,480,001
UV Mining	0.013350	0	0			0	0			0
Sub-Totals		266	112,368,564	0	0	1,699,128	1,699,128	0	0	1,699,128
Minimum payment	Minimum \$									
GRV - Mingenew	682	64	28,026	0	0	43,648	43,648	0	0	43,648
GRV - Yandanooka	682	0	0	0	0	0	0	0	0	0
GRV- Commercial	682	9	6,200			6,138	6,138			6,138
GRV - Industrial	682	2	1,850			1,364	1,364			1,364
UV Rural & Mining	1025	23	671,100			23,575	23,575			23,575
UV Mining	1025	8	39,885			8,200	8,200			8,200
Sub-Totals		106	747,061	0	0	82,925	82,925	0	0	82,925
		372	113,115,625	0	0	1,782,053	1,782,053	0	0	1,782,053
Discounts/concessions (Refer note 13)						(1,009)				(1,009)
Total amount raised from general rates						1,781,044				1,781,044
Specified area rates (Refer note 10)						0				0
Ex Gratia Rates						35,524				35,523
Total rates						1,816,568				1,816,567

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-17	Refinancing Cost	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual	YTD Budget	YTD Actual	Budget	YTD Actual	Budget
			\$	\$	\$	\$	\$	\$
Education & Welfare								
Loan 137 - Senior Citizens Buildings	91,633	11,102	4,850	19,576	97,885	72,057	928	3,088
					0			
Housing					0			
Loan 133 - Triplex	61,766	7,483	3,250	13,195	65,999	48,571	218	1,967
Loan 134 - SC Housing	46,481	5,631	2,460	9,930	49,652	36,551	163	1,499
Loan 136 - Staff Housing	110,736	13,416	0	23,656	124,152	87,080	382	3,738
Loan 142 - Staff Housing	56,153	6,803	8,729	11,996	54,227	44,157	2,035	1,726
					0			
Recreation & Culture					0			
Loan 138 - Pavilion Fitout	87,967	10,658	4,779	18,792	93,846	69,175	906	2,964
					0			
Transport					0			
Loan 139 - Roller	24,255	2,939	1,284	5,182	25,910	19,073	278	727
Loan 141 - Grader	82,243	9,964	4,353	17,570	87,854	64,673	870	2,523
Loan 143 - 2 x Trucks	0		0	0	0	0	60	0
Loan 144 - Side Tipping Trailer	56,154	6,803	2,972	11,996	59,985	44,158	577	1,726
Loan 145 - Drum Roller	88,381	10,708	4,679	18,881	94,410	69,500	971	2,565
	705,769	85,507	37,356	150,774	753,920	554,995	7,388	22,523

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

Nil

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2017-18 Forecast Budget	2017-18 Original Budget	Variations Additions (Deletions)	Operating 2017/18 Budget	Capital 2017/18 Budget	Recoup Status	
								2017-18 YTD Actual	2017-18 YTD Budget
		(Y/N)	\$	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING									
Financial Assistance Grant - Roads	Grants Commission	Y	167,449	167,449	0	0	167,449	74,358	83,724
Financial Assistance Grant - General	Grants Commission	Y	142,313	142,313	0	142,313	0	64,872	59,295
LAW, ORDER, PUBLIC SAFETY									
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,000	4,000	0	4,000	0	0	1,665
ESL Annual Grant	Department of Fire & Emergency Services	Y	23,194	23,194	0	23,194	0	6,140	11,598
Bushfire Management Plan	Department of Fire & Emergency Services	Y	30,000	30,000	0	30,000	0	0	30,000
HEALTH									
Nil		N	0	0	0	0	0	0	0
EDUCATION & WELFARE									
Seniors Week Grant	COTAWA	N	1,000	1,000	0	1,000	0	2,658	415
Community Christmas Tree	CBH	N	2,000	2,000	0	2,000	0	909	830
HOUSING									
Independent Living Units	WCHS	Y	0	0	0	0	0	0	0
COMMUNITY AMENITIES									
Thank a Volunteer Day	Department of Local Government & Communities	N	2,000	2,000	0	1,000	0	0	0
Transfer Station	Mid West Development Commission	Y	5,000	5,000	0	0	5,000	0	2,080
RECREATION AND CULTURE									
Museum	MWDC	N	1,523	1,523	0	0	1,523	0	630
Museum	Museum Committee	Y	5,000	5,000	0	0	0	0	2,080
Enanty Barn	TBA	N	0	0	0	0	0	0	0
Littlewell	TBA	N	0	0	0	0	0	0	0
Railway Station	Lotterywest (Town Hall)	N	210,000	210,000	0	0	210,000	0	210,000
Railway Station	Lotterywest	N	35,000	35,000	0	0	35,000	0	14,580
Football Oval Lights	DSR	Y	200,000	200,000	0	0	200,000	0	0
Football Oval Lights	Football Club	Y	30,000	30,000	0	0	0	0	0
Expo for lighting Tower	Expo Lights	Y	15,000	15,000	0	0	45,000	45,000	0
Hockey Oval Lights	Hockey Club	Y						0	0
TRANSPORT									
Flood Damage Funding	WADRRRA	Y	2,759,248	2,759,248	0	2,759,248	0	0	1,149,685
Direct Grant	Main Roads WA	Y	41,594	41,594	0	41,594	0	42,113	17,330
Blackspot Funding	Main Roads WA	Y	0	0	0	0	0	0	0
Regional Road Group	Main Roads WA	Y	515,333	515,333	0	0	515,333	202,484	214,720
Financial Assistance Special Grant - Bridge	Department of Infrastructure	Y	0	0	0	0	0	249,000	0
Roads To Recovery	Department of Infrastructure	Y	0	0	0	0	0	0	0
Street Lighting	Main Roads WA	Y	2,500	2,500	0	2,500	0	0	1,040
ECONOMIC SERVICES									
Mingenev Hill Walk Trail	TBA	N	0	0	0	0	0	0	0
OTHER PROPERTY & SERVICES									
Industrial Subdivision	Mid West Development Commission	N	150,000	150,000	0	0	150,000	0	104,165
Rural Residential Subdivision	Mid West Development Commission	N	100,000	100,000	0	0	100,000	0	0
TOTALS			4,442,154	4,442,154	0	3,006,849	1,429,305	687,535	1,903,837
Operating	Operating		3,012,849	3,012,849	0	3,006,849	0	191,051	1,273,938
Non-Operating	Non-operating		1,429,305	1,429,305	0	0	1,429,305	496,484	629,899
Contribution & Reimbursement	Operating & Non Operating		11,096	11,096				20,510	
			<u>4,453,250</u>	<u>4,453,250</u>				<u>708,044</u>	<u>1,903,837</u>

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 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 17	Amount Received	Amount Paid	Closing Balance 30-Nov-17
	\$	\$	\$	\$
Councillors Nomination Fees	0	560	0	560
BCITF Levy	0	495	0	495
BRB Levy	4	511	(514)	1
Autumn Committee	974	0	0	974
Community Bus	2,200	400	(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	21,294	68,700	(35,485)	54,510
Mingenew Cemetery Group	4,314	0	0	4,314
Bonds		0	0	0
Housing Bonds	1,428	0	0	1,428
Cool Room Bond	530	145	(145)	530
Outdoor Camera Bond	350	0	0	350
Animal Trap Bond	0	100	(100)	0
Projector Screen	0	0	0	0
Other Bonds	200	0	0	200
Rates Incentive Prizes	100	0	0	100
Sinosteel Community Trust Fund	0	0	0	0
Tree Planter - LCDC	88	0	0	88
Weary Dunlop Memorial	87	0	0	87
Mingenew P & C - NBN Rental	0	0	0	0
Joan Trust	2,161	0	0	2,161
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	432	0	0	432
Silverchain Committee	0	0	0	0
Seniors Donations	50	0	0	50
	37,356	70,351	(36,644)	71,623.54

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
Land Held for Resale						
Community Amenities						
Other Property & Services						
Industrial Area Development	4504	200,000	200,000	83,330	0.00	200,000
Total Land Held for Resale		200,000	200,000	83,330	0	200,000
Land & Buildings						
Shire Office	A001	10,000	10,000	4,165	0.00	10,000
Child Care Facility	0075	20,000	20,000	8,330	0.00	20,000
Lot 66 Shenton Street	H001	5,000	5,000	2,080	0.00	5,000
13 Moore Street	H005	5,000	5,000	2,080	0.00	5,000
King Street Triplex - Unit 1	H008	4,000	4,000	1,660	0.00	4,000
King Street Triplex - Unit 2	H009	4,000	4,000	1,665	0.00	4,000
King Street Triplex - Unit 3	H010	4,020	4,020	1,670	0.00	4,020
Staff Housing - 34 William Street (ex Silver Chain)	H011	12,000	12,000	4,990	0.00	12,000
Staff Housing - 2 Bedroom Key Worker Housing	H007	5,000	5,000	2,080	0.00	5,000
Lot 5 Field Street	H002	7,500	7,500	3,125	0.00	7,500
Lot 15 Field Street	H003	10,000	10,000	4,160	0.00	10,000
Lot 89 Victoria Street	H004	5,000	5,000	2,080	0.00	5,000
Aged Care Units	0165	265,000	265,000	110,415	212,072.00	52,928
Silver Chain House	0166	0	0	0	0.00	0
Town Hall	2434	300,000	300,000	0	0.00	300,000
Enanty Barn	0067	10,000	10,000	4,165	0.00	10,000
Museum	0068	25,000	25,000	10,415	0.00	25,000
Old Roads Building	0069	6,200	6,200	2,580	0.00	6,200
Old Railway Station	0070	70,000	70,000	29,165	0.00	70,000
Business Incubator	5964	100,000	100,000	41,665	0.00	100,000
Total Land & Building Total		867,720	867,720	236,490	212,072	655,648

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
Infrastructure - Other						
Waste Transfer Station	3084	140,000	140,000	58,320	50,678.75	89,321
Little Well Project	0071	35,000	35,000	14,575	0.00	35,000
Mingeneew Hill Project	0142	40,000	40,000	16,183	0.00	40,000
Net Ball Court	0169	150,000	150,000	62,500	0.00	150,000
Bride Street Recreation Area	0141	100,000	100,000	41,665	0.00	100,000
Football Oval Lights	0140	140,000	140,000	58,330	157,164.0	(17,164)
Water Tanks & Reticulation	0167	12,000	12,000	5,000	0.00	12,000
Total Other Infrastructure		617,000	617,000	256,573	207,843	409,157
Furniture & Office Equip.						
Office PC's & Laptops	A201	8,000	8,000	3,330	0.00	8,000
Council Chamber - Tables & Chairs	A302	10,000	10,000	4,165	0.00	10,000
Christmas Lights	0065	3,000	3,000	1,250	0.00	3,000
Total Furniture & Office Equip.		21,000	21,000	8,745	0	21,000
Plant , Equip. & Vehicles						
Governance						
CEO Vehicle Replacement	A100	135,000	135,000	56,250	0.00	135,000
DCEO Vehicle Replacement	A101	86,000	86,000	35,830	0.00	86,000
Works Manager Vehicle	0170	86,000	86,000	35,830	0.00	86,000
Sundry Plant	0171	10,000	10,000	4,165	0.00	10,000
Portable Traffic Lights	0172	35,000	35,000	0	0.00	35,000
Grader	0174	345,000	345,000	143,750	0.00	345,000
Road Broom	0177	25,000	25,000	10,415	0.00	25,000
Slasher	0178	20,364	20,364	8,485	24,909.09	(4,545)
Total Plant, EQUIP & Vehicles		742,364	742,364	294,725	24,909	717,455

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2017

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under
Roads & Bridges						
Roadworks Construction - Own Resources	0001	72,500	72,500	30,195	0.00	72,500
Mooriary Road (R2R)	6074	121,600	121,600	50,660	115,244.35	6,356
Special Purpose Grant - Yarragadee Bridge	6075	210,000	210,000	87,500	0.00	210,000
Nanekine Road	1205	0	0	0	0.00	0
RRG - Coalseam Road	RR61	323,000	323,000	134,570	99,347.74	223,652
Total Roads & Bridges		1,177,100	1,177,100	490,415	376,274.47	800,826
Capital Expenditure Total		3,625,184	3,625,184	1,370,278	821,098	2,804,086

9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 30 NOVEMBER 2017

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Disclosure of Interest: Nil
Date: 13 December 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 November 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 November 2017 from the Municipal & Trust Fund totalling \$100,755.24 represented by Electronic Funds Transfers of EFT 11146 to EFT11190 ,Direct Deduction DD8263.1, 2, 3, 4, 5 & 6 , DD 8272.1, 2, 3, 4,&6, DD 8294.1, 2, 3, 4,&6and Municipal Cheque numbers 8530.

Date: 13/12/2017
Time: 9:07:50PM

Shire of MINGENEW
List of Accounts for 1 November 2017 to 30 November 2017

USER: Finmanager
PAGE: 1

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
8530	17/11/2017	SYNERGY	Street Lights October 2017	M		2,866.70
EFT11146	17/11/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	Billing Period for November 2017	M		978.04
EFT11147	17/11/2017	ATOM SUPPLY	Marking Items for Flood Damage	M		1,179.83
EFT11148	17/11/2017	ASB MARKETING	Polo shirt for Golf day (Expenses covered by golf day income)	M		678.81
EFT11149	17/11/2017	LANDGATE	Minimum Charge Fee	M		65.50
EFT11150	17/11/2017	LO-GO APPOINTMENTS	Recruitment of Governace Officer	M		2,325.17
EFT11151	17/11/2017	Len Hobson	Flood Damage Fees	M		8,900.00
EFT11152	17/11/2017	MINGENEW SPRING CARAVAN PARK	Dentist Accomodation October 2017	M		909.00
EFT11153	17/11/2017	PALM ROADHOUSE	Catering Fees	M		185.50
EFT11154	17/11/2017	LANDMARK	Purchase of Sprinklers	M		2,220.59
EFT11155	17/11/2017	Telstra Corporation	Telstra Account for the Month of October 2017	M		1,559.75
EFT11156	17/11/2017	Western Australian Electoral Commission	Election Supplies	M		50.00
EFT11157	20/11/2017	Australian Services Union	Payroll deductions	M		54.90
EFT11158	20/11/2017	AUSTRALIA POST	October 2017 Postage Fees	M		81.16
EFT11159	20/11/2017	AVON WASTE	Rubbish Collection Charges	M		7,096.16
EFT11160	20/11/2017	BUNNINGS Group Limited	Purchase of black plastic for 13 Moore St House fencing	M		80.75
EFT11161	20/11/2017	BOC GASES	Gas Bottles for Depot	M		104.69
EFT11162	20/11/2017	Bryan Riddell	Various Repairs to Council Properties	M		1,960.00

Date: 13/12/2017
Time: 9:07:50PM

Shire of MINGENEW
List of Accounts for 1 November 2017 to 30 November 2017

USER: Finmanager
PAGE: 2

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT11163	20/11/2017	CUTTING EDGES PTY LTD	Purchase of Grader Blade	M		918.50
EFT11164	20/11/2017	CATWEST	Asphalt Charges	M		5,273.40
EFT11165	20/11/2017	Cunninghams Ag Service	Purchase of Plant Parts	M		269.06
EFT11166	20/11/2017	CHILD SUPPORT AGENCY	Payroll deductions	M		536.84
EFT11167	20/11/2017	DONGARA CARPET CLEANING	Carpet Cleaning of Various Shire Properties	M		1,535.00
EFT11168	20/11/2017	DONGARA PLUMBING	Toilet Repairs at 114 Shenton Street	M		440.00
EFT11169	20/11/2017	David Gray & Co Pty Ltd	Supply of Thermal Fogging & Insecticide Concentrate	M		2,430.30
EFT11170	20/11/2017	ELDERS LIMITED	Assorted Poly Pipe Fittings	M		589.60
EFT11171	20/11/2017	GERALDTON MOWER & REPAIR SPECIALISTS	Purchase of Mower Belts	M		1,044.20
EFT11172	20/11/2017	GERALDTON AG SERVICES	Purchase of Slasher Blades	M		75.77
EFT11173	20/11/2017	GREAT SOUTHERN FUEL SUPPLIES	Fuel Account for the Month of October 2017	M		9,832.06
EFT11174	20/11/2017	IT Vision	Edit of XML File	M		242.00
EFT11175	20/11/2017	IRWIN PLUMBING SERVICES	Pump out of Public Toilet Septics	M		561.00
EFT11176	20/11/2017	KICK SOLUTIONS	Purchase of posters for EXPO display	M		427.00
EFT11177	20/11/2017	LATERAL ASPECT	Social Media Fee October 2017	M		1,320.00
EFT11178	20/11/2017	LGRCEU	Payroll deductions	M		54.82
EFT11179	20/11/2017	MINGENEW SHIRE COUNCIL	Payroll deductions	M		280.00
EFT11180	20/11/2017	STARICK TYRES	Repairs to Grader Tyre	M		98.45
EFT11181	20/11/2017	MINGENEW IGA X-PRESS & LIQUOR	IGA Account for October 2017	M		960.19

Date: 13/12/2017
Time: 9:07:50PM

Shire of MINGENEW
List of Accounts for 1 November 2017 to 30 November 2017

USER: Finmanager
PAGE: 3

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT11182	20/11/2017	MGB DIESEL CONTRACTING PTY LTD	Repairs to Faults on MI 027	M		15,784.30
EFT11183	20/11/2017	Officeworks	Water for Office	M		223.55
EFT11184	20/11/2017	TOTALLY WORKWEAR	Purchase of PPE for Outdoor Crew	M		308.15
EFT11185	20/11/2017	WREN OIL	Waste Oil Fees 2017	M		16.50
EFT11186	20/11/2017	Martin Gerard Whitely	Reimbursement of Various Expenses	M		572.69
EFT11187	20/11/2017	Building Comission	BUILDING COMISSION LEVY OCTOBER 2017	T		56.65
EFT11188	21/11/2017	Australian Taxation Office	BAS return for the month of October 2017	M		1,938.00
EFT11189	30/11/2017	NAB BUSINESS VISA	November 2017 Credit Card	M		4,105.93
EFT11190	30/11/2017	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	Photocopier Lease rentals for the month of November	M		421.30
DD8263.1	01/11/2017	WA SUPER	Payroll deductions	M		3,632.32
DD8263.2	01/11/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,228.93
DD8263.3	01/11/2017	MLC SUPER FUND	Superannuation contributions	M		115.64
DD8263.4	01/11/2017	Sun Super	Superannuation contributions	M		271.01
DD8263.5	01/11/2017	PRIME SUPER	Superannuation contributions	M		274.04
DD8263.6	01/11/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		188.57
DD8272.1	15/11/2017	WA SUPER	Payroll deductions	M		3,637.88
DD8272.2	15/11/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,115.21
DD8272.3	15/11/2017	MLC SUPER FUND	Superannuation contributions	M		77.82

Date: 13/12/2017
 Time: 9:07:50PM

Shire of MINGENEW
List of Accounts for 1 November 2017 to 30 November 2017

USER: Finmanager
 PAGE: 4

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
DD8272.4	15/11/2017	Sun Super	Superannuation contributions	M		217.50
DD8272.5	15/11/2017	PRIME SUPER	Superannuation contributions	M		274.04
DD8272.6	15/11/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		188.57
DD8294.1	29/11/2017	WA SUPER	Payroll deductions	M		6,048.76
DD8294.2	29/11/2017	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,115.21
DD8294.3	29/11/2017	MLC SUPER FUND	Superannuation contributions	M		77.82
DD8294.4	29/11/2017	Sun Super	Superannuation contributions	M		217.50
DD8294.5	29/11/2017	PRIME SUPER	Superannuation contributions	M		274.04
DD8294.6	29/11/2017	BEATTIE PETA SMSF PTY LTD	Superannuation contributions	M		188.57

REPORT TOTALS

Bank Code	Bank Name	TOTAL
M	MUNI - NATIONAL AUST BANK	100,698.59
T	TRUST- NATIONAL AUST BANK	56.65
TOTAL		100,755.24

Licensing , Payroll and Credit Card Transaction

Transport Licensing

Direct Debit from Muni Bank 1/11/2017 to 30/11/2017	\$12,407.55
--	-------------

Staff Payroll

PPE 1/11/2017	\$25,431.16
PPE 15/11/2017	\$24,253.22
PPE 29/11/2017	\$32,418.56

Credit Card

CEO's Credit Card - November 2017	\$4,105.93
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9.3 ADMINISTRATION

9.3.1 COUNCIL MEETING DATES FOR 2017

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0228
Disclosure of Interest: Nil
Date: 20 November 2017
Author: Martin Whitely, Chief Executive Officer

Summary

Council is requested to formally agree to the Council meeting dates for 2018 as outlined below.

Attachment

Nil

Background

Council has an obligation under the Local Government Act 1995 and associated regulations to advertise at least once a year the proposed meeting dates, times and place for the coming year.

There is the ability to change the date and/or time of a meeting if required and also the ability to call a Special Council meeting if required. These changes are to be advertised if time permits.

The Shire of Mingenew has traditionally met on the third Wednesday of the month and the Ordinary Council meetings have commenced at 4.30pm in the Council Chambers, Victoria Street, Mingenew.

Council does not usually hold a meeting in January but has the option of calling a meeting if required.

Comment

The meeting dates proposed for 2018 are as follows:

January 2018	No meeting
21 February 2018	
21 March 2018	
18 April 2018	
16 May 2018	
20 June 2018	
18 July 2018	
22 August 2018	
19 September 2018	
17 October 2018	
21 November 2018	
19 December 2018	

The Easter public holidays for 2018 are Friday 30 March and Monday 2 April 2018.

Mingenew Expo is scheduled for 15 & 16 August 2018. Given that the WALGA Local Government Convention is usually in the first week of August I have recommended that we put the August meeting date back a week to the following Wednesday.

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 5.25(1)g

Local Government (Administration) Regulations 1996, Sections 12(1)

Policy Implications

Nil

Financial Implications

Advertising costs are included in the annual operational budget

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.3.1

That Council set the 2018 Council meeting dates to be held in the Shire of Mingenew Council Chambers, 21 Victoria Street, Mingenew commencing at 4.30pm as below and that Public Notice of the meetings dates is given:

January 2018	No meeting
21 February 2018	
21 March 2018	
18 April 2018	
16 May 2018	
20 June 2018	
18 July 2018	
22 August 2018	
19 September 2018	
17 October 2018	
21 November 2018	
19 December 2018	

9.3.2 FREEDOM OF INFORMATION ACT 1992 – INFORMATION STATEMENT

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0303
Date:	14 December 2017
Author:	Belinda Bow, Governance Officer
Senior Officer:	Martin Whitely, Chief Executive Officer

Summary

This report includes a copy of the revised Shire of Mingenew Information Statement (IS) and recommends that Council review and endorse the Information Statement as amended.

Attachment

Revised Shire of Mingenew Information Statement for 2017-2018.

Background

Part 5 of the *Freedom of Information Act 1992 (WA)* (**the FOI Act**) requires each agency to prepare and publish an information statement within 12 months after the commencement of the FOI Act, and to update the statement at intervals of not more than 12 months (sections 96 and 97 of the FOI Act).

Further, the Act requires that all Local Governments have an information statement made available for inspection and/or purchase by members of the public.

Comment

Information Statements are an important part of FOI legislation. They assist members of the public to exercise their rights under the FOI Act, by describing the information and records available, together with a summary of the responsibilities and functions carried out by each agency.

The Information Statement can be published electronically on Council's website, as a stand-alone hard copy or incorporated into Council's Annual Report or a combination of all the options. A copy of the Information Statement must also be provided to the Information Commissioner when first produced and when any amendments are made.

Consultation

Alison McCubbin, Senior Advisory Officer, Office of the Information Commissioner

Statutory Environment

Freedom of Information Act, 1992

s.94 Publication of information about agencies

A reference in this Act to an *information statement*, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;

- (d) a description of the kinds of documents that are usually held by the agency including —
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
 - (ii) which kinds of documents can be purchased; and
 - (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
 - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

s.96 Information statement, each agency to publish annually

1) An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act —

- (a) within 12 months after the commencement of this Act; and
- (b) at subsequent intervals of not more than 12 months.

s.97 Information statement and internal manual, each agency to make available etc.

(2) An agency has to provide a copy of its information statement to the Commissioner as soon as is practicable after the statement is published under section 96.

Policy Implications

Nil.

Financial Implications

There are costs associated with producing copies of the Information Statement, however the FOI Act allows Council to charge members of the public for a copy of the Information Statement and other documents that may be requested.

Strategic Implications

The Shire of Mingenew Community Strategic Plan supports the notion of open and accountable government.

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION – ITEM 9.3.2
--

That Council

- 1. Review and endorse the amended Freedom of Information – Information Statement, and**
- 2. Publish the Information on the Shire of Mingenew Website**
- 3. Provide a copy of the amended Information Statement to the Information Commissioner.**



Information Guide

Freedom of Information Statement

Shire of Mingenew 2017

22 Victoria St, Mingenew WA, 6522 | PO Box 120, Mingenew WA, 6522

Tel: (08) 9928 1102 | Email: ceo@mingenew.wa.gov.au | Website: mingenew.wa.gov.au

Document Approval			
Document Development Officer:		Document Owner:	
Governance Officer		Governance Officer	
Document Control			
File Number - Document Type:	FOI.2017		
Synergy Reference Number:			
Meta Data: Key Search Terms	Freedom of Information Statement		
Status of Document:	Administrative Decision: Approved.		
Document file details:	Location of Document: M: GO 2017/FOI		
Quality Assurance:	Governance Officer		
Distribution :	Public Document		
Document Revision History			
Version	Author	Version Description	Date Completed
1.0	GO	Original Statement	14/11/2017
1.1	CEO & GO	Minor amendments	14/12/2017
1.2	CEO	Approved by CEO	15/12/2017
1.3	COUNCIL	Adopted by Council	

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Introduction

The Freedom of Information Act 1992 ('the Act') has, as its objectives, to:

- ✚ enable the public to participate more effectively in governing the state; and
- ✚ make the persons and bodies that are responsible for the State and Local Government more accountable to the public.

In furthering these objectives, the Act requires that respondent agencies publish an annual information statement.

This document serves as an orientation guide to Council's purpose and responsibilities and information is prepared in accordance with Part 5, Section 94 of the Act.

Section 94 of the Act requires each agency to prepare an Information Statement which conveys the maximum possible detail to the public about the agency's operations. Agencies are required to make this publication available ensuring that the public has access to the information it needs to effectively use Freedom of Information.

Copies of this document can be obtained from the Mingenew Shire Administration Office, 22 Victoria St, Mingenew or from the Shire's website mingenew.wa.gov.au

Enquiries may be made to the Shire's Freedom of Information Coordinator on (08) 99281102 during business hours. We look forward to helping you find the information you need.

1. Profile of Mingenew

Mingenew is a progressive rural community situated approximately 370km north east of Perth and 105km south east of Geraldton. Home to a vibrant innovative community of 500 strong, Mingenew is renowned as being the largest grain facilitator in the Southern Hemisphere with broad acre cereal and legume cropping the main export commodities. 60% of the Mingenew Shire residents reside on farms with the agriculture sector accounting for 57% of the districts employment. Transport and Mining Industries in addition to small business and primary services complete its economic profile. The Shire of Mingenew possesses a rich history, being home to WWII training fields, Western Australia's first coal discovery and mining site and more recently home to a six-antenna satellite tracking station which detects and locates emergency distress beacon activations for Australia and the wider Asia-pacific region. It also possesses heritage buildings that date back to the 1850's, breath-taking breakaway country, carpets of wildflowers and endless paddocks of crops all within 40 minutes' drive of the coast. Mingenew offers its residents the best of both coastal and rural living.

2. The Shire of Mingenew Council

The Shire of Mingenew is constituted as a Local Authority under section 2.5 of the Local Government Act (1995). Its general function is to provide for the good government of people living and working within its district and it is responsible for the provision of key services and functions as required under legislation determined by the Parliament of the State of Western Australia. The Local Government Act (1995) enables local government to make local laws and bestows the responsibility for the administration and enforcement of legislative acts onto the municipal. Subsidiary legislation enacted by the Shire of Mingenew is available for download from the website mingenew.wa.gov.au. Delegated legislative frameworks that the Shire of Mingenew operates within are also available at the Shire of Mingenew Office at the rate of photocopying.

3. Structure of the Shire of Mingenew

The Shire of Mingenew consists of seven (7) wards, 4 town and 3 rural, and are governed by seven (7) democratically elected Councillors including the Shire President, whom is adopted via councillor vote.





The administrative team is lead by the Chief Executive Officer (CEO) whom is appointed by Council. The CEO is directly accountable to the Shire of Mingenew Council whilst the administrative team is directly accountable to the CEO.

The structure of the Shire of Mingenew administrative team is displayed in Attachment 1. The contact details for staff members are listed in section 5.2.

4. Mission, Vision and Values of the Shire of Mingenew

The Shire of Mingenew's mission is to provide strong leadership, quality community services and competent financial management to ensure Mingenew has sustained prosperity

Its vision for its community is that it benefits from-

-  a sustainable environment, both natural and built, that meets both current and future community needs
-  a diverse and innovative economy,
-  collaboration and innovation with strong and vibrant leadership,
-  a safe and welcoming environment where everyone has the opportunity to contribute and belong.

It values encompass




-  Respect
-  Innovation
-  Transparency
-  Independence
-  Leadership

5. Roles within the Shire of Mingenew and Associated Contact Details

5.1 Role of a Councillor

The Shire of Mingenew Councillors are democratically elected by its community to represent the interests of electors, ratepayers and residents at a local government level. Pursuant to the Local Government Act 1995, Ordinary Elections are held every 2 years in October, when the term of half of the Councillors expires. The last Ordinary Election was held on 21 October 2017 whereby five (5) new Councillors were elected to Council. The contact details for Elected Members are detailed below. The next Ordinary Election will be held in October 2019.

Additional roles of the Councillors as specified in the Act include:

-  to facilitate communication between the community and the Council,
-  to provide leadership and guidance to the community; and
-  perform functions given to a Councillor by the Act or other laws.

5.2 Name & Contact Details of Elected Members







Please find below the contact details for the Shire of Mingenew Councillors.

Ward	Councillor	Contact Number
Town	Kym McGlinn	0437 510 141
Town	Helen Newton	0429 688 707
Town	Leah Eardley	0438 955 391
Town	Crispian Lucken	0427 281 396
Rural	Justin Bagley	0428 726 023
Rural	Robert Newton	0427 281 371
Rural	Gary Cosgrove	(08) 9928 1058

5.3 Role of the President

Pursuant to the Local Government Act 1995, the Shire President Election is held every 2 years following the Ordinary Elections. Councillor Helen Newton was appointed as Shire President on 15 November 2017, voted in by a ballot of Council. President Newton's contact details can be found in the aforementioned table.

Under the Act the President has the role of:

-  presiding at council meetings,
-  providing leadership and guidance to the community,
-  carrying out civic and ceremonial duties on behalf of the Local Government,
-  speaking on behalf of the Local Government,
-  performing such functions as specified in the Act or other written laws; and
-  liaising with the CEO on the Local Government's affairs and the performance of its function.

5.4 Role of Chief Executive Officer and Council Administration Staff

The CEO heads the Local Government Administration team and is responsible to the Council for the implementation of council policies, decisions and budgeted works, the provision of accurate and timely advice to Council and the efficient administration of the Council. The Mingenew Shire Council appointed Martin Whitely into the CEO position in 2015 and as of 18 October 2017 has been reappointed for a further 2 years.

The administrative team assists with the implementation of Council decisions and the day to day running of the Shire of Mingenew. The CEO and administrative staff can be contacted on 99281102.

5.5 Shire of Mingenew Administration Staff Members

Chief Executive Officer	Martin Whitely
Senior Finance Manager	Durga Ojha
Works Supervisor	Rocky Brennan
Governance Officer	Belinda Bow
Community Development Officer	Ella Budrikis
Administration Trainee	Sarah Kempton

6. Services and Functions of the Shire of Mingenew

The Shire of Mingenew provides a wide range of services and functions. Broadly these may be grouped into 5 categories (see table 6.1).

Table 6.1 Shire of Mingenew Functions



6.1 Providing and Maintaining Infrastructure

Providing an appropriate and affordable level of infrastructure is one important contribution a council makes to its community. The Mingenew Shire Council provides and maintains local roads, bridges, public car parks, footpaths, sporting fields, parks, buildings, residential properties and public gardens. Councils consult via surveys and community feedback about the provision and maintenance of these public assets.

6.2 Planning for Sustainable Development

The Corporate Business Plan, Asset Management Plan, Strategic Town Plan, Workforce Plan and Long term Financial Plans are all developed and implemented by the Shire of Mingenew in consultation with its community to ensure sustainable economical and community development. The community is encouraged to engage in the development process of these plans to ensure that they are appropriate and reflective of the community's needs and desires.

6.3 Protecting the Environment

Mingenew Shire Council has a role in helping to protect the environment. The Shire regularly assesses the state of the local environment, provides environmental programs and is able to use regulatory powers to prevent pollution or restore degraded environments. Services provided include waste management, street cleaning, controlling of domestic animals, controlling of noxious weeds, regulating pollution and building control. Trevor Brandy is the Health & Environment Officer based out of Coorow, engaged by the Mingenew Shire Council to oversee its public health programs, the delivery of services and its compliance with legislative requirements. Trevor Brandy is contactable on 9953 1388.



6.4 Supporting Community Development

Council regularly consults with and assesses the needs of the community with a view of supporting community development. At present Council provides a range of services including the library which is run in partnership with the State Library of Western Australia, aged persons units, playground facilities, and the engagement of a Community Development Officer whom provides assistance to community groups with grants submissions, organises public health and public engagement campaigns and develops programs for community use.

6.5 Safeguarding Public Health

Council helps maintain high standards of public health and reduce the risk of exposure to a wide range of diseases through activities such as waste disposal, pest and vermin control, hazardous material containment and the setting of local laws.

The Shire of Mingenew shares the services of a

-  Health and Environment Officer
-  Ranger and Emergency Services Officer

with several other Shires to carry out inspections and services to assist in the safeguarding of the community's health.

7. Public Engagement and Decision Making Processes

One of the challenges for all levels of government is how to ensure that different and often competing interests within its district are recognised, addressed and responded to. This is particularly relevant for local government, being the 'frontline' government service for the community. The Elected Members of the Shire of Mingenew aim to gain a broad understanding of its community's attitudes, beliefs and ideas through various avenues of community engagement to ensure that all view points are recognised. Currently, the Shire of Mingenew achieves this through targeted community group meetings, committee appointments, through the public consultation process associated with strategic planning and through public question time at council meetings.

Members of the community are encouraged to utilize these avenues for putting forward ideas, requests, deputations, petitions and complaints to inform Councillors of the community's interests and concerns. Community members can also contact the Elected Members direct (contact details listed in section 5) or also contact the CEO to discuss issues prior to submitting to Council.

Ordinary meetings of Council are generally held on the third Wednesday of every month (except the month of January when Council is in recess), and commence at 4.00pm with public question time open until 4:15pm. If you wish to present or submit correspondence to council, please contact the Shire of Mingenew Administration on 99281102 to attain a public question time form. Questions can be taken on the day however Council may be limited in its response without prior time to consider the matter.

On the Shire of Mingenew website mingenew.wa.gov.au is a list of current committees and community groups within the district. Contact numbers are included for members of the community who wish to join and be apart of local decision making processes.

Community members are also invited to attend the annual general meeting of electors to discuss any specific issues. All residents may attend but only electors on the Council Electoral Roll are eligible to vote. Electorates are requested to submit questions in advance of the meeting to allow any questions where research is required to be answered on the night.

Community engagement is but one facet used by Council to inform their decision-making. CEO and third party recommendations, financial considerations, legislative requirements and powers and so on are all considered by Council during council meetings to ensure measured and calculated outcomes and natural justice. Council decisions are made by the votes of the majority of councilors present at a meeting, with the requirements for council meetings being set out in the Local Government Act 1995 and in the Shire of Mingenew Standing Orders Local Law 2017. Neither the President nor individual councillors have the legal authority to act or make decisions on behalf of the council.

The Shire of Mingenew Council also delegates many lower-level and operational decisions to the Administrative Team. This is done by delegating powers to the Chief Executive officer who then passes the delegation on to the appropriate person. Such delegations are documented within the delegations register and are usually subject to the policies and procedures adopted by the council.

Notification of decision making by the Shire of Mingenew is conveyed to its community through the:

- ✚ publication of community notices in the local newsletter 'Mingenew Matters',
- ✚ displayed on the Mingenew local government website mingenew.wa.gov.au,
- ✚ displayed on the Shire of Mingenew notice board found in the administration building foyer; and
- ✚ advertised in the West Australian newspaper.

Copies of the Council Agenda and Council Minutes can also be obtained via the aforementioned website.

Further information can be gained via contacting the Shire of Mingenew Administration Office. Often a fee is associated with the copying and release of certain documents (see section 8 for further information on what documentation is accessible).

8. Documents Held by the Shire of Mingenew

The Shire of Mingenew is committed to being an open and transparent municipal. It is the aim of the Shire to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the Freedom of Information process (which is discussed in more detail below).

The following documents are available for public inspection at the Council Administration building free of charge and members of the public may purchase hard copies of the documents for a nominated charge. The charges are detailed below.

Document	Charge
Council Agenda (hard copy)	\$10/month
Council Minutes (hard copy)	\$10/month
Policy Manual	At the price of photocopying + binding if requested
Annual Budget	
Council Laws & Proposed Laws	
Annual Budget	
Strategic Community Plan	
Corporate Business Plan	
Asset Management Plan	
Workforce Plan	
Registers- Delegation/Gift/Financial/Interest	
Building Plans	
Council Town Planning	
Freedom of Information Statement	
Electoral Rolls (hard copy)	\$32/ward

9. Documents Available under the Freedom of Information Act 1992

In instances where access is sought to documents outside those listed as being accessible, a Freedom of Information (FOI) application must be submitted. Requests made under the FOI Act should be made in writing. The application form is available at the Shire's administration centre or downloadable from mingenew.wa.gov.au.

Whilst the Act provides general right of access to documents, some documents require a level of protection, specifically those documents that meet the exemption criteria in Schedule 1 of the Act and as such may not be approved for access.

10. Freedom of Information Application Process:

Access applications have to:

- ✚ be in writing,
- ✚ provide sufficient information so that the documentation requested can be identified,
- ✚ if you are seeking access to information in behalf of another person, The Shire of Mingenew will require authorisation, usually in writing.
- ✚ provide an Australian address to which notices can be sent; and
- ✚ be lodged at the Shire of Mingenew with any application fee payable (see section 11).

Applications and enquiries should be addressed to the Freedom of Information Coordinator and submitted via:

Post -

Freedom of Information Officer
PO Box 120
Mingenew WA 6522

In Person –

Shire of Mingenew
22 Victoria St
Mingenew WA 6522

The application will be acknowledged in writing and the applicant will be notified of a decision within 45 (calendar) days (see section 13).

11. Freedom of Information Fees & Charges

A scale of fees and charges are set under the Freedom of Information Act & Regulations and vary depending upon the information required. See table below

Fee or Charge Description	Fee/Charge
Application Fee (personal information about the applicant)	Free
Application Fee (for non-personal information)	\$30.00
Processing, Supervising, Transcribing, Photocopying (staff time)	\$30.00/hr
Delivery, Packaging & Postage	Actual Cost
Per Photocopy	20c/page

12. Access Arrangements

Access to documents can be granted by way of inspection of a document or provision of a copy on a computer disk or USB drive.

13. Notice of Decision

As soon as possible, but in any case within 45 days, the applicant will be provided with a notice of decision which will include the details such as:

- ✚ the date the decision was made,
- ✚ the name and designation of the officer who made the decision,
- ✚ if the document is an exempt document, the reasons for classifying the matter exempt or the fact that access is given to an edited document,
- ✚ information on the right to review and the procedures to be followed to exercise those rights.

14. Refusal of Access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. Applications should be made in writing within 30 days of receiving the notice of decision. Applicants will be notified of the outcome of the review within 15 days.

If the applicant disagrees with the result the applicant can apply to the information Commissioner for an external review, and details would be advised to applicants when the external review is issued.

15. Amendment of Personal Records

If the Shire holds records about your personal affairs which you believe are incomplete, inaccurate, out of date or misleading, an application can be made to have them amended. Applications should be made in writing and submitted to the FOI Coordinator. For further information, contact the Freedom of Information Officer via phone or post via the aforementioned details.

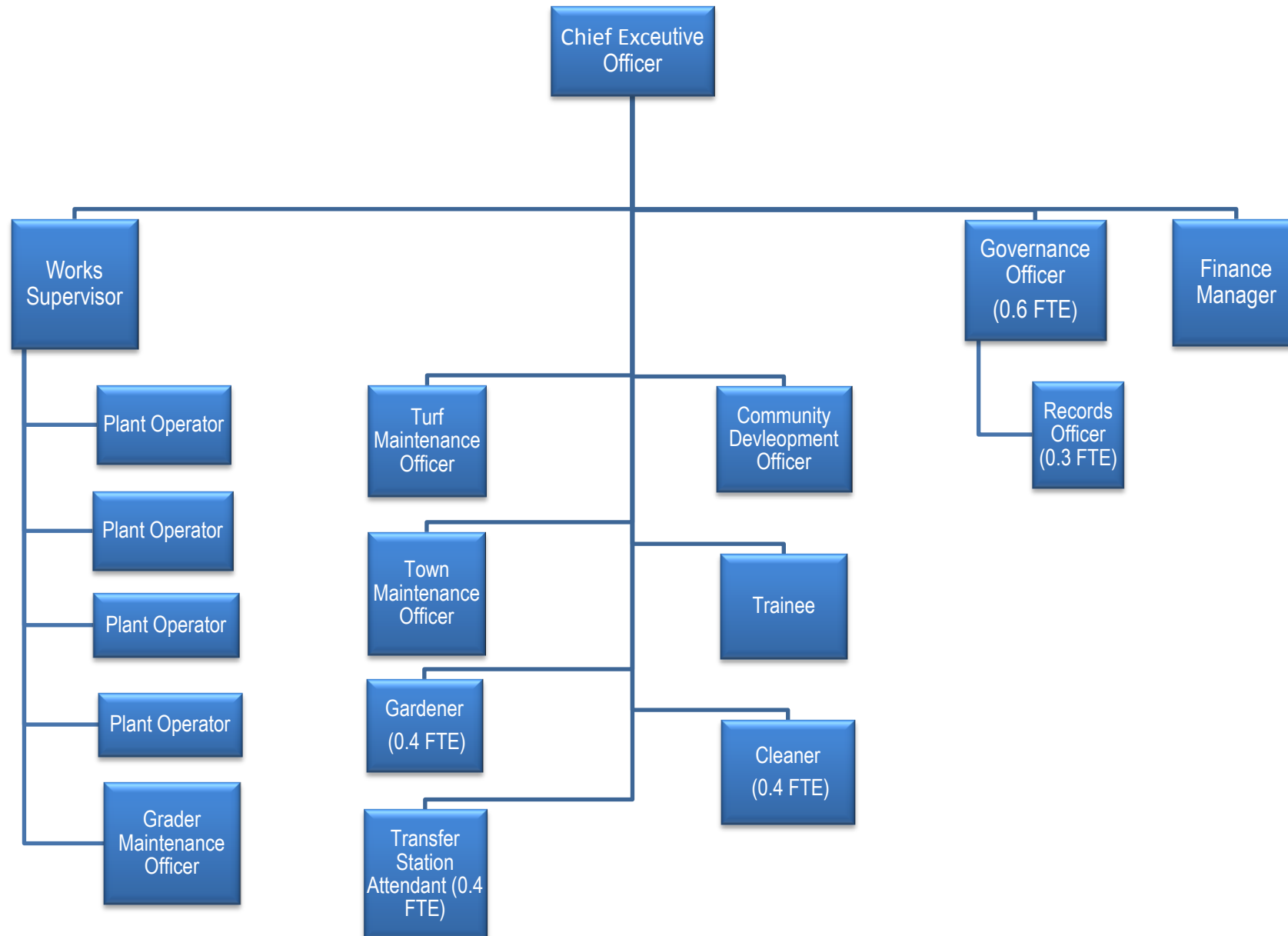
16. Attachments

16.1 Shire of Mingenew Administration Structure

16.2 Application Form- Access to Documents

We look forward to helping you find the information you need.

Shire of Mingenew Organisational Chart



SHIRE OF MINGENEW
APPLICATION FOR ACCESS TO DOCUMENTS
(Under the Freedom of Information Act 1992, Section 12)

DETAILS OF APPLICANT:

Surname:..... Given Names

Australian Postal Address:

PostCode:..... TelephoneNumber(s):.....

If the application is on behalf of an organisation:

Name of Organisation/Business:

DETAILS OF REQUEST: (please tick) Personal Documents Non-Personal Documents

I am applying for access to document(s) concerning

(If space provided is not sufficient, please attach details on a separate sheet).

FORM OF ACCESS: (Please tick appropriate box)

I wish to inspect the document(s) YES NO

I require a copy of the document(s) YES NO

I require access in another form YES NO

(Specify)

FEES AND CHARGES:

Attached is a cheque/cash to the amount of \$..... to cover the application fee. I understand that before I obtain access to documents, I may be required to pay processing charges in respect of this application, and that I will be supplied with a statement of charges if appropriate.

In certain cases, a reduction in fees and charges may apply – see section on FEES AND CHARGES on the back of this form. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria on the back of this form and support your application for a fee reduction.

I am requesting a reduction in fees and charges: YES NO (Please tick appropriate box)

APPLICANT SIGNATURE:.....**Date:**.....

(OFFICE USE ONLY)

FOI Reference Number:.....

Received on:/...../..... Deadline for response:/...../.....

Acknowledgments sent on:/...../.....

Proof of Identity (If applicable)

Shire of Mingenew Freedom of Information Statement

Type: Sighted: Number:

PLEASE NOTE

FREEDOM OF INFORMATION APPLICATION

- Provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Mingenew may request proof of your identity.
- If you are seeking access to document(s) on behalf of another person, written authorisation is required.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- Further information can be obtained from the Office of the Information Commission. The Freedom of Information Act is available for purchase from the State Government Bookshop, 815 Hay Street, Perth (Telephone: 9222 8216).

9.4 TOWN PLANNING

9.4.1 SHIRE OF MINGENEW LOCAL PLANNING SCHEME REVIEW

Location/Address:	Whole of Shire
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0110
Date:	12 December 2017
Author:	Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer:	Martin Whitely, Chief Executive Officer

Summary

Council resolved at its 14 August 2017 meeting to initiate the preparation of Shire of Mingenew Local Planning Scheme No.4. Draft Scheme No.4 has now been prepared and this report recommends that Council resolve to forward the Scheme to the Environmental Protection Authority ('EPA') and the Western Australian Planning Commission ('WAPC') seeking consent to advertise.

Attachment

Draft Shire of Mingenew Local Planning Scheme No.4
Draft Shire of Mingenew 'Outbuildings' Local Planning Policy

Background

The current Shire of Mingenew Local Planning Scheme No.3 was gazetted on 18 April 2008 and requires review to ensure the Shire's statutory planning document is consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'). The review of the Scheme has also provided an opportunity to update it with regard for the Mingenew Townsite Local Planning Strategy that was adopted by Council at its 18 November 2015 meeting and endorsed by the WAPC on 18 January 2017.

The consultant will be making a presentation to Councillors at 2:00pm at the 20 December 2017 Concept Forum Session.

Comment

The current Shire of Mingenew Local Planning Scheme No.3 can be viewed at the following link to the WAPC website:

[https://www.planning.wa.gov.au/LPS/DATA/Local%20Planning%20Schemes/Mingenew%20-%20Shire%20of%20\(Scheme%203\)/index.aspx](https://www.planning.wa.gov.au/LPS/DATA/Local%20Planning%20Schemes/Mingenew%20-%20Shire%20of%20(Scheme%203)/index.aspx)

The Scheme Review process was not one of major overhauling of Scheme No.3, rather a fine-tuning exercise with changes generally limited to the following:

- Updating the Scheme text provisions to reference those as contained in the Regulations to ensure consistency and assist Council in statutory matters;
- Minor modifications to the Scheme map around the Mingenew townsite to reflect Council's planning directions as contained in the Mingenew Townsite Local Planning Strategy; &
- Review of the zonings to ensure that privately owned land was not identified for public purposes and that zonings for public/Crown land matched the management purpose.

Consultation

Following its resolution to prepare a new Local Planning Scheme at the 14 August 2017 meeting, Council was required as per Part 4 of the Regulations to provide notification of the resolution to stakeholders that may be affected by the scheme. The Shire therefore wrote to 22 government agencies and service authorities and the 4 surrounding local governments, inviting within 21 days any recommendations in respect of the resolution and requests for issues for consideration in Scheme No.4.

In the event that Council and the WAPC are satisfied with draft Scheme No.4, the consultation process required for the advertising of a Local Planning Scheme is set by the Regulations. It is proposed that Scheme No.4 would be advertised for a period of 3 months, and the advertising would include the following actions:

- display of Scheme No.4 at the Shire office;
- display of Scheme No.4 at the WAPC office;
- display of Scheme No.4 on the Shire website;
- notice inviting comment to be published in a newspaper circulating in the district (i.e. Mid West Times);
- notice inviting comment being sent to all relevant government agencies.

At the conclusion of the advertising period Scheme No.4 would be returned to Council for its consideration of the received submissions.

A Stakeholder Engagement Strategy was also provided as an attachment with the 14 August 2017 Council Agenda that summarised the consultation actions that have informed the Mingenew Scheme Review process.

Statutory Environment

Section 88 of the *Planning and Development Act 2005* ('the Act') requires local governments to review their planning scheme every five years. Schemes are prepared and adopted under Part 5 of the Act and in compliance with the Regulations.

Should Council be satisfied with draft Scheme No.4, then Section 81 of the Act and Section 48 of the *Environmental Protection Act 1986* require the Scheme to be forwarded to the EPA for assessment, and the EPA have the authority under these Acts to call in the Scheme for Environmental Review. Given that the Scheme does not propose wholesale rezoning of land, rather more detailed refinement of existing zones, then it is anticipated that there would not be any basis for an Environmental Review to be requested. In the event that an Environmental Review was requested by the EPA this matter would be returned to Council for its further consideration.

Should the EPA not require the preparation of an Environmental Review, then Scheme No.4 can then be forwarded to the WAPC seeking its consent to advertise.

A chart illustrating the Scheme Review process was provided as an attachment with the 14 August 2017 Council Agenda.

Policy Implications

Part 5 of current Scheme No.3 contains a number of sections that provide prescriptive direction relating to planning issues. It is suggested that some of these sections have been superseded by state-wide legislation that provide for enforcement including the *Environmental Protection Act 1986*, *Environmental (Noise) Regulations 1997*, *Caravan and Camping Grounds Act 1995*, *Local Government Act 1995*, *Land Administration Act 1997* and Residential Design Codes 2015.

Schedule 2 Part 2 Division 2 of the Regulations also provides Council with the ability to prepare Local Planning Policies.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between a Policy and the Scheme.

It is suggested that in areas where Council wishes to establish development guidelines and assessment criteria that a Local Planning Policy can be more suited than Scheme provisions. A Policy is still considered as reasonable basis for Council to make determinations, and is an instrument that must be given due regard in instances where a development decision is appealed to the State Administrative Tribunal, but a Policy also has an improved, more responsive ability to be modified by Council where it considers that a Policy is no longer in-line with its planning, or Council considers that an individual application should be supported based upon its displayed merits.

A draft 'Outbuildings' Local Planning Policy has been prepared for Council's consideration, and were Council to be satisfied with this approach, the Policy would sit alongside Scheme No.4 and effectively replace Section 5.17 of Scheme No.3.

In the event that draft Scheme No.4 was given consent to advertise by the WAPC it is proposed that the draft 'Outbuildings' Local Planning Policy would be advertised concurrently to provide the opportunity for comment to be made, and for Council to consider those comments in its final deliberation upon the Scheme No.4 and Local Planning Policy.

Financial Implications

The cost of preparation of the new Scheme is being funded through a grant received by the Shire from the Royalties for Regions Northern Planning Funding Program.

The Shire called for expressions of interest in accordance with the procedures laid out in its Policy Manual, and received 7 submissions that were subsequently reviewed against evaluation criteria, with Urbis being appointed as the successful firm.

Strategic Implications

The Scheme review will provide opportunity to ensure that the outcomes identified within the Shire of Mingenew Strategic Community Plan are incorporated into its statutory planning and zoning document.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.4.1
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That:

- 1 Council resolve to adopt Shire of Mingenew Local Planning Scheme No.4 pursuant to Part 5 of the *Planning and Development Act 2005* and forward, in accordance with Part 5 Division 3 Section 81 of the *Planning and Development Act 2005*, notice of the resolution to adopt and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.**
- 2 Forward the Shire of Mingenew Local Planning Scheme No.4, in accordance with Part 4 Division 2 Section 21 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to the Western Australian Planning Commission seeking its consent to advertise.**
- 3 Delegate to the Chief Executive Officer to undertake minor modifications to the Shire of Mingenew Local Planning Scheme No.4 that do not significantly alter the intent of the Scheme (including but not limited to; changes to format, spelling, grammar, numbering; Model or Deemed provisions; updates necessitated by Scheme Amendments, Structure Plans, Policies or other Strategies that have been given approval in the interim period etc.) as may be**

required by the Western Australian Planning Commission or otherwise prior to its advertising consent being granted.

- 4 Upon receipt of the Western Australian Planning Commission's advice that the Shire of Mingenew Local Planning Scheme No.4 can be advertised, and compliance with Part 5 Division 3 Section 82 of the *Planning and Development Act 2005*, proceed to advertise the Scheme in accordance with Part 4 Division 2 Section 22 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5 At the conclusion of the advertising period return the draft Shire of Mingenew Local Planning Scheme No.4, and any received submissions, to Council for its further consideration.
- 6 Adopt draft Local Planning Policy – Outbuildings as a draft for public comment and advertise it concurrently with the Shire of Mingenew Local Planning Scheme No.4 pursuant to Section 2.4 of the Shire of Mingenew Local Planning Scheme No.3. and Schedule 2 Part 2 Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

9.4.2 MINGENEW TOWNSITE REVITALISATION PLAN

Location/Address: Mingenew Townsite
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0175
Date: 12 December 2017
Author: Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer: Martin Whitely, Chief Executive Officer

Summary

The Mingenew Townsite Revitalisation Plan has been undertaken and is now presented to Council. This report recommends that Council receive the Mingenew Townsite Revitalisation Plan as a document of reference to inform future decision making.

Attachment

Mingenew Townsite Revitalisation Plan

Background

The Mingenew Townsite Revitalisation Plan is a document that considers the issues raised in Council's Strategic Community Plan and Mingenew Townsite Local Planning Strategy and make recommendations on actions that can achieve these goals.

The Mingenew Townsite Revitalisation Plan does not seek to bind Council to a series of actions or timeframes, rather identify a range of projects of varying scale that Council may wish to consider in due course. The identified projects range from small-scale items that might be achievable in the shorter term through to more visionary proposals that would only be achieved in partnership with other parties (e.g. external funding providers, state government agencies etc.). It should also not be construed that all recommendations within the Plan should be the responsibility of Council, and that many of these might be implemented by community groups or private landowners.

Comment

The Mingenew Townsite Revitalisation Plan was prepared as follows:

Task	Activities
Stage One: Vision, analysis, preparation and background research	<ul style="list-style-type: none"> • Formal inception meeting with Shire representatives. • Conduct site investigation, stakeholder consultation and report on findings.
Stage Two: Preparation of draft Revitalisation Plan	<ul style="list-style-type: none"> • Analysis and considerations of all issues raised in the consultation process and/or identified in the Strategic Community Plan. • Preparation of draft Revitalisation Plan. • Preparation of draft schedule of estimated costs and prioritisation list. • Draft Revitalisation Plan and Schedule of Estimated costs presented to Council
Stage Three: Final Revitalisation Plan	<ul style="list-style-type: none"> • Make modifications required by Council • Final Plan to be presented to Council • Council approval/adoption of the Revitalisation Plan

Consultation

The consultant made a presentation to Councillors of their preliminary findings at the 18 October 2017 Forum Session.

The Mingenew Townsite Revitalisation Plan draws upon the recommendations of the Shire's Strategic Community Plan and Townsite Local Planning Strategy that were previously subject to community consultation and adopted by Council. On this basis it is not suggested that the Mingenew Townsite Revitalisation Plan be advertised for comment. Further, given that the Mingenew Townsite Revitalisation Plan is an informing document only for Council, and its implementation will be subject to availability of funds (through a range of sources including Council budgetary decision relating to own resource and financial allocation, external funding availability and potentially community 'in-kind' input) over an unspecified timeframe then it is suggested that the advertising of the document might give rise to unrealistic expectation over its delivery. However, should Council consider that the document should be advertised for comment this can be undertaken, and a further report detailing the received submissions can be prepared for a future meeting of Council for further consideration.

Statutory Environment

The Mingenew Townsite Revitalisation Plan is not a statutory document, rather a strategic document used to inform Council's future decision making and can be referenced where Council seeks to access external funding to implement the plan's recommendations.

Policy Implications

The Shire called for expressions of interest in accordance with the procedures laid out in its Policy Manual, and received 7 submissions that were subsequently reviewed against evaluation criteria, with Rural Planning Services ('RPS') being appointed as the successful firm.

Financial Implications

The Mingenew Townsite Revitalisation Plan was funded through a grant received by the Shire from the Royalties for Regions Northern Planning Funding Program.

The Mingenew Townsite Revitalisation Plan provides estimated costs for the recommended actions. These costings are indicative only and will be subject to variation dependant upon the timeframes in which they are undertaken.

Strategic Implications

The Mingenew Townsite Revitalisation Plan seeks to draw upon Council's adopted strategic planning documents, particularly the Strategic Community Plan and Townsite Local Planning Strategy, and offer a variety of projects for Council's later consideration in its formulation of future budgets and grant applications. The purpose of the plan is not to provide a prescriptive scope of works or budgeting for Council but a rather a range of projects, varied in scale, priority and achievable timeframe for consideration in its future budgeting and also in the event that external funding opportunities arise.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.4.2
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That Council receive the Mingenew Townsite Revitalisation Plan as a document of reference.

9.4.3 PROPOSED BOUNDARY RATIONALISATION, YANDANOOKA

Location/Address: Lots 107, 110 & 500 Midlands Road, Yandanooka
Name of Applicant: HTD Surveyors for S & F Fowler
Disclosure of Interest: Nil
File Reference: A124
Date: 12 December 2017
Author: Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer: Martin Whitely, Chief Executive Officer

Summary

The Western Australian Planning Commission ('WAPC') are seeking Council's comment upon a modified application to amend the boundaries of Lots 107, 110 & 500 Midlands Road, Yandanooka. This report recommends that Council support the modified application.

Attachment

9.4.3(a) – originally submitted subdivision application

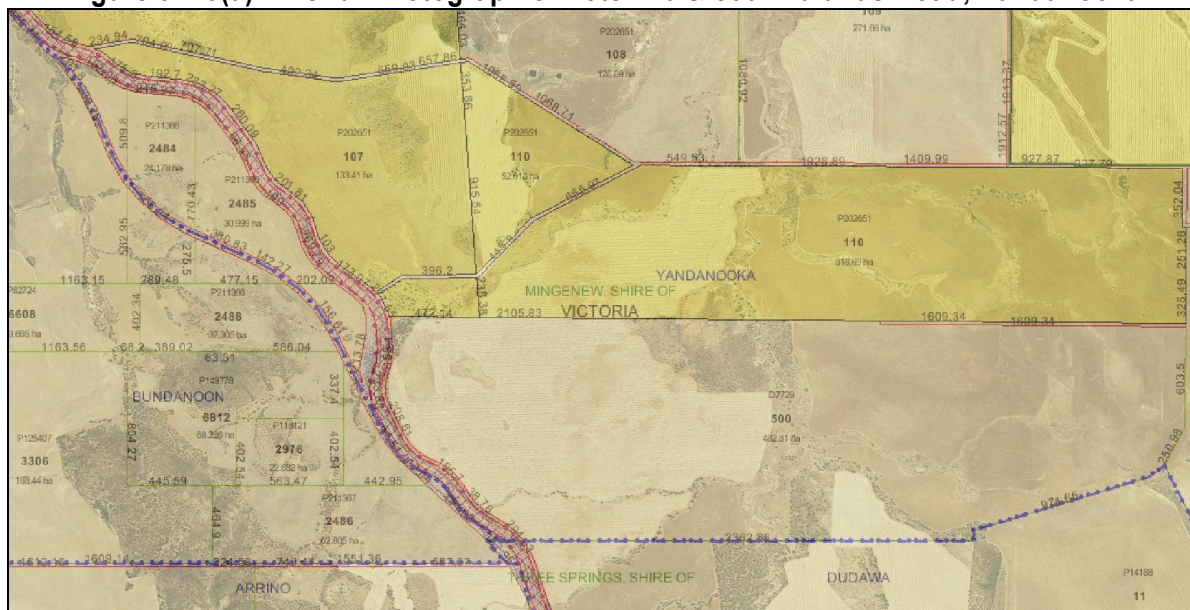
9.4.3(b) - modified subdivision application

Background/Comment

Lot 110 Midlands Road, Yandanooka is a 370.83ha property, owned by Steve & Francene Fowler, located on the eastern side of Midlands Roads and the southern side of Mount Scratch Road. Lot 110 contains a residence and associated outbuildings.

Lot 500 Midlands Road, Yandanooka is a 494.71ha property, owned by Spring Valley Pty Ltd (Directors Steve & Francene Fowler), located on the eastern side of Midlands Roads. Lot 500 is located immediately north of the local government boundary with the Shire of Three Springs.

Figure 9.4.3(a) – Aerial Photograph of Lots 110 & 500 Midlands Road, Yandanooka



Both properties are largely cleared and used for cropping purposes, with the exception of some remnant vegetation along watercourse tributaries and outcrops.

The applicant originally sought to realign the boundary of the 2 lots to create a 36.2ha lot that contained the existing residence and outbuildings, and a balance 829.3ha lot that contained the farming area. The applicant's original supporting correspondence and subdivision plan, has been provided as **Attachment 9.4.3(a)**.

Figure 9.4.3(b) – View of residence and outbuildings upon Lot 110



The WAPC wrote to the Shire on 2 May 2017 seeking its comment upon this application. Council resolved at its 21 June 2017 meeting as follows:

“That Council advise the Western Australian Planning Commission that it supports the proposed boundary rationalisation of Lots 110 & 500 Midlands Road, Yandanooka (WAPC Application No.155126) subject to the following:

Condition:

- 1 All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.*
- 2 Easement being created upon Lot 107 providing right of access to Lots 1 and 2.*

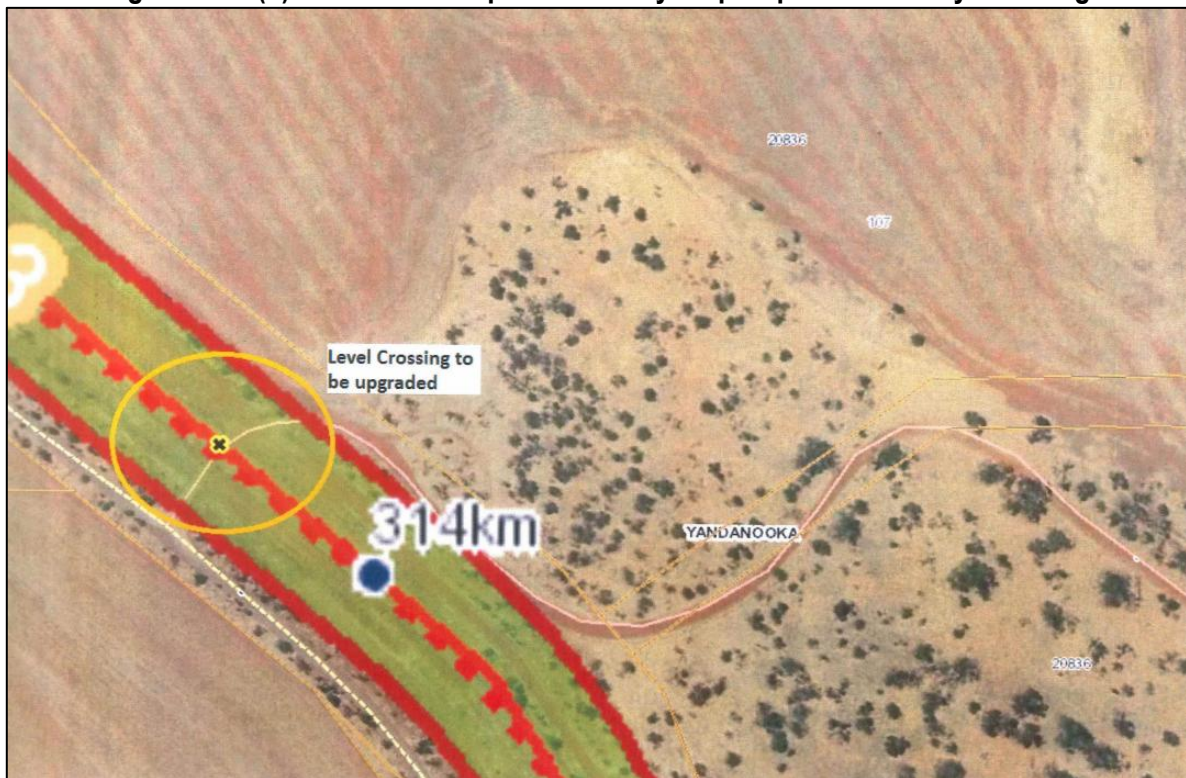
Advice Note:

- (a) That the subdivider/future landowners of Lot 1 & 2 be advised that should the creation of Lots 1 and 2 give rise to any expectation that the standard of vehicle access requires upgrading to service Lots 1 & 2, that the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.”*

Given that the application did not propose to create any additional lots, and the current access to the proposed lots were only utilised by the applicant it was considered by the Shire that the creation of an easement along the existing access alignment, rather than construction of the road alignment would be appropriate in this instance.

The WAPC advised the applicant on 25 July 2017 that it would defer its decision upon this application, as it required that vehicle access be provided by a constructed and gazetted public road. The WAPC then further advised the applicant on 1 August 2017 that the Public Transport Authority required the existing railway crossing to be upgraded from a private to a public level crossing.

Figure 9.4.3(c) – Public Transport Authority map of private railway crossing



The WAPC's requirement for the formation of the access along the road reserve alignment, and the upgrade of the rail crossing to a public crossing standard may make the proposed subdivision unviable for the applicant, and this is an aspect the applicant will need to consider.

The applicant queried with the WAPC whether the application could be amended to incorporate the southern severance of adjoining Lot 107 into the subdivision so that the house lot (proposed Lot 1) would then have frontage to the road running alongside the railway line. If this option were pursued the applicant queried whether road construction condition would only be required for the length of road as indicated in **Figure 9.4.3(d)**, rather than the full construction of the road from the western boundary of the current subject lots.

The WAPC advised the applicant on 3 August 2017 that:

- “ The road reserve(s) upgrades will likely be required at a standard specified by the Local Government; from the rail crossing identified on your attachment to proposed Lot 1.

- *The level crossing identified on the attachment will require to be designated as a public crossing.”*

Figure 9.4.3(d) – Applicant’s amended application query to WAPC



Figure 9.4.3(e) – View looking east at railway crossing and access alignment



The applicant has now submitted a revised application, a copy of which has been provided as **Attachment 9.4.3(b)** for Council's consideration.

The revised application still proposes to realign the boundaries of existing Lots 110 & 500 to create a 36ha lot and 829ha lot, but the application area has been expanded to include Lot 107 (owned by Peter & Kate Mills) so that a new 8,830m² road alignment, that corresponds to the existing track alignment, is created across Lot 107 to provide a legal means to access to the 2 lots to the east. The application would amend Lot 107 from a 445.99ha lot to a 445.8ha lot.

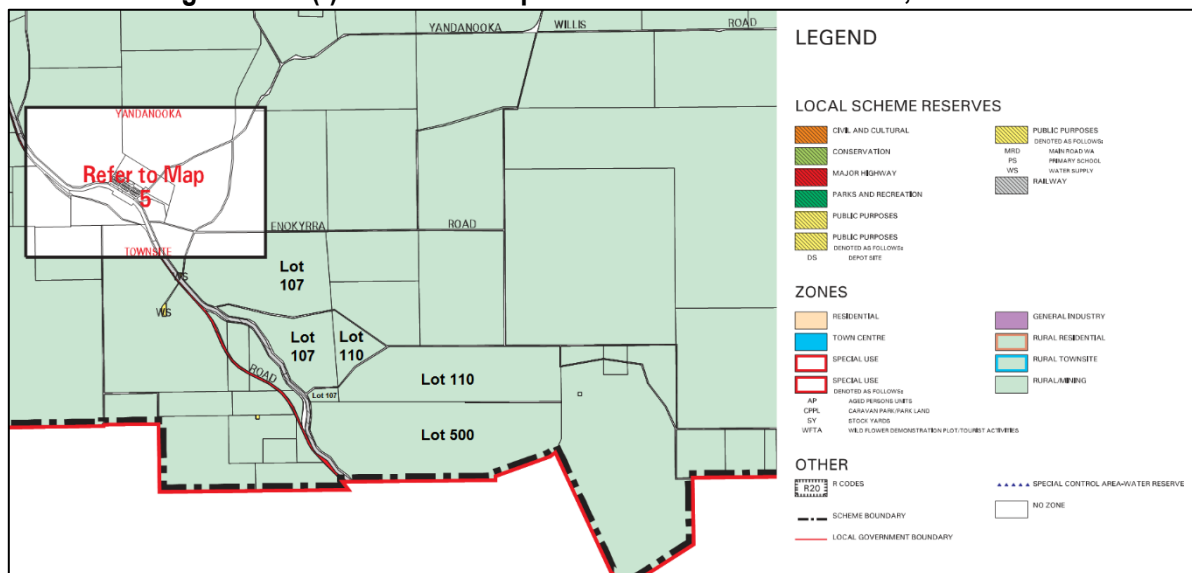
Consultation

The WAPC is not obliged to undertake any public consultation in its assessment of subdivision applications, but has referred the application out to the Shire of Mingenew, Department of Mines and Petroleum, Department of Parks and Wildlife, Main Roads WA, Public Transport Authority, Water Corporation and Western Power inviting comment.

Statutory Environment

Lots 107, 110 & 500 Midlands Road, Yandanooka are zoned 'Rural/Mining' under the Shire of Mingenew Local Planning Scheme No.3 ('the Scheme').

Figure 9.4.3(f) – Scheme Map extract relevant to Lots 107, 110 & 500



In its consideration of this application Council should give regard to Section 4.2 of the Scheme, which lists the objectives of the 'Rural/Mining' zone as follows:

“The use of land in the Rural-Mining Zone shall be consistent with the following objectives:

- *to provide for rights of vehicular access, unfettered as to time, location and circumstance, to any land subject of a planning approval;*
- *to ensure the preservation of the rural character and appearance of land within the zone;*
- *to protect the economic viability of agricultural production via support only for subdivision or boundary relocation which retains or results in lot or location sizes which facilitate ongoing agricultural activity.*

- *to preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any planning consent issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna.”*

The application may be considered to meet the objectives of the Shire’s ‘Rural/Mining’ zone, as it would not create any additional lots, would not require the removal of remnant vegetation, and the smallest lot arising from the boundary rationalisation would not be smaller than several existing lots to the south-west in the Yandanooka locality.

The Shire of Mingenew Local Planning Strategy (2006) notes the following in relation to subdivision in the ‘Rural/Mining’ zone.

“Section 7.5 (f) Rural Mining

This zone embraces the majority of the Shire area and the major objective of the zone classification is to preserve the current agricultural practice which exists throughout the same. With the above in mind Council is mindful of the need to preserve the present system of land tenure via its non-support of further rural land subdivision.”

Council should also give consideration to Section 5.23.4 of the Scheme, which lists the following relevant to subdivision in the ‘Rural/Mining’ zone:

“5.23.4.1 Council will only support subdivision of rural land that is consistent with Commission Policy DC3.4 ‘Subdivision of Rural Land’.

5.23.4.2 Council will not approve any development of land where, in the opinion of Council, such development would adversely affect the rural landscape or be contrary to the continued agricultural usage of the land.”

The application’s level of consistency with WAPC Policy DC3.4 is discussed in the Policy Implications section of this report.

Policy Implications

The WAPC have the following policies relevant to this application:

- Statement of Planning Policy 2.5 – Rural Planning (2016); &
- Development Control Policy 3.4 - Subdivision of Rural Land (2016).

State Planning Policies are prepared and adopted by the WAPC under statutory procedures set out in part 3 of the *Planning and Development Act 2005*. The WAPC and local governments must have due regard to the provisions of State Planning Policies when preparing or amending Local Planning Schemes and when making decisions on planning matters. The State Administrative Tribunal is also required to take account of State Planning Policies when determining appeals.

Statement of Planning Policy 2.5 has the following objectives

- “(a) *support existing, expanded and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premises and/or the production of food;*

- (b) *provide investment security for existing, expanded and future primary production and promote economic growth and regional development on rural land for rural land uses;*
- (c) *outside of the Perth and Peel planning regions, secure significant basic raw material resources and provide for their extraction;*
- (d) *provide a planning framework that comprehensively considers rural land and land uses, and facilitates consistent and timely decision-making;*
- (e) *avoid and minimise land use conflicts;*
- (f) *promote sustainable settlement in, and adjacent to, existing urban areas; and*
- (g) *protect and sustainably manage environmental, landscape and water resource assets.”*

The WAPC’s Development Control Policies sit within a structure which is established under the State Planning Strategy and Statement of Planning Policy No.1 State Planning Framework. Development Control Policy 3.4 is used by the WAPC as the basis for determining applications for the subdivision of rural land.

WAPC Policy No.3.4 has a general presumption against the subdivision of rural land but makes some provision as follows:

“5 *General policy provisions*

It is the opinion of the WAPC that rural land uses are the highest and best use for rural zoned land. Where an alternative use is proposed, such as residential, the use must be planned in a strategy or scheme and zoned accordingly.

When determining subdivision proposals on rural land, the following measures will be applied:

- (a) *the creation of new or smaller lots will be by exception;*
- (b) *proposals will be considered against strategies and schemes;*
- (c) *adequate buffer distances for sensitive and/or incompatible land uses can be achieved; and*
- (d) *proposals will be assessed against any relevant State planning policies and/or operational policies.*

6 *Circumstances under which rural subdivision may be considered*

In considering applications under section 6 (a) to (e), the WAPC will consider rural subdivision in the following exceptional circumstances:

- (a) *to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;*
- (b) *to protect and actively conserve places of cultural and natural heritage;*
- (c) *to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*
- (d) *in the Homestead lot policy area (Appendix 2), to allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation; and*
- (e) *for other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary in the public interest.*

Although the WAPC seeks to minimise the creation of new or smaller rural lots, there are some circumstances where subdivision of rural land may be appropriate in order to promote better land management and achieve environmental, cultural and/or social benefits. These forms of subdivision, which may result in additional dwelling entitlements, are considered to provide incentives for rural subdivision. As such the remainder of this policy outlines the applicable standards for rural subdivision.”

“6.3 Property rationalisation to improve land management

Many rural properties comprise multiple titles and landowners may wish to subdivide to achieve better land management. Subdivision may also present opportunities to create access to landlocked lots.

Multiple lots in one ownership may be rationalised provided that:

- (a) there is no increase in the number of lots;*
- (b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use;*
- (c) no new roads are created, unless supported by the local government;*
- (d) new vehicle access points on State roads are minimised; and*
- (e) rural living sized lots (1-40 hectares), created as a result of the rationalisation, have appropriate buffer from adjoining farming uses and water resources, and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.*

Former road reserves and small remnant portions of lots are not considered lots for the purpose of boundary rationalisation.

In instances where a subdivision only proposes to realign existing lot boundaries, where no change to the land use and/or landform is proposed, and no additional development is proposed, applications for property rationalisation may be unconditionally approved.

“6.6 Homestead lots

The creation of Homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot.

Homestead lots may therefore be created to enable an approved existing house on a rural lot to continue to be occupied provided that:

- (a) the land is in the DC 3.4 Homestead lot policy area (refer Appendix 2);*
- (b) the homestead lot has an area between one and four hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water sources;*

- (c) *there is an adequate water supply for domestic, land management and fire management purposes;*
- (d) *the dwelling is connected to a reticulated electricity supply or an acceptable alternative is demonstrated;*
- (e) *the homestead lot has access to a constructed public road;*
- (f) *the homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses;*
- (g) *a homestead lot has not been excised from the farm in the past;*
- (h) *the balance lot is suitable for the continuation of the rural land use, and generally consistent with prevailing lot sizes, where it can be shown that this is consistent with the current farming practices at the property; and*
- (i) *the dwelling on a homestead lot must be of a habitable standard and may be required to be certified as habitable by the local government.*

Where there are a number of existing approved dwellings on a rural lot, more than one homestead lot may be considered as a one-off application.”

The proposed Lot 1 would not meet the requirements of a homestead lot under WAPC Policy DC3.4 being 36.2ha in area, but the application could be considered to meet the criteria of Parts 6(a) and 6.3.

WAPC Policy DC1.1 requires the provision of constructed vehicle access from the gazetted public road system to each new lot as follows:

“3.7 Vehicular access

3.7.1 New green title lots will be created only where each lot has, or can be, provided with direct frontage access to a constructed public road, which is connected to the road system of the locality. This is to ensure the provision of public utility and other services as well as to provide vehicular and pedestrian access to the lot.

3.7.2 Where new roads are needed, the subdivider will be required to dedicate, construct and drain these roads to the specifications and satisfaction of the WAPC on the advice of the local government. The WAPC may also require existing roads or rights-of way to be widened, constructed, upgraded or dedicated to ensure compliance with this policy.”

Financial Implications

The construction of the road on-ground within the presently unconstructed/unformed and to-be-created road reserve would be at the expense of the subdivider as the requirement for its formation has arisen by reason of this subdivision. The local government would require the road formation works to be undertaken by the subdivider to its satisfaction, or undertake the works at the expense of the subdivider. The road, once constructed, would thereafter become part of the Shire’s asset network with ongoing maintenance responsibility being with the Shire, as is standard for the remainder of the general road network.

Strategic Implications

Road Naming

In addition to providing its comment to the WAPC on this boundary rationalisation application, it is also suggested that Council should give consideration to the naming of the road reserve that exists between Midland Road and Mount Scratch Road as this road is unnamed.

Section 26A of the *Land Administration Act 1997* provides for the naming of roads, and the Department of Land's Geographic Names Committee are responsible for the final approval of road names and ensuring that road names are not duplicated wherever possible. The Geographic Names Committee deem under their road naming guidelines that the following are not suitable:

- names of living persons;
- first names;
- derogatory or discriminatory names;
- company or commercialised names;
- names that are duplicated or similar to existing road names within a 50km radius.

Council may wish to consider applying a road name that could derive from the surname of a person or family that has made a notable contribution to the surrounding area, or a name of local significance such as local flora and fauna, or a notable landscape or built form feature, or a local event.

Road Closure

The application is proposing to create a 8,830m² section of road reserve to correspond to the existing on-ground track alignment, and in exchange close a section of 7,256m² road reserve that is exists cadastrally but not physically.

Section 58 of the *Land Administration Act 1997* provides for the closure of public roads. Should Council initiate the road closure, it is required to be publicly advertised for a period of 35 days in accordance with the requirements of the Act, this would include the following actions:

- Notice being placed in a locally circulating newspaper detailing the proposed closures;
- Letters being sent to surrounding landowners;
- Letters being sent to relevant government agencies/service authorities; &
- A sign detailing the proposed road closures being erected onsite.

At the conclusion of the advertising period the matter is returned to a meeting of Council for its consideration of any submissions received prior to being presented to the Department of Lands. The amalgamation of the area of closed road into the neighbouring landholding can be undertaken upon the same survey diagram as the creation of the superseding road reserve alignment.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.4.3
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That Council:

- 1 Advise the Western Australian Planning Commission that it supports the modified application 155126, as shown upon Drawing No.12717AS1-1-1 (dated 20/11/17), proposing a boundary rationalisation of Lots 107, 110 & 500 Midlands Road, Yandanooka subject to the following:

Conditions:

- (a) All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.
- (b) Lots 2 & 3 having frontage to a road constructed at the subdivider's cost to the requirements of the local government.

Advice Notes:

- (c) In relation to condition (b) the local government advises that it will require the road to be constructed to a basic gravel standard, this being considered appropriate for the level of vehicle movement that would arise from this boundary rationalisation. Should the creation of Lots 2 & 3 give rise to expectation that the standard of vehicle access requires further upgrading to service Lots 2 & 3, then the cost of such upgrading (if deemed necessary and undertaken by the local government) shall be borne by the requesting parties, and that there should not be expectation that the local government shall make contribution to such upgrades.
 - (d) The local government advises the Western Australian Planning Commission and the applicant that, in the event that the railway crossing upgrade requirements of the Public Transport Authority are considered unreasonable, consideration be given to the viability of the subdivider providing access from the east by constructing on-ground the approximate 1.5km east-west length from Mount Scratch Road to provide constructed road frontage to proposed Lot 3. In the event that this alternative access arrangement were undertaken then it may be considered appropriate that an easement be created upon Lot 107 providing right of access to Lots 2 & 3, to ensure that a secondary means of access is provided to the west in event of emergency.
- 2 Advise the Department of Land's Geographic Names Committee that it supports the assignation of the road name '_____ Road' to the unnamed road reserve running between Midland Road and Mount Scratch Road, and '_____ Road' as an alternative in the event that the initial selection is not accepted by the Department.
- 3 Pursuant to Section 58 of the *Land Administration Act 1997* initiate closure action for the 7,256m² section of road reserve and its amalgamation into adjoining Lot 107 (proposed Lot 1) as shown upon Drawing No.12717AS1-1-1 (dated 20/11/17), subject to the creation of the alternative 8,830m² section of road reserve as also shown upon Drawing No.12717AS1-1-1 (dated 20/11/17).

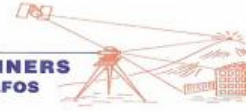


ISO 9001
FS 520743

HTD

**SURVEYORS & PLANNERS
HILLE, THOMPSON & DELFOS**

ABN 30 982 363 197



24 Durlacher Street, Geraldton
PO Box 820, GERALDTON WA 6531
Ph: (08) 9921 3111 Fax: (08)9921 8072
Email: ht dsurveys@htds.com.au
Website: www.htds.com.au

**Our Ref: 127/17
Enquiries: Brad Collard**

21st April 2017

The Regional Manager
Department for Planning and Infrastructure
Midwest Regional Office
10/209 Foreshore Drive
GERALDTON WA 6531



Dear Sir/Madam

Proposed Subdivision: 110 & 500 Midlands Road, Yandanooka

The attached application proposes to subdivide lots 110 and 500 to create 2 lots. It is proposed to create lot 1 which contains an existing dwelling and associated outbuildings to separate it from the existing farming operations carried out on the remainder of the land. The soil within lot 1 is sandy light soil vulnerable to wind erosion which isn't generally suitable for cropping. As the existing farming operations mainly comprise cropping the subdivision to create proposed lot 1 will have negligible impact on the existing rural operations. Also the existing dwelling on proposed lot 1 is surplus to the requirements of the existing farming operation.

The separation of proposed lot 1 will allow it to be used in a manner more appropriate to the existing soil conditions such as a grazing operation where with suitable stocking levels vegetation levels could be maintained to stabilise the soil. The subdivision would allow and encourage the land to be managed in a more environmentally sustainable manner. The proposed lot configuration will minimise any potential land use conflicts. The subdivision will help with the retention of the population levels within this rural area without having an adverse impact on the rural use or production capability.

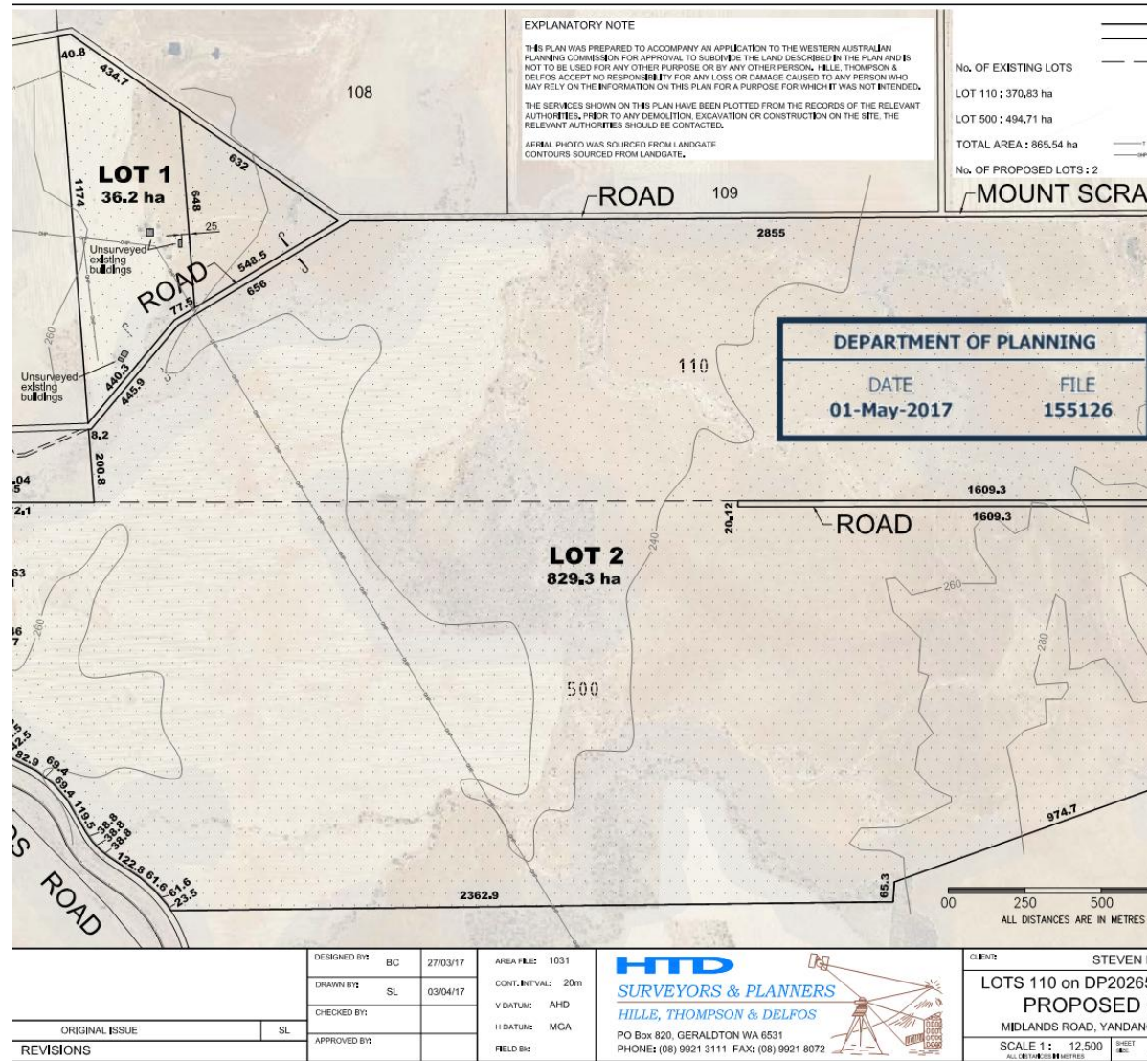
Access to proposed lot 1 is intended to be secured by creating an easement over the existing access track which passes over adjoining lot 107 through to the Midlands Road.

Portions of the subject land are classified as bushfire prone areas under the Department of Fire and Emergency Services Map of Bushfire Prone Areas 2016.

A Bushfire Attack Level Assessment/Bushfire Management Plan in accordance with State Planning Policy 3.7 has been omitted from this subdivision application based on the following:

The proposed subdivision does not:

- Result in the intensification of development (or land use);
- Result in an increase of residents or employees;
- Involve the occupation of employees on site for any considerable amount of time; or
- Result in an increase to the bushfire threat



No. OF EXISTING LOTS
LOT 110 : 370,83 ha
LOT 500 : 494,71 ha
TOTAL AREA : 865,54 ha
No. OF PROPOSED LOTS : 2

MOUNT SCRA

DEPARTMENT OF PLANNING
DATE: 01-May-2017
FILE: 155126

00 250 500
ALL DISTANCES ARE IN METRES

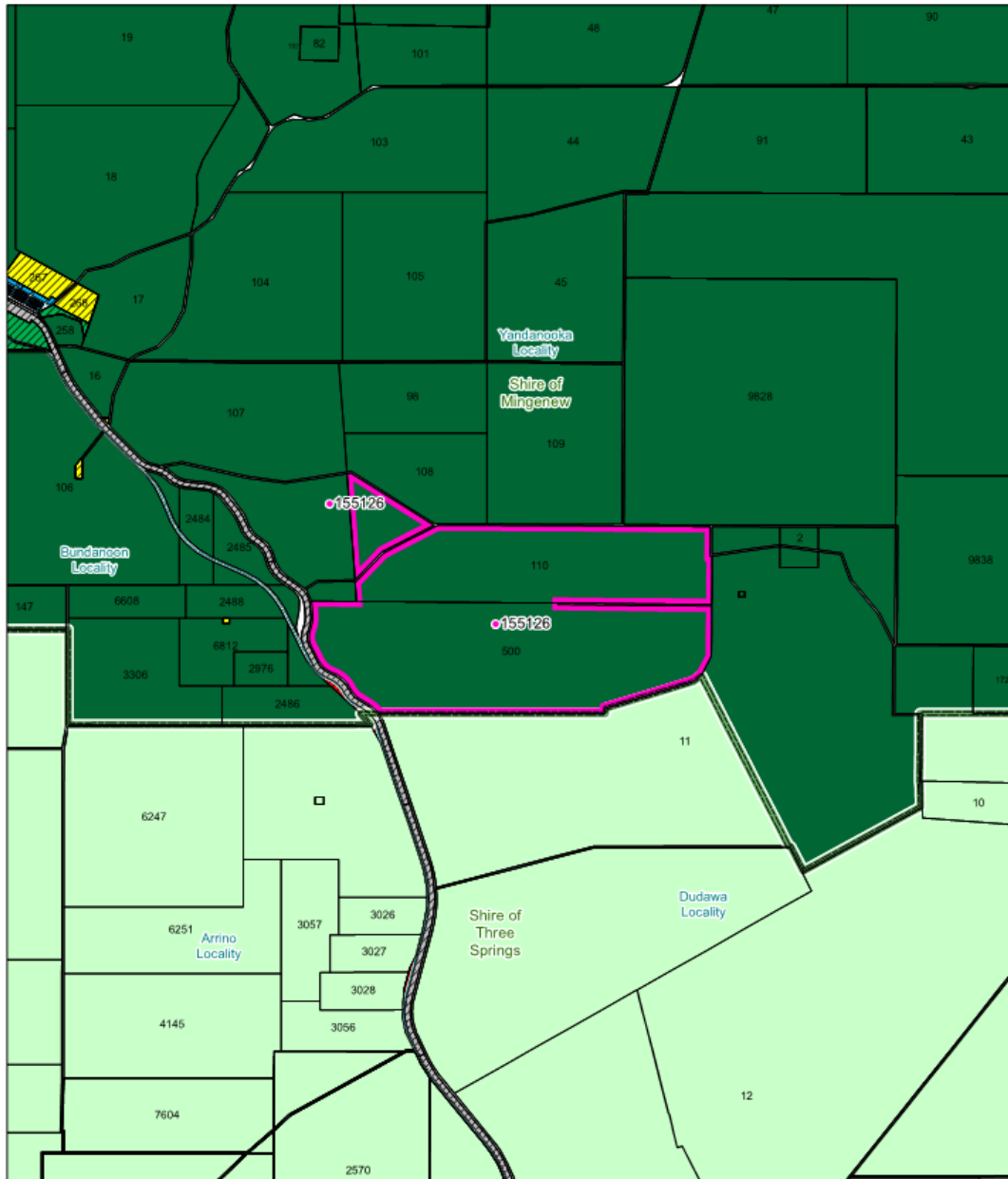
ORIGINAL ISSUE	SL
REVISIONS	

DESIGNED BY: BC	27/03/17
DRAWN BY: SL	03/04/17
CHECKED BY:	
APPROVED BY:	

AREA FILE: 1031
CONT. INTVAL: 20m
V DATUM: AHD
H DATUM: MGA
FIELD Bk:

HTD
SURVEYORS & PLANNERS
HILLE, THOMPSON & DELFOS
PO Box 820, GERALDTON WA 6531
PHONE: (08) 9921 3111 FAX: (08) 9921 8072

CLIENT: STEVEN I
LOTS 110 on DP2026/
PROPOSED
MIDLANDS ROAD, YANDAN
SCALE 1: 12,500
ALL DISTANCES IN METRES
SHEET 189



**Location Plan for:
Subdivision Application**

This data is to be used only for the processing of a
Subdivision Application

Application Number: **155126**

Decision: **Outstanding**

Printed: **1/05/2017**



Department of
Planning



Western
Australian
Planning
Commission

Produced by GeoSpatial Research and Modelling, Department of Planning, Perth WA
Base information supplied by Western Australian Land Information Authority LI 862-2016-1

Application Status

Outstanding

Existing LPS Zones and Reserves

- Local distributor road
- Local road
- Main roads
- Parks and recreation
- Primary distributor road
- Public purposes
- Railway
- Railways
- Rural
- Rural townsite
- Rural/mining

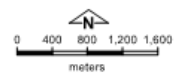
Easements and Referrals

Easements

Region Scheme Reserves

Localities & Local Government Boundaries

Local government boundary
 Locality



23rd November 2017

The Western Australian Planning Commission
c/o Planning Administration
The Department of Planning
140 William Street
PERTH WA 6000

Dear Planning Administration Team Leader

**RE – CONSENT OF LANDOWNERS
PROPOSED SUBDIVISION OF LOTS 107, 110 & 500 MIDLANDS ROAD, YANDANOOKA**

I refer to the application to subdivide the land known 20836 Midlands Road, Yandanooka more fully described as Lot 107 on Deposited Plan 202651 contained within Certificate of Title Volume 1229 Folio 772 ("the Application").

This application was made by Hille Thompson & Delfos in the capacity of Surveying and Town Planning Consultant.

The following company is recorded as the owner of the land:

1. Ikewa Grazing Pty Ltd

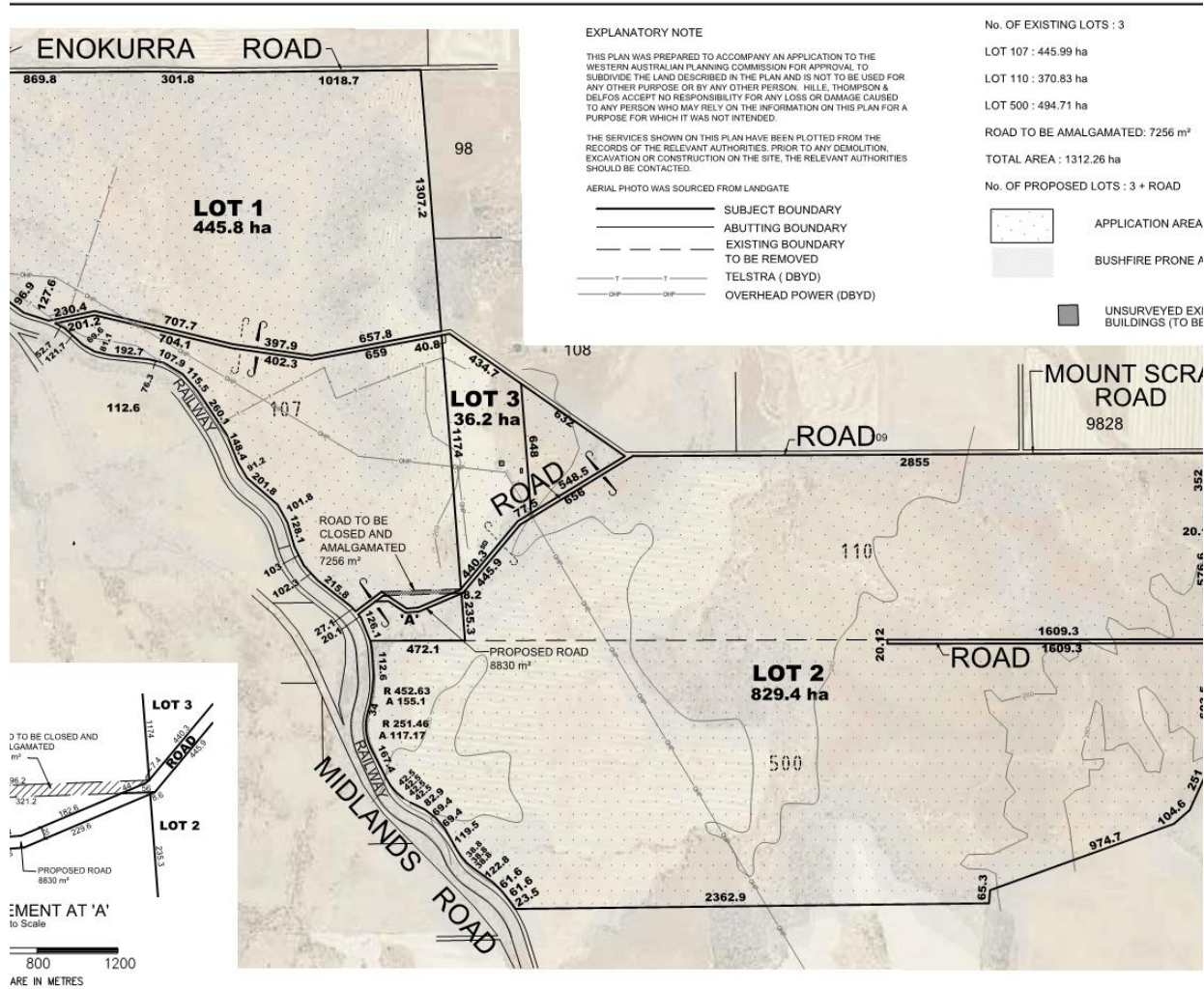
We as representatives of the abovementioned company, hereby consent to the Application being made in relation to the land described above.

Further, we have appointed Brad Collard of Hille Thompson & Delfos to act for us as our authorised representative.

Executed by the Ikewa Grazing Pty Ltd (ACN 077 130 762)

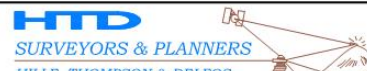

Peter Francis Kennedy Mills - Director


Kate Elizabeth Mills – Director/ Secretary



DESIGNED BY:	BC	27/03/17
		20/11/17
DRAWN BY:	SL	20/11/17
CHECKED BY:		

AREA FILE:	1031
CONT. INTVAL:	20m
V DATUM:	AHD



CLIENT:	STEVEN I
LOTS 107 & 110 on DP20	
PROPOSED	

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

Nil

11.2 STAFF

Nil

12.0 CONFIDENTIAL ITEMS

12.1 BUILDING & ENVIRONMENTAL HEALTH SERVICES

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.

13.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 21 February 2018 commencing at 4.30pm.

14.0 CLOSURE