



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

**DRAFT**

**Wednesday 18 July 2018**

# Shire of Mingenew

## Ordinary Council Meeting Notice Paper

18 July 2018

Madam President and Councillors,

An Ordinary Meeting of Council is called for Wednesday, 18 July 2018, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm.

**Neil Hartley**  
**Acting Chief Executive Officer**

13 July 2018

DRAFT

### **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.

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## SHIRE OF MINGENEW

### MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 18 July 2018 COMMENCING AT 4.30pm

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

The President HM Newton declared the meeting open at 4.35pm and welcomed all in attendance.

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

HM Newton	President	Town Ward
CR Lucken	Deputy President	Town Ward
KJ McGlinn	Councillor	Town Ward
RW Newton	Councillor	Rural Ward
JD Bagley	Councillor	Rural Ward
LM Eardley	Councillor	Town Ward
GJ Cosgrove	Councillor	Rural Ward

#### STAFF

N Hay	Chief Executive Officer
N Hartley	Acting Chief Executive Officer
B Bow	Governance Officer
E Budrikis	Community Development Officer
Wayne Thompson	WANDRRA Works Supervisor

#### VISITORS

Nil

#### APOLOGIES

Nil

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

Nil

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

There being no members of public present the President proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 4:50pm

#### 5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

#### 6.0 DECLARATIONS OF INTEREST

Item 12.1- Cr C Lucken declared a Direct Financial Interest as invested in a tender submission.

#### 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1.1 ORDINARY MEETING HELD 20 JUNE 2018

Moved: Cr R Newton

Seconded: Cr L Eardley

**That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 20 June 2018 be confirmed as a true and accurate record of proceedings.**

**VOTING DETAILS:**

**CARRIED 7/0**

## **8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

### **9.0 OFFICERS REPORTS**

#### **9.1 CHIEF EXECUTIVE OFFICER**

##### **9.1.1 MINGENEW NETBALL COURTS – DESIGN & CONSTRUCTION PLAN**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Not Applicable  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0074  
**Date:** 26 June 2018  
**Author:** Neil Hartley, Acting Chief Executive Officer

#### **Summary**

This report outlines the suggested construction proposal for the upgrade of the Mingenew Netball Courts and associated facilities.

It is felt that with the current staffing structure and experience, and the need to prioritise the undertaking of the WANDRRA storm damage roadworks, it would be prudent for Council to manage this particular construction program through an internal project manager using a “design and construct” contractor.

#### **Attachment**

CSRFF Grant Application (Netball Courts)

#### **Background**

In December 2017 representatives from the Mingenew Netball Club attended a Concept Forum and gave a presentation to Council to update it on the status of the Netball Courts. It was agreed that the Netball courts should be a priority. A submission to the March 2018 Department of Local Government, Sport & Cultural Industries CSRFF funding round was prepared and Council at its 21 March 2018 meeting resolved that it would:

1. Endorse the proposal from the Mingenew Netball Club to make a funding submission under the Department of Local Government, Sport & Cultural Industries CSRFF funding round in March 2018;
2. Endorsed the funding submission on the basis of the Mingenew Netball Club contributing a minimum cash contribution of \$55,000 (GST Exclusive);
3. Agree to a Shire provided cash contribution of up to \$63,707 (GST Exclusive) towards the project;
4. Agree to the Shire providing in-kind support for site works required; and
5. Make provision in the 2018/19 Budget for the project to be completed in that financial year.

The grant application was submitted and was successful, and a grant for \$66,458 has been offered by CSRFF.

#### **Comment**

Preliminary considerations have been given to how best to manage the project, and two options present themselves –

1. Call tenders as soon as possible for a contractor who can undertake the entire works (less the “in-kind” component), giving them sufficient time to undertake the necessary planning prior to works commencing post the 2018 netball season; or

## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 18 July 2018

2. Secure the services of a project coordinator, who can coordinate the program as originally proposed, using several individual contractors.

One of the first tasks is to undertake some preliminary investigations to understand exactly what caused the netball court surface damage as this information will inform the design for the eventual netball court construction, ensuring that the new facility will not fail earlier than should be expected. Part of that preliminary research will include understanding what drainage might be required to suitably protect the new courts, and their immediate surrounds, like the Recreation Centre verandah wall.

A completely new sub-base is anticipated in light of the proposal to see both courts on the same level. This will require a specific sub-base design (e.g. use of geo-textiles or sand-pads) and it might even be necessary to undertake some core sample tests to suitably inform that design. Any core sampling will be difficult to undertake prior to the finalisation of the netball season as the surface will be disrupted. That sampling “inconvenience” might be able to be avoided if the Shire were to call for tenders to have a contractor design, coordinate, and construct the project, knowing that there is a tight timeline between the end of the 2018 netball season, and the commencement of the 2019 season.

There is time for either option, but early decisions need to be made.

### **Consultation**

Nil

### **Statutory Environment**

The Local Government Act 1995 at S3.57(1) (Tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services. The Local Government (Functions and General) Regulations 1996 at Cl.11(1) (When tenders have to be publicly invited) clarifies that tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000.

### **Policy Implications**

The Shire of Mingenew's Purchasing Policy requires three written quotations for an expected purchase in the range of \$40,000 - \$149,999 and tenders to be called for projects with a cost exceeding \$150,000.

### **Financial Implications**

The submission received from the Netball Club had a total budget cost of \$214,574. This was greater than the \$200,000 cut off for projects usually funded through the CSRRF grants program, however it was agreed to apply for the grant on the basis that eventual tender pricing could be lower than the quotes provided and that the Netball Club was keen to progress the funding application so that the project could be completed prior to the 2019 netball season.

The Netball Club advised that whilst it currently only has capacity to contribute an amount of up to \$55,000 (plus \$15,000 in-kind) the Club was actively pursuing other funding opportunities and that if required, it would look at taking out a self supporting loan from the Shire if this was requested by Council.

Should eventual costs be as originally predicted, and based on a 1/3<sup>rd</sup>, 1/3<sup>rd</sup> a 1/3<sup>rd</sup> basis, each party would contribute \$71,524 however due to the maximum \$200,000 project limit, the CSRRF grant offered was \$66,458. The Shire was therefore asked to contribute \$77,907 (\$63,707 cash and \$14,200 in-kind) and the Netball Club \$70,000 (which include \$55,000 cash).

The total available funds will be sufficient to undertake the project so long as costs are consistent with estimates (or lower), no variations or contingencies are required, and the project is managed and coordinated “in-kind” by volunteers/the Shire. The risk of a cost over-run due to variations and contingencies is however, considered to be “high” for either option, due to the “unknowns” of what lies

below the existing courts. The project is though, a relatively low cost project so any over-runs in dollar terms should be manageable.

The costs of undertaking core sample tests and providing results would be in the order of \$4,000.

**Strategic Implications**

Community Strategic Plan

Outcome 3.2.3 - Maintain and further develop the recreation complex

Outcome 4.1.1 – Continue to support community groups.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 9.1.1**

That Council authorise the calling of a “Design & Construct” tender, to invite interest in the construction of the new Mingenew Netball Court facility. Tenders to include the following critical aspects:

1. That the design suitably reflects the intentions of the CSRFF grant application (attached);
2. The successful tenderer will need to provide engineering certification of proposed groundworks, structures and drainage;
3. Tenderer to work cooperatively with the Shire of Mingenew, the Mingenew Football Club, and the Mingenew Netball Club during the design and construction phases;
4. That prior to construction work commencing, finalised price estimates be provided to Council for its confirmation; and
5. Work to the timeline that the construction period will be limited to the “off netball season”.

**COUNCIL DECISION – ITEM 9.1.1**

Moved: Cr C Lucken

Seconded: Cr K McGlinn

1. That Council lay Item 9.1.1 on the table for reconsideration at the August Ordinary Meeting;
2. The CEO to secure suitable engineering advice in regards to drainage and structure design for the project including estimated construction costing's.

**VOTING DETAILS:**

**CARRIED 7/0**

### 9.1.2 BANK OVERDRAFT FACILITY

<b>Location/Address:</b>	Not Applicable
<b>Name of Applicant:</b>	Not Applicable
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM0082
<b>Date:</b>	4 July 2018
<b>Author:</b>	Neil Hartley (Acting Chief Executive Officer)

#### **Summary**

The civil works contract for the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) project is to be considered by Council at the July meeting. Works are anticipated between the months of September/October 2018 to April 2019.

Whilst it is anticipated that there will be sufficient cash flow capacity within the Shire to accommodate the fortnightly contractor payments whilst collating, submitting and awaiting refund receipt from Main Roads WA (which generally take between two to four weeks to occur) it would be prudent to obtain an overdraft facility for the abovementioned period of these works.

An overdraft facility of \$500,000 should provide for one months WANDRRA cash flow capacity and needs to be incorporated into the Shire's 2018/19 budget consideration process.

#### **Attachment**

Nil

#### **Background**

At the June 2018 Council Meeting, Council approved the appointment of the WANDRRA Flood Damage Supervisor and the Contractor(s) tender to supply the Road Construction Plant and Equipment will be presented to the July Council Meeting for its decision. Mingenew had numerous roads that were damaged in the storm event and the cost to undertake the reinstatement of the roads is estimated to be \$3.2m, which will be funded by a WANDRRA grant. The Shire is keen to undertake as much of the work as possible itself, and has commenced repairing some of the roads already, but there will be a considerable balance to be undertaken on a contract basis as the work must be completed and grants acquitted by 30 June 2019.

The expected fortnightly account for the several months of the contractor works is \$250,000. Whilst it is anticipated that there will be sufficient cash flow capacity within the Shire to accommodate these fortnightly contractor payments, undertake the collation and preparation of the grant refund application, and then submit and awaiting refund receipt from Main Roads WA (which generally take between two to four weeks to occur) it would be financially prudent to obtain a \$500,000 overdraft facility for the abovementioned period of these works.

#### **Comment**

An application is being prepared for submission to the National Bank for such an overdraft, but a Council resolution is required as endorsement and budget approval is also required.

#### **Consultation**

National Australia Bank.

#### **Statutory Environment**

Section 6.20 of the Local Government Act (Power to borrow) provides the authority for a local government to obtain an overdraft, to enable it to perform its functions.

Where the details of that proposal have not been included in the annual budget for that financial year, the local government must give one month's local public notice of the proposal; and the resolution to exercise that power is to be by absolute majority.

Also, the Local Government (Financial Management) Regulations 1996 require overdraft facilities to be noted in the annual budget and the annual financial report (r. 29 and 48). The facility will not otherwise need to be advertised.

As Council will settle its budget in August 2018, there should be sufficient time to finalise the bank application and approval process before the overdraft facility is required in September/October 2018.

### **Policy Implications**

Policy 1.3.4 (Significant Accounting Policies) provides direction for the preparation of financial transactions and financial reporting, including interest on overdraft facilities.

### **Financial Implications**

Whilst the Shire's rate funds and other grants should provide sufficient cash flow to accommodate the contractor payments, there will be a "negative cash flow" for this project whilst awaiting refunds from Main Roads WA. It would be prudent therefore to provide an overdraft facility to accommodate a worst case scenario of having two fortnights refund claims outstanding. That would equate to approximately \$500,000.

The cost of the overdraft will be at the relevant market percentage for any funds required, plus a monthly charge of approximately \$100.

### **Strategic Implications**

The Corporate Business Plan 2011-21 does not specifically capture the issue under consideration, but it does outline that one of the Shire's outcomes is *"An open and accountable local government that is respected, professional and trustworthy."*

### **Voting Requirements**

Absolute Majority

## **OFFICER RECOMMENDATION AND COUNCIL DECISION– ITEM 9.1.2**

**Moved: Cr R Newton**

**Seconded: Cr J Bagley**

### **That Council:**

- 1. Notes the potential for a negative cash-flow to exist during the several months period of the WANDRRA works (September/October 2018 to April/May 2019) and agrees that an overdraft facility is a prudent risk management solution to that potential; and**
- 2. Endorses the processing of an application for a \$500,000 overdraft facility with the National Bank for the 2018/19 financial year, for inclusion and final endorsement within the 2018/19 budget consideration process.**

**VOTING DETAILS:**

**CARRIED 7/0**

### 9.1.3 REGISTER OF DELEGATED AUTHORITY

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM0342
<b>Date:</b>	9 July 2018
<b>Author:</b>	Neil Hartley, Acting Chief Executive Officer

#### **Summary**

The Shire undertook a review of all delegations and this was presented to the June 2018 Council meeting. A difficulty has since been encountered however with the Building Delegation that warrants a modification.

It is proposed that the Building Act Delegation be limited to just the position of Coordinator of Building Surveying until a list of officers and suitable restrictions for other relevant officers at the City of Geraldton can be developed.

#### **Attachment**

Attachment 1 Building Delegation 2011 Delegation.

#### **Background**

Sections 5.42 and 5.44 of the Local Government Act 1995 prescribes that Council may delegate certain powers and duties to the Chief Executive Officer. A variety of other legislation (including the Building Act) also permits the delegations of functions to the Chief Executive Officer, as well as other officers. A delegation authorises persons or a class of persons to exercise powers that the Council would ordinarily exercise.

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by relevant legislation. Without delegated authority, many decisions of the Shire would need to be made by Council at its ordinary meetings. Having appropriate delegations in place allow day to day decisions to be made by the Chief Executive Officer, who in turn can sub-delegate to other staff as appropriate. This enables the administration to effectively manage the large volume of routine work of a local government and facilitates timely service delivery to the community. Furthermore, it allows Council to focus on policy development, representation, strategic planning and community leadership.

Delegations that are made by a delegator are required to be in writing and recorded within a register. Conditions can be set for the use of any delegation.

The Shire of Mingenew has its building licensing/building customer advice provided through a Memorandum of Understanding with the City of Geraldton, however a difficulty has arisen in regard to the need to suitably restrict different levels of officers' delegation limits, and the legislative need for Financial Interest Declarations to be completed by those officers with delegation.

#### **Comment**

Whilst there is no expectation that the Shire's building licensing and advice will alter from being provided by the City of Geraldton, in light of the many competing priorities the Shire is dealing with presently, the best short term solution is proposed to be that the Council withdraw the delegation from the "City of Geraldton Building Officers acting for the Shire of Mingenew". This delegation can then be "sub-delegated" via the CEO.

In the first instance, the CEO will sub-delegate the necessary delegation to just the Coordinator of Building Surveying (Geraldton) and once the details of which other Geraldton Officers actually require delegation, and what limitations need to be put in place, they too will be added. These delegated offices can then

complete their Primary and Annual Financial Interest Returns (which is a standard requirement for every officer with delegation).

**Consultation**

Neil Hartley                      Chief Executive Officer  
Dave Gibson                      Coordinator of Building Surveying (Geraldton)

**Statutory Environment**

Building Act at S127 (6A) (Delegation: special permit authorities and local governments) provides that the CEO may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO.

**Policy Implications**

Delegation CD12 (Building Act 2011).

**Financial Implications**

Nil.

**Strategic Implications**

This proposal will support the achievement of the following objectives and strategies detailed in the Community Strategic Plan:

Outcome 4.2.1 Continue to deliver quality local government services

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

**Voting Requirements**

Absolute Majority.

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**OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 9.1.3**

**Moved: Cr C Lucken**

**Seconded: Cr J Bagley**

**That Council:**

- 1. Modify its CD12 Delegation (Building Act 2011) by deleting the authority to “City of Geraldton Building Officers acting for the Shire of Mingenew”; and**
- 2. Notes that the CEO will sub-delegate the necessary delegation to the Coordinator of Building Surveying (Geraldton) in the first instance, and other Geraldton building officers once suitable delegation parameters have been settled.**

**VOTING DETAILS:**

**CARRIED 7/0**

**9.2 FINANCE**

**9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 JUNE 2018**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** ADM0304  
**Date:** 14 June 2018  
**Author:** Martin Whitely, Consultant  
**Senior Officer:** Neil Hartley, Acting Chief Executive Officer

**Summary**

This report recommends that the Draft Monthly Statement of Financial Activity report for the period ending 30 June 2018 is presented to Council for adoption.

**Attachment**

Finance Report for period ending 30 June 2018

**Background**

The Monthly Financial Report to 30 June 2018 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

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

**Comment**

<b>SUMMARY OF FUNDS – SHIRE OF MINGENEW</b>	
Municipal Fund & Cash on Hand	\$1,029,519
Restricted Funds ( Unspent Grants) – 3 Month Term Deposit @ 2.45%	\$583,500
Trust Fund	\$58,784
Reserve fund (6 Month Term Deposit) @ 2.55%	\$401,872

## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 18 July 2018

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 June 2018;

	<b>Current</b>	<b>30+ Days</b>	<b>60+ Days</b>	<b>90+ Days</b>	<b>TOTAL</b>
Amount	11,853	1,300	0	6,714	19,867

Rates Outstanding at 30 June 2018 were:

	<b>June 2018</b>	<b>May 2018</b>
Rates	\$42,145	49,330
Rubbish	\$3,053	3,981
ESL	\$1,377	1,948
<b>TOTAL</b>	<b>\$46,575</b>	<b>55,259</b>

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2017/18 financial year. It should be noted that the current financials for the June 2018 are only in DRAFT form and will vary to some degree on finalisation of the financials for the year ended 30 June 2018

### Consultation

Nil

### 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.

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 18 July 2018

- (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

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**OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 9.2.1**

**Moved: Cr L Eardley**

**Seconded: Cr R Newton**

**That the Monthly Statement of Financial Activity for the period 1 July 2017 to 30 June 2018 be received.**

**VOTING DETAILS:**

**CARRIED 7/0**

## 9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 30 JUNE 2018

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Disclosure of Interest:** Nil  
**Date:** 12 July 2018  
**Author:** Martin Whitely, Consultant  
**Senior Officer:** Neil Hartley, Acting Chief Executive Officer

### **Summary**

This report recommends that Council confirm the payment of creditors for the month of June 2018 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).

List of Payments  
Payroll, Licensing & Credit Card

### **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 AND COUNCIL DECISION – ITEM. 9.2.2**

**Moved: Cr C Lucken**

**Seconded: Cr L Eardley**

**That Council confirm the accounts as presented for May 2018 from the Municipal & Trust Fund totalling \$362,431.38 represented by Electronic Funds Transfers of EFT 11568 to 11602, EFT 11605 and 11688, Direct Deduction DD 8480.1, 2, 3, 4, 5 & 6, DD 8489.1, 2, 3, 4, & 5 and Municipal Cheque numbers 8556 to 8559.**

**VOTING DETAILS:**

**CARRIED 7/0**

**DRAFT**

**9.3 ADMINISTRATION**

Nil

**9.4 TOWN PLANNING**

Nil

**9.5 BUILDING**

Nil

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

Nil

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

**11.1 ELECTED MEMBERS**

Nil

**11.2 STAFF**

Nil

**12.0 CONFIDENTIAL ITEMS**

**COUNCIL DECISION - MEETING CLOSED TO THE PUBLIC**

Moved: Cr L Eardley

Seconded: Cr C Lucken

That the meeting be closed to members of the public in accordance with section 5.23 of the Local Government Act to allow Council to discuss a matter that concerns 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.

**VOTING DETAILS:**

**CARRIED 7/0**

Cr C Lucken declared a Direct Financial Interest for Item 12.1 as the Councillor is a subcontractor for one of the tender applicants. Cr Lucken left the room at 5.03pm.

**COUNCIL DECISION – ITEM 12.1**

Moved: Cr K McGlenn

Seconded: Cr J Bagley

That Council:

1. Endorses the calling of Tenders for the Supply of Road Construction Plant/Operators responsibilities for the WANDRRA program of works;
2. Confirms that the Shire of Mingenew wishes to undertake as much of the WANDRRA program of works as it reasonably can, with its own plant, equipment and workforce;
3. Accepts Evary Pty Ltd and Thurkle's Earthmoving & Maintenance Pty Ltd to undertake the Supply of Road Construction Plant/Operators responsibilities in regard to bulldozing for the Shire of Mingenew's selected components of the WANDRRA program of works (as per #2 above) at the prices outlined in its tender. Work to be allocated by the CEO/Works Supervisor depending on contractor availability and timing of the Shire's civil roadworks requirements;

4. Accepts the tender from BPH Pty Ltd to undertake the Supply of Road Construction Plant/Operators responsibilities for the remainder of the WANDRRA program of works, at the prices outlined in its tender;
5. Endorses the Shire utilising BPH Pty Ltd contractors to supplement its own roadworks operations for the WANDRRA program of works (on an “as needs basis” and where improve operational efficiencies can be gained); and
6. Authorises the CEO to negotiate, execute and manage the Contracts (including settling on which roads each party will undertake responsibility for) plus any variations, provided those variations do not exceed the allocated budget provision, or significantly vary from the overall scope.

**VOTING DETAILS:**

**CARRIED 5/1**

**COUNCIL DECISION - MEETING RE-OPENED TO THE PUBLIC**

**Moved: Cr L Eardley**

**Seconded: Cr R Newton**

That the meeting be re-opened to members of the public and the resolutions passed be read out if there are any public attendees present.

**VOTING DETAILS:**

**CARRIED 6/0**

**Cr Lucken returned to the meeting at 5.10pm**

**13.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 22 August 2018 commencing at 4.30pm.

**14.0 CLOSURE**

Prior to closure President Newton wished to place on record the Shire’s regret at the death of former Shire Councillor, Mr Henry (Hal) Stokes and record its appreciation of his public service to the Mingenew community during his tenure [1982-1991].

Pr Newton also thanked Neil Hartley for all of his efforts during his role as Acting Chief Executive Officer and extended a welcome to Mr Nils Hay, the Shire’s new Chief Executive Officer.

The President thanked all for attending and declared the meeting closed at 5.14pm.