



# AGENDA FOR THE ORDINARY COUNCIL MEETING

16 SEPTEMBER 2020



**Ordinary Council Meeting Notice Paper**

**16 September 2020**

An Ordinary Meeting of Council is called for Wednesday, 16 September 2020, to be held in the Council Chambers at 21 Victoria Street, Mingenew commencing at 4.30 pm. Members of the public are most welcome to attend.

Nils Hay  
**Chief Executive Officer**  
10 September 2020

**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.

## PROCEDURE FOR PUBLIC QUESTION TIME, DEPUTATIONS, PRESENTATIONS AND PETITIONS AT COUNCIL MEETINGS

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p><b>Petitions</b> A formal process where members of the community present a written request to the Council.</p>	<p><b>Deputations</b> A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p><b>Presentations</b> An occasion where awards/gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government</p>
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### PROCEDURE FOR DEPUTATIONS

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business. Any person or group wishing to be received as a deputation by the Council shall send to the CEO an application:

- I. Setting out the agenda item to which the deputation relates;
- II. Whether the deputation is supporting or opposing the officer's or Committee's recommendation; and
- III. Include sufficient detail to enable a general understanding of the purpose of the deputation.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281192 or email [governance@mingenew.wa.gov.au](mailto:governance@mingenew.wa.gov.au) to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- I. is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- II. is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- III. additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

### PROCEDURE FOR PRESENTATION

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281102 or email [governance@mingenew.wa.gov.au](mailto:governance@mingenew.wa.gov.au) to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received / awarded by the Shire President or an appropriate Councillor.

### PROCEDURE FOR PETITIONS

Please note the following protocol for submissions of petitions. Petitions must:

## MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 16 September 2020

- be addressed to the Shire President.
- be made by electors of the district.
- state the request on each page of the petition.
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name and address of the person whom arranged the petition for correspondence to be delivered to, as correspondence is not sent to all the signatures on the petition.

Where a petition does not relate to or conform to the above it may be treated as an 'informal' petition and the Chief Executive Officer may at his discretion forward the petition to Council accompanied by an officer report.

### PROCEDURE FOR PUBLIC QUESTION TIME

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision-making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the Local Government Act 1995) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Shire President may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the Shire of Mingenew Standing Orders Local Law 2017:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to two (2) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

- **During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.**
- **Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.**
- **Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.**

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**AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS AT  
21 VICTORIA STREET, MINGENEW ON 16 SEPTEMBER 2020 COMMENCING AT 4.30PM**

**1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member declared the meeting open at \_\_\_\_pm.

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

**COUNCILLORS**

JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Town Ward
HR McTaggart	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
RW Newton	Councillor	Rural Ward
AR Smyth	Councillor	Town Ward
CV Farr	Councillor	Town Ward

**APOLOGIES**

**STAFF**

N Hay	Chief Executive Officer
J Clapham	Finance Manager
E Greaves	Governance Officer

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

Nil.

**4.0 PUBLIC QUESTION TIME / PUBLIC STATEMENT TIME**

**5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

7.1 ORDINARY COUNCIL MEETING HELD 19 AUGUST 2020

**OFFICER RECOMMENDATION- 7.1**

That the Minutes of the Ordinary Council Meeting of the Shire of Mingenew held in the Council Chambers on 19 August 2020 be confirmed as a true and accurate record of proceedings.

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9.0 DECLARATIONS OF INTEREST

10.0 RECOMMENDATIONS OF COMMITTEES

## 11 CHIEF EXECUTIVE OFFICER REPORTS

### 11.1 YANDANOOKA WATER RESERVE 18110 – WATER USE AGREEMENTS

Location/Address:	Reserve 18110, Yandanooka, Shire of Mingenew
Name of Applicant:	D & M Bagley Ikewa Grazing Company Beattie Peta SMSF Pty Ltd L Cocking
Disclosure of Interest:	Nil
File Reference:	ADM0256
Date:	24 June 2020
Author:	Erin Greaves, Governance Officer
Authorising Officer:	Nils Hay, Chief Executive Officer
Voting Requirements:	Simple Majority

#### Summary

To consider the renewal of Water Use Agreements that permit neighbouring landowners to access water from Yandanooka Reserve 188110, and authorise the preparation and execution of new water use agreements with the current property owners.

#### Key Points

- The Shire's current Water Use Agreements were last presented to Council in August 2015 for a 5-year term and expire 30 June 2020 (noting that RA Campbell's agreement was transferred to L Cocking in 2018).
- The Water Use Agreements were established to allow landowners neighbouring the Yandanooka spring located on Reserve 188110 to access water for certain purposes.
- The Agreements provide for prioritising water usage should the water availability or capacity diminish.
- Those who currently hold an agreement with the Shire have indicated they wish to continue under the same arrangements and propose no changes.

#### **OFFICER RECOMMENDATION – ITEM 11.1**

That Council;

1. Approves the 2020-2025 Water Use Agreement, as presented in attachment: 15.1.1- 15.1.4, for the purposes of regulating the drawing of water from the Yandanooka spring located on Reserve 18110;
2. Authorises the CEO and Shire President to execute the 2020-2025 Water Use Agreements on behalf of the Shire of Mingenew with the following landowners:
  - a) D & M Bagley as landowners of neighbouring land parcels  
Victoria Location 9995  
Victoria Location 9996  
Victoria Location 9997  
Victoria Location 9998;
  - b) Ikewa Grazing Company Pty Ltd as landowners of neighbouring land parcels  
Lot 104 Yandanooka North East Road  
Lot 107 Yandanooka North East Road  
Lot 16, Victoria Location 1929  
Lot 17, Victoria Location 1929;
  - c) Beattie Peta SMSF Pty Ltd as landowners of neighbouring land parcels  
Lot 61, Victoria Location 1910;
  - d) L Cocking as the landowner of neighbouring land parcels  
Lot 18, Victoria Location 1929  
Lot 19, Victoria Location 1929.

#### Attachment

15.1.1 2020 – 2025 Water Use Agreement – L Cocking [demonstrates tracked changes for Council to evidence the expired contract's content]



## MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 16 September 2020

- 15.1.2 2020 – 2025 Water Use Agreement – D & M Bagley
- 15.1.3 2020 – 2025 Water Use Agreement – Ikewa Grazing Pty Ltd
- 15.1.4 2020 – 2025 Water Use Agreement – Beattie Peta SMSF Pty Ltd

### Background

The *Rights in Water and Irrigation Act 1914* provides the legislative basis for the planning, regulation, management, protection and allocation of water resources in Western Australia. The objectives of the legislation include providing for the management, sustainable use and development of water resources to meet the needs of current and future users, and for the protection of their ecosystems and the environment in which water resources are situated.

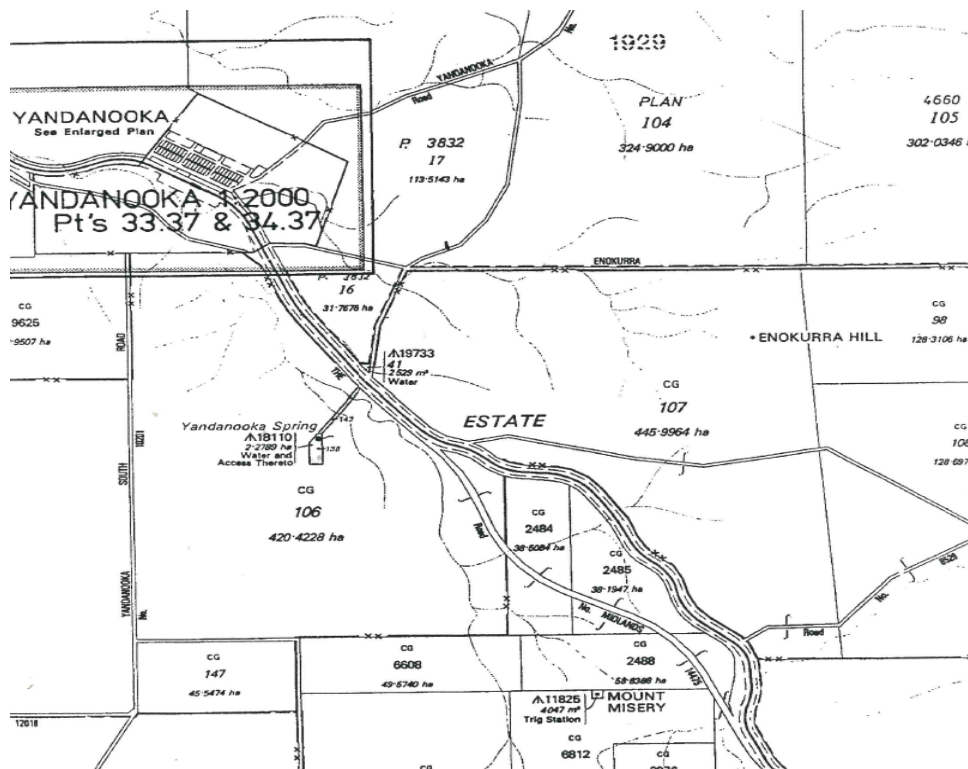
Whilst the *Rights in Water and Irrigation Act 1914* requires that a licence be obtained through the Department of Water and Environment Regulation (DWER) for the use of groundwater and the construction of a bore, the use / purpose for extracting water in these circumstances is exempt in accordance with s25(2), as the use meets the following criteria:

- (a) for domestic and ordinary use; and
- (b) for firefighting; and
- (c) for watering cattle or other stock, other than those being raised under intensive conditions as defined in section 21(4); and
- (d) for any other purpose that is prescribed by a local by-law referred to in subsection (1).

The Yandanooka Reserve 188110 was originally vested with the Shire (formerly as the Mingenew Road Board) in 1938 for the public purpose of water supply. The spring has historically fed the Bundanoon area and Yandanooka townsite, and more recently neighbouring properties.

The 2015 – 2020 Water Use Agreements were considered and renewed by Council at the August 2015 Ordinary Council meeting which originally included RA Campbell for Lots 18 & 19, Victoria Location 1929. The Water Use Agreement with RA Campbell was then transferred to the new property owner (L Cocking) as a result of a Council decision at the November 2018 Council meeting (Resolution# 17101810).

The below map outlines the spring location and neighbouring land parcels:



## MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 16 September 2020

### Comment

All agreements, existing and proposed are identical in content. Attachment 15.1.1 demonstrates the proposed changes in the contract document whilst the other agreements (attachment 15.1.2-15.1.4) have the proposed changes incorporated and are the finalised version.

Changes to the existing contract proposed-

#### 1. *Amendment to clause 3.3*

To accurately reflect the "Last On, First Off" concept, the priority of allocation / usage is to be amended to read as follows:

Priority Status	Grantee
1- First on	D & M Bagley
2- Second on	Ikewa Trading Company
3- Third on	Beattie Peta SMSF Pty Ltd
4- Last on	J. Cocking

It is worth noting that whilst the current agreement provides for the protection of water allocation in the case of natural diminution as above, there is no formal monitoring of water reserve levels being undertaken by, or required of, the Shire to provide oversight on water quantity levels.

#### 2. *Amendment to clause 6.1 & inclusion of clause 6.2*

The permitted use under Clause 6.1 of the now expired agreement outlines "The Grantee may use the water from the Spring to water livestock, and for domestic, and commercial purposes." DWER have provided the following advice regarding water usage and licences:

*"No licences are required if water is only taken from the water table aquifer and is used for:*

- Domestic purposes*
- A garden up to 0.2 hectares*
- Stock raised under non-intensive conditions*
- Fire fighting*

*Only if the neighbouring landowners are considering doing something else with the land that needs water, then they would need licencing, or an agreement clause added to the Shire of Mingenew's existing groundwater licence."*

Therefore, to provide clarity around acceptable water use under the agreement, the word 'commercial' has been removed and the criteria as provided by DWER inserted.

Clause 6.2 has been added to reflect the advice that a change to the usage of water (from the Reserve), could result in licensing requirements and additional conditions / monitoring requirements imposed on the Shire. Should Council receive a submission requesting amended usage, then consideration will need to be given to cost recovery and/or imposition of conditions onto the landowner to compensate for any costs the Shire will need to expend to meet licence conditions.

### Consultation

Justin Bagley  
Peter Mills, Ikewa Grazing  
Leonard Cocking  
Rodney Beattie

Mick Major, Department of Water and Environment Regulations  
Gary Little, WALGA – Environmental Division

### Statutory Environment

*Local Government Act 1995*  
*Rights in Water and Irrigation Act 1914*

**Policy Implications**

Nil.

**Financial Implications**

No fee has historically been collected for the Water Use Agreements.

The Shire incurs a minimal administration cost in the review and execution of the documents. If Council were to consider establishing a fee, it is recommended that the fee be paid upon renewal.

**Strategic Implications**

Strategic Community Plan 2019-2029

Strategy 1.4.1 Manage and protect water resources and infrastructure

11.2 WALGA ANNUAL GENERAL MEETING – 25 SEPTEMBER 2020

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
File Reference: ADM0118  
Disclosure of Interest: Nil  
Date: 8 September 2020  
Author: Erin Greaves  
Authorising Officer: Nils Hay, Chief Executive Officer  
Voting Requirements: Simple Majority

Summary

To consider and vote on the WALGA Annual General Meeting motions and submit those to the Association.

Key Points

- The WALGA Annual General Meeting is scheduled to be held on 25 September 2020 commencing at 1:30pm.
- The AGM Association Standing Orders, 2019 Annual General Meeting Minutes and 2019/20 Annual Report are presented.
- There are two Executive and Member Motions to be considered at the meeting (submitted by the Shire of Dundas), relating to:
  - 3.1 Drought in Western Australia
  - 3.2 State Owned Unallocated Crown Land (UCL) House Blocks

**OFFICER RECOMMENDATION – ITEM 11.2**

**PART A**

That Council supports the motions provided in the 25 September 2020 WALGA Annual General Meeting Agenda, as follows:

1. That the AGM Association Standing Orders be adopted.
2. That the Minutes of the 2019 Annual General Meeting be confirmed as a true and correct record of proceedings.
3. That the 2020 Annual Report including the 2019/20 Audited Financial Statements be received.

**PART B**

That Council supports the member motions submitted by the Shire of Dundas, as follows:

**MOTION 3.1**

That WALGA:

1. Requests assistance from the Federal Minister for Agriculture, Water and Environment, to reconsider the Federal Government's approach when determining the criteria on what areas are eligible and the whole of the Pastoral Range Lands be reconsidered for inclusion; and,
2. Requests the State Minister for Agriculture and Food, to reconsider the State Government approach of not assisting with the drought situation, and if the State cannot help under their Water Deficiency Program that is implemented to cart water, then an alternative assistance package be considered.

**MOTION 3.2**

That WALGA request the Minister for Local Government, Hon. David Templeman to consider a review into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL).

**VOTING DETAILS**

**Attachment**

11.1.1 WALGA AGM Agenda – 25 September 2020

11.1.2 WALGA Annual Report and Financial Statements 2020

**Background**

The WALGA AGM Agenda provides significant background around each member motion presented for decision however a summary and comment for each Item is provided below:

Motion 3.1 presented by the Shire of Dundas, relates to concern over a large proportion of WA areas being impacted by drought but being excluded from government funding. The motion advocates for eligibility and assistance for drought funding across Western Australia that reflects current and future need.

The Shire of Mingenew has recently benefited from the Federal Government's Drought Communities funding program that is likely to deliver positive outcomes for drought recovery and resilience within the community.

Motion 3.2 presented by the Shire of Dundas requests that a review be undertaken into the justification and fairness of the State Government not paying rates on Unallocated Crown Land (UCL). Given that the responsibility (financial and operational) to maintain infrastructure and services directly and indirectly related to these properties lies with Local Government, the Shire of Dundas believes that a contribution in the form of full rates or a minimum annual maintenance fee be paid. Without having gone through a formal review of Unallocated Crown Land within the Shire of Mingenew, it is likely that rate revenue from UCLs would have a significant impact on the Shire's rate revenue.

**Comment**

The AGM Agenda also includes an update on the actions taken based on resolutions from the 7 August 2019 WALGA AGM. In summary, these include:

- 3.1 Coastal Erosion – advocate to the Federal and State Governments with respect to the importance of responding to increasing challenges faced by Coastal Councils and develop policy initiatives (various). This matter does not have any impact on the Shire of Mingenew.
- 3.2 Department of Housing Leasing Residential Property to Charitable Organisations – WALGA was tasked with advocating to the Minister for Housing to include in the lease agreements with charitable institutions that the must pay Local Government Rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants. Whilst WALGA has corresponded with the Minister on this issue and raised the matter as part of the Local Government Act Review, no undertaking has been made to reform the rates system in this regard.
- 3.3 Motorist Taxation Revenue and Spending in WA – advocacy for a fairer distribution of funding from revenue collected from WA motorists to address WA road infrastructure needs and road safety matters and push to hold an inquiry into road user pricing and broader tax reform for motorists.
- 3.4 Biosecurity Groups (RBGs) – WALGA revokes its position of not supporting the establishment and operations of RBGs and whether to support RBGs is to rest with individual Local Governments. WALGA currently participates in the Biosecurity Senior Officers Group to oversee the development of Terms of Reference and a review of the *Biosecurity and Agriculture Management Act 2007*.
- 3.5 WALGA Members support for waste to Energy – WALGA was to seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be

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achieved, including local options for reprocessing, recycling and waste to energy. Advocacy continues but no firm commitment has been made by the State Government to-date.

- 3.6 Membership of the Development Assessment Panels (DAPs) – WALGA continues to advocate for Local Government Membership on DAPs. Any changes to presentation will require an amendment to the DAP Regulations (before April 2021) therefore, there will be further opportunity to provide feedback.
- 3.7 Review of the *Mining Act 1978* – at the WALGA AGM it was resolved to request the Minister to undertake a review of the *Mining Act 1978* with a view to maximising benefits to local communities and its impact on local communities, specifically including an MOU in the mining application process with Local Governments that ensures some contribution to local infrastructure. The matter has been referred to the Mining Communities Policy Forum and further advocacy is ongoing.
- 3.8 Financial Assistance Grant – WALGA were to lobby to retain the FAG at 1% of the Commonwealth Taxation Revenue. This advocacy is on hold considering COVID-19 response activities and economic recovery.
- 3.9 Third Party Appeal Rights – amendment sought to the Third-Party Appeals Process Preferred Model to allow third parties in addition to Local Government may make an appeal, including closely associated parties in additions to Local Governments when appealing to the WA Planning Commission and State Administrative Tribunal. This position was presented at the May 2020 WALGA State Council and was not supported.

### Consultation

WALGA

### Statutory Environment

Local Government Act 1995

### Policy Implications

Nil.

### Financial Implications

Nil.

### Strategic Implications

Community Strategic Plan

Strategy 1.2.2 Enhance open and trusting communication between Council and the community and deliver high quality services in partnership with external stakeholders.

### 11.3 COMMUNITY ASSISTANCE SCHEME PANEL MEMBERS 2020/2021

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
File Reference: ADM0518  
Disclosure of Interest: Nil  
Date: 8 September 2020  
Author: Erin Greaves  
Authorising Officer: Nils Hay, Chief Executive Officer  
Voting Requirements: Simple Majority

#### Summary

To appoint two Councillors to the Shire of Mingenew Community Assistance Scheme Panel for 2020/2021.

#### Key Points

- The Shire's Supporting the Community Policy outlines Council's governance structure for reviewing and approving community grants
- The Panel is to be comprised of the Community Services Coordinator (now Community Development Officer), the Chief Executive Officer and two Councillors
- This is not a formal Committee of Council and therefore, does not require an Absolute Majority vote

#### OFFICER RECOMMENDATION – ITEM 11.3

That Council:

1. appoints Cr \_\_\_\_\_ and Cr \_\_\_\_\_ to the Panel responsible for considering community grants in accordance with Policy 1.4.2 Supporting the Community, and
2. updates Policy 1.4.2 Supporting the Community to recognise the Community Development Officer as the appropriate staff representative for the Panel (removing reference to the Community Services Coordinator).

#### VOTING DETAILS

#### Attachment

11.3.1 Amended Policy 4.2.1 Supporting the Community

#### Background

Cr HM Newton and Cr RW Newton have previously represented Council on the Panel.

The current Policy states:

*"All community grants will be considered by a panel, comprising of the Community Services Coordinator, the Chief Executive Officer and two Councillors, who are to assess and prioritise the applications in accordance with the above listed criteria.*

*Criteria to award grant/commit Shire funds:*

1. *Applicants must be incorporated, not-for-profit, community-based organisations, groups and event organisers. Local state and federal government departments, private companies, private and public schools including employees of these bodies acting on behalf of their employers (excluding relevant community purpose representative bodies such as P&C Associations are ineligible.*
2. *The activity, event, competition, project or celebration must be offered within the Shire of Mingenew local government boundaries and open for attendance by the local community;*

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- a. *Where Shire funds are used towards an event, it is preferable that entry for locals be free of charge*
3. *The activity, event, competition, project or celebration must demonstrate alignment with the Shire's Community Strategic Plan;*
4. *The Community Organisation is not to have already received funding from the Shire by way of a Sponsorship, Donation, Community Assistance Scheme Funding or Council Contribution or received financial assistance from the Shire for the project for which the application has been made under any existing written agreement during the relevant financial year.*
5. *Applicants acknowledge that funding is subject to an Acquittal and Evaluation Form being completed and submitted to the Shire within 8 weeks of the stated completion date of the project or activity, or before the 20 June of the current financial year, whichever falls first. Failure to complete this step will result in disqualification for the next round of funding."*

The 1.4.2 Supporting the Community Policy was last reviewed in April 2019 and is scheduled for triennial review (next due October 2022) or as required. It appears that the Community Services Coordinator reference was not updated at the time of that review as the position title had not been amended at the time. It is therefore, recommended that this be updated.

### **Comment**

Now that the Community Assistance Scheme (CAS) has been operating for almost two years, Council may wish to review the governing policy 1.4.2 Supporting the Community, to ensure it adequately reflects current practice and operational needs, in consideration of community participation.

### **Consultation**

Margaret Rowe, Community Development Officer

### **Statutory Environment**

Local Government Act 1995

### **Policy Implications**

1.4.2 Supporting the Community

### **Financial Implications**

Nil.

### **Strategic Implications**

Community Strategic Plan

Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner.



## 12.0 FINANCE AND ADMINISTRATION MANAGER REPORTS

### 12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2020

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0304
Attachment/s:	Monthly Financial Report – August 2020
Disclosure of Interest:	Nil
Date:	8 September 2020
Author:	Jeremy Clapham, Finance & Administration Manager
Voting Requirement:	Simple Majority

#### Summary

This report recommends that the Monthly Financial Report for the period ending 31 August 2020 as presented to the Council be received.

#### Key Points

#### OFFICER RECOMMENDATION – ITEM 12.1

That the Monthly Financial Report for the period 1 July 2020 to 31 August 2020 be received.

#### Attachment

Monthly Financial Report for period ending 31 August 2020

#### Background

The Monthly Financial Report to 31 August 2020 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Summary Information
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity Information
- Cash and Financial Assets
- Receivables
- Other Current Assets
- Payables
- Rating Revenue
- Disposal of Assets
- Capital Acquisitions
- Borrowings
- Cash Reserves
- Other Current Liabilities
- Grants and Contributions
- Trust Fund
- Explanation of Material Variances

#### Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 31 August 2020	
Municipal Funds	\$1,121,554.53
Cash on Hand	\$100
Restricted Funds – 3 Month Term Deposit @ 0.9%	\$164,613
Trust Fund	\$1
Reserve fund - 3 Month Term Deposit @ 0.9%	\$427,012

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered.

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2020/21 financial year.

The Financial Report for the year ending 30 June 2020 has not yet been audited and is subject to change. The Opening Funding Surplus on 1 July 2020 is different to the Closing Funding Surplus at 30 June 2020. The reason for this is that the Closing Funding Surplus at 30 June 2020 was estimated in order to prepare the budget, due to the June 2020 accounts not yet being finalised. There were a number of adjustments made after year end, mainly to do with legislation changes (the treatment of income, the treatment of leases and the treatment of loss allowances). The largest of these adjustments was to do with the Bridge Funds received in 2016/17 but not yet spent, amounting to \$146,667. An adjustment was required as the funds received needed to be shown as a liability rather than as income. When the funds get paid to MRWA for the work done, they will be transferred back to income and increase the Funding Surplus once more.

### 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.

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- (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**

No financial implications are indicated in this report.

### **Strategic Implications**

Nil

## 12.2 LIST OF PAYMENTS FOR THE PERIOD 1 AUGUST 2020 TO 31 AUGUST 2020

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Attachment/s:** List of Payments – August 2020  
**Disclosure of Interest:** Nil  
**Date:** 8 September 2020  
**Author:** Helen Sternick, Senior Finance Officer  
**Authorised by:** Jeremy Clapham, Finance & Administration Manager  
**Voting Requirement:** Simple Majority

### Summary

This report recommends that Council receive the list of payments for period 1 August 2020 to 31 August 2020 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

### **OFFICER RECOMMENDATION**

That Council receive the attached list of payments for the period of 1 August 2020 to 31 August 2020 as follows:

\$145,996.99 Municipal EFT's;  
\$16,111.85 Municipal Direct Debit Department of Transport (Licencing) Payments;  
\$53,728.61 Municipal Direct Debit Other;  
\$1,276.74 Municipal Other Charges;  
\$70,449.61 Net Salaries

**Totalling \$287,563.80 as per attached list of payments.**

### 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

**13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN/FOR CONSIDERATION AT FOLLOWING MEETING**

Nil

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

**15.0 CONFIDENTIAL ITEMS**

**PROCEDURAL MOTION**

That Council closes the meeting to the public at \_\_\_ pm in accordance with s5.23(2)(e)(iii) of the Local Government, in order to consider Item 15.1 PROPOSED CHANGE OF VALUATION/RATING METHODOLOGY which if discussed, would reveal information about the business, professional, commercial or financial affairs of a person.

**15.1 PROPOSED CHANGE OF VALUATION/RATING METHODOLOGY**

*Provided to Councillors under separate, confidential cover.*

**16.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 21 October 2020 commencing at 4.30pm.

**17.0 CLOSURE**

These minutes were confirmed at an Ordinary Council meeting on 21 October 2020.

Signed \_\_\_\_\_  
Presiding Officer

Date: \_\_\_\_\_