



MINUTES OF THE ORDINARY COUNCIL MEETING

17 MARCH 2021

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 March 2021

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON
17 MARCH 2021 COMMENCING AT 4.30PM**

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr GJ Cosgrove, opened the meeting at 4:30pm and welcomed all for their attendance.

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

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

APOLOGIES

Nil

STAFF

N Hay	Chief Executive Officer
J Clapham	Finance and Administration Manager
P Wood	Works Manager
E Greaves	Governance Officer

MEMBERS OF THE PUBLIC

Mr J Holmes
Mr R Holmes

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Mr Jon Holmes and Mr Robert Holmes made a deputation to Council regarding the future land use of land on and surrounding Mingenew Hill for potential rural residential land development and nature trails development, as per Confidential Item 15.1 Mingenew Hill Land Development Process.

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The presentation outlined the Holmes' support for rural residential development to occur on the south side of Mingenew Hill over the proposed north-eastern development, as it is their view that this would:

- In accordance with the Shire's Local Planning Strategy, protect the views to and from Mingenew Hill so that it does not detract from the landscape value
- Reduce conflict with agricultural land uses by clearly separating residential and farming properties
- Reduce liability risk that currently exists in relation to members of the public accessing private land
- Provide more unhindered access to Mingenew Hill
- Reduce the impact on surrounding bushland due to fencing and access requirements.

Mr Jon Holmes indicated support for the Shire in acquiring the land on Lot 11976 from the Department of Planning, Lands and Heritage but to consider the south-western side of Mingenew Hill as the most suitable site for rural land development.

Mr Jon Holmes and Mr Robert Holmes left the meeting at 4:44pm.

Mr Peter Wood, Works Manager left the meeting at 4:45pm.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY COUNCIL MEETING HELD 17 FEBRUARY 2021

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 7.1 – RESOLUTION# 01170321

MOVED: Cr AR Smyth

SECONDED: Cr JD Bagley

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 17 February 2021 be confirmed as a true and accurate record of proceedings.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil.

9.0 DECLARATIONS OF INTEREST

Nil.

10.0 RECOMMENDATIONS OF COMMITTEES

10.1 SHIRE OF MINGENEW LOCAL EMERGENCY MANAGEMENT COMMITTEE

10.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 8 MARCH

OFFICER RECOMMENDATION - 10.1.1

That the Minutes of the Shire of Mingenew Local Emergency Management Committee Meeting held on 8 March 2021 be received.

10.1.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE TERMS OF REFERENCE REVIEW

LOCAL EMERGENCY MANAGEMENT COMMITTEE RECOMMENDATION - 10.1.2

That Council endorses the Local Emergency Management Committee Terms of Reference as presented.

10.1.3 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS (REVIEWED)

LOCAL EMERGENCY MANAGEMENT COMMITTEE RECOMMENDATION - 10.1.3

That Council endorses the Local Emergency Management Arrangements as presented.

10.2 SHIRE OF MINGENEW BUSH FIRE ADVISORY COMMITTEE

10.2.1 MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 8 MARCH

OFFICER RECOMMENDATION - 10.2.1

That the Minutes of the Shire of Mingenew Bush Fire Advisory Committee Meeting held on 8 March 2021 be received.

10.2.2 BUSH FIRE ADVISORY COMMITTEE – BRIGADE APPOINTMENTS

BUSH FIRE ADVISORY COMMITTEE RECOMMENDATION - 10.2.2

That the following persons be appointed to the position of Captain or Deputy Captain for the following Bush Fire Brigades:

- | | | |
|----|-----------------|------------|
| | Yandanooka | |
| a) | Captain: | N Duane |
| b) | Deputy Captain: | J Bagley |
| | Lockier | |
| a) | Captain: | D Michael |
| b) | Deputy Captain: | P Flanders |
| | Guranu | |
| a) | Captain: | B Cobley |
| b) | Deputy Captain: | G Elsegood |
| | Mingenew North | |
| a) | Captain: | A Pearse |
| b) | Deputy Captain: | A Green |
| | Mingenew Town | |
| a) | Captain: | A Smyth |
| b) | Deputy Captain: | T Anderson |

10.2.3 BUSH FIRE ADVISORY COMMITTEE – BUSH FIRE CONTROL OFFICER APPOINTMENTS

BUSH FIRE ADVISORY COMMITTEE RECOMMENDATION - 10.2.3

1. That the following persons be appointed to the position of Bushfire Control Officer for the Shire of Mingenew: Murray Thomas and;
2. That the following persons be appointed to the position of Deputy Bushfire Control Officer for the Shire of Mingenew: Nick Duane.

10.2.4 BUSH FIRE ADVISORY COMMITTEE TERMS OF REFERENCE

BUSH FIRE ADVISORY COMMITTEE RECOMMENDATION - 10.2.4

That Council endorses the reviewed Bush Fire Advisory Committee Terms of Reference as presented.

10.2.5 BUSH FIRE ADVISORY COMMITTEE – VARIATION TO RESTRICTED BURNING

BUSH FIRE ADVISORY COMMITTEE DECISION AND RECOMMENDATION TO COUNCIL – ITEM 7.2

That Council requests a variation to the declared restricted burning times for the Shire of Mingenew, in accordance with s.18 of the *Bush Fires Act 1954*, from the Fire and Emergency Services Commissioner (FES Commissioner) as follows:

Restricted	1 October to 31 October	<i>[amended from 17 September to 31 October]</i>
Prohibited	1 November to 31 January	
Restricted	1 February to 15 March	
Open	16 March to 30 September	<i>[amended from 16 March to 16 September]</i>

OFFICER/COMMITTEE RECOMMENDATIONS AND COUNCIL DECISION ENBLOC - ITEM 10.1.1 – 10.2.5 –RESOLUTION# 02170321

MOVED: Cr CV Farr SECONDED: Cr HR McTaggart

Item 10.1.1

That the Minutes of the Shire of Mingenew Local Emergency Management Committee Meeting held on 8 March 2021 be received.

Item 10.1.2

That Council endorses the Local Emergency Management Committee Terms of Reference as presented.

Item 10.1.3

That Council endorses the Local Emergency Management Arrangements as presented.

Item 10.2.1

That the Minutes of the Shire of Mingenew Bush Fire Advisory Committee Meeting held on 8 March 2021 be received.

Item 10.2.2

That the following persons be appointed to the position of Captain or Deputy Captain for the following Bush Fire Brigades:

- Yandanooka
- a) Captain: N Duane
 - b) Deputy Captain: J Bagley

- Lockier
- a) Captain: D Michael
b) Deputy Captain: P Flanders
- Guranu
- a) Captain: B Cobley
b) Deputy Captain: G Elsegood
- Mingenew North
- a) Captain: A Pearse
b) Deputy Captain: A Green
- Mingenew Town
- a) Captain: A Smyth
b) Deputy Captain: T Anderson

Item 10.2.3

1. That the following persons be appointed to the position of Bushfire Control Officer for the Shire of Mingeneew: Murray Thomas and;
2. That the following persons be appointed to the position of Deputy Bushfire Control Officer for the Shire of Mingeneew: Nick Duane.

Item 10.2.4

That Council endorses the reviewed Bush Fire Advisory Committee Terms of Reference as presented.

Item 10.2.5

That Council requests a variation to the declared restricted burning times for the Shire of Mingeneew, in accordance with s.18 of the *Bush Fires Act 1954*, from the Fire and Emergency Services Commissioner (FES Commissioner) as follows:

Restricted	1 October to 31 October	<i>[amended from 17 September to 31 October]</i>
Prohibited	1 November to 31 January	
Restricted	1 February to 15 March	
Open	16 March to 30 September	<i>[amended from 16 March to 16 September]</i>

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Statutory Environment

Local Government Act 1995

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Community Strategic Plan 2019 - 2029:

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

The Royal Commission was established to investigate systemic failures by institutions in relation to allegations and incidents of child sexual abuse. The Royal Commission found that across many decades, many of society's institutions failed to protect children.

In response to the Royal Commission, the State Government is:

- developing a system of independent oversight to improve child safety in organisations;
- developing a State policy position on the Royal Commission's recommendation 6.12 specifying that local governments should designate child safety officers from within existing staff profiles.

The DLGSC is seeking the Council's response to that suggestion.

The Royal Commission's final report contained 409 recommendations directed towards the development of effective government regulation, improvement in institutional governance and increased community awareness of child sexual abuse in institutions.

The development of an independent oversight system comprises the following four areas:

- organisations to report certain types of misconduct by their employees (including contractors and volunteers) involving children (known as reportable conduct) to an independent oversight body;
- organisations engaged in child related work to comply with child safe standards (known as the National Principles for Child Safe Organisations) and their compliance be monitored by an independent oversight body;
- out-of-home care providers be accredited by an independent oversight body;
- youth detention environment to comply with the National Principles and their compliance be monitored by an independent oversight body.

Ombudsman WA has drafted the Parliamentary Commissioners Amendment (Reportable Conduct) Bill 2020. The Bill obliges heads of organisations, including local governments, to notify an independent body of misconduct involving children, known as reportable conduct, by their employees, volunteers and contractors.

The Royal Commission recommended 10 child safe standards to improve child safe cultures and practices across all sectors providing services to children and young people. The standards have since been incorporated into the National Principles for Child Safe Organisations which were endorsed by the Council of Australian Governments in February 2019. The National Principles guide organisations to create child safe cultures and practices. The Department of the Premier and Cabinet (DPC) is leading community consultation about how the legal compliance with the National Principles should be implemented.

Royal Commission Recommendation 6.12 states that local governments should designate child safety officer positions from within existing staff profiles. The Department of Communities and DLGSC have drafted a discussion paper for the WA Local Government sector to better understand and respond to this recommendation (Attachment 11.4.1).

The State Government is seeking a formal response to the discussion paper, preferably through the relevant council, from local governments by 2 April 2021. Responses will inform the development of the State Government's policy position.

Comment

The requirement for every local government in Australia to mandate a Child Safety Officer, either as a new position dedicated to the role, or an existing employee with designated responsibility, is a suggested approach (by the Royal Commission and State Government) to meet the principles espoused by the Commonwealth via the Royal Commission.

The Royal Commission highlighted the important roles local governments play in communities that impact on the safety of children including:

- providing services to children, for example libraries, swimming pools and childcare;
- providing spaces for community activities, for example halls, theatres and sports grounds;
- funding or contracting services;
- facilitating community education or outreach programs;
- regulating planning and development approvals, infrastructure and property services; and
- water and food inspection.

Through this consultation process the State Government has two key aims:

- to develop a better understanding of the current role of local governments in promoting child safety and how the outcomes of this work are reported internally, to executive and to council; and
- to use this understanding of current work promoting child safety to inform development of an approach to meet recommendation 6.12 of the Royal Commission in implementing the child safety officer role.

Recommendation 6.12 of the Royal Commission recommended that, with support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a) developing child safe messages in local government venues, grounds and facilities;
- b) assisting local institutions to access online child safe resources;
- c) providing child safety information and support to local institutions on a need's basis; and
- d) supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

The following is extracted from the Royal Commission's findings:

"Child safety officers are intended to promote child safety within the organisation and support smaller community-based organisations providing services to children to create child safe environments. The role would be expected to support local staff and volunteers to build existing capacity around child safety within their organisations by providing information and assistance.

The Royal Commission's view was that a child safety officer proximate to services and local industries would be especially important in regional and remote areas, given these communities are known to routinely miss out on resources and access to services that are available in urban centres. In regional and remote communities, child safety officers could be a conduit for information.

Acknowledging the existing investment local governments make to promoting community safety, including child safety, the Royal Commission stated that local governments do not need to provide additional financial investment into implementing a child safety officer role and suggest that existing community safety positions within local governments could be expanded to align existing responsibility to strengthen child safety.

The following portfolios may have existing roles that could be considered for alignment with child safety responsibilities and it is recognised that significant work is already occurring in these areas within some local governments to promote child safety, as recommended by the Royal Commission:

- Community safety;
- Community and club development;
- Governance and risk;
- Communications; and
- Disability Access and Inclusion.

It is also recognised that not all local governments have existing community safety positions or have limited capacity to expand the functions of these roles to include child safety. In fulfilling the functions of the child

safety officer role, it is recognised that local government staff will need access to appropriate training. Where local governments have limited resources to create child safety officer positions the Royal Commission suggested that state and territory governments may be able to provide assistance. Concern lies with the extent of the assistance the state government will provide and whether that would include the provision of resources and materials, the cost of training and development etc.

Whilst the principles behind the Scheme and recommendations are supported, the challenges for the Shire of Mingenew, which are likely to be shared by many other small, regional local governments, are having the appropriate resources and funding to make it effective. The reality for the Shire, if these changes are implemented, is that the responsibilities would need to be incorporated into an existing role that already has an extensive range of responsibilities. The anticipated competencies required to fulfill the duties adequately are not currently present within existing staff skill sets. Council would, therefore, be expected to contribute to training and development and if the Shire needs recruit for the position in future, attracting someone with the right skill set mix may be difficult.

The State Government has not addressed why the Department of Child Protection's role has not been considered for resourcing Child Safety Officers, given the similarities in skill sets and resources. Although it is conceded that Department offices may lack local context for child safety matters, improved liaison with local governments in assisting to share resources and create awareness would be possible.

3.1 Functions of the child safety officer

The four key functions of child safety officers, recommended by the Royal Commission, are outlined below with suggestions as to how each function may look in practice. It is noted that some of these examples may represent work already occurring in many local governments.

a) Developing child safe messages in local government venues, grounds and facilities.

Developing child safe messages in local government venues, grounds and facilities promotes the knowledge and understanding of child safety by community members. Public messaging promotes the rights of children to feel safe as well as increasing the understanding of child safety by staff, volunteers and community members and acting as a deterrent for those who may intend to cause harm to children.

To implement this function would include:

- Working with key stakeholders including Commissioner for Children and Young People (CCYP) and the Working with Children Screening Unit to ensure that nationally consistent child safe messages are identified for use in local governments' venues, grounds and facilities.
- Working with internal communication teams to print posters/signs outlining nationally consistent child safe messages for their various venues, grounds and facilities.

b) Assisting local institutions to access online child safe resources

Institutions in local communities such as sole traders (i.e. music teachers, tennis coaches), private and community organisations (i.e. arts, cultural, community, sport and recreation groups, clubs and associations) may require assistance to access online child safe resources.

To implement this function would include:

- Facilitating the inclusion of information about child safety on their local government website including links to online child safe resource created by CCYP and the National Office of Child Safety. This would be in line with the current practice of many local governments in providing information and a link to Kidsport on their websites.
- Signposting local government staff and local organisations to CCYP, the National Office of Child Safety, and other relevant resources on the local government's website.
- Other local government resources may also assist in facilitating this function. Community Resource Centres and libraries provide physical access to computers and the internet, and library staff could

provide support to access suitable online child safe resources. Community, Club Development and Community Safety Officers may signpost to online resources within newsletters.

b) Provide child safety information and support to local institutions on a need's basis

Child safety officers are expected to provide general advice around promoting child safety and the implementation of the National Principles within organisations. For some local governments this may include hosting workshops/seminars with external providers.

It is expected that child safety officers would be supported by relevant agencies, such as CCYP, the National Office of Child Safety, or in the case of child protection concerns, the Western Australia Police Force or Department of Communities in meeting this function.

While it is not the intention of the Royal Commission for local government child safety officers to be a direct point of contact for community members or staff seeking advice on child protection matters, it would be important for anyone in this role to have appropriate knowledge and understanding of child abuse and neglect, as well as local child safeguarding procedures, in order to provide appropriate information, guidance and signposting. It is important for the local government to consider what support mechanisms are in place, to ensure the wellbeing of child safety officers when dealing with these matters and what specific areas of training would be required to build upon existing skills and knowledge of staff.

c) Support local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds

Communities within local government areas differ based on social demographics. The needs of supporting children from diverse backgrounds will differ based on the local population.

To implement this function would include:

- Identifying needs within the local community and key services providing support in meeting these needs.
- Working collaboratively with local government staff, responsible for supporting disability inclusion and access and promoting the needs of Aboriginal and culturally diverse children, to provide advice and support to local organisations on implementing child safe approaches that are accessible and inclusive for children with diverse needs.
- Linking local institutions with key services, including disability advocacy services, Aboriginal family support services or professional interpreters”.

Responses to the DLGSC consultation are due to the Department of Communities by close of business on Friday, 2 April 2021.

The National Principles for Child Safe Organisations are:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.

10. Policies and procedures document how the organisation is safe for children and young people.

Consultation

The State Government is seeking to consult with local governments. No consultation has taken place by the Government with external agencies, service groups or the community on this matter, as it is deemed not required, given it is a response to the State Government about a local government position.

The local government should specifically consider child safety with its Strategic Community Plan review cycle to ensure its obligations under the Scheme and general public health implications are explored and captured as required.

Statutory Environment

There are no current relevant statutory implications. The proposal includes new legislation that will mandate the role of anyone involved in provision of children's facilities or services to ensure that the relevant employee reports potential misconduct and the relevant organisation via its Principal Officer (or Chief Executive Officer) has appropriate mechanisms in place to encourage and receive reporting.

Policy Implications

Nil.

Financial Implications

The requirement to put in place appropriate mechanisms is considered by the Government to be largely administrative and of no direct financial outlay. The requirement or expectation to appoint (and implement) State and Commonwealth principles associated with Child Safety Officers at every local government in Australia however, will come at a cost, either by reducing services in another area or adding cost to rates, without appropriate financial and administrative resources from the government agencies already entrusted with this role.

The State Government Agency in WA entrusted with Child Welfare, is primarily the Department of Child Protection (and Police Department). Effectively the State is asking that local governments be 'an extension' or arm of this agency, without offering any promise of resources or financial assistance.

The risk, over time, if not initially, is that this burden will grow and expectation of service delivery will grow, such that it will be seen as part of the 'business as usual' of local government, without appropriate resources.

Strategic Implications

Strategic Community Plan 2019-2029

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

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

call arrangements may be negotiated with staff to ensure essential services can be provided if/when required. Staff may extend leave outside the closure period where approval is provided but this policy sets out the minimum expectations for leave accrual.

Consultation

The policy incorporates the requirement to notify Elected Members and employees of the intended closure period at least 8 weeks prior to Christmas Day to allow for operational planning. It also includes a minimum 4-week notice period for advising the local community of the closure.

Statutory Environment

Local Government Act 1995

Local Government Industry Award 2020

Policy Implications

As outlined.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan 2019-2029

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

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

12.0 FINANCE

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2021

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	FM.FRP
Attachment/s:	Monthly Financial Report – February 2021
Disclosure of Interest:	Nil
Date:	10 March 2021
Author:	Helen Sternick, Senior Finance Officer
Authorised by:	Jeremy Clapham, Finance & Administration Manager
Voting Requirement:	Simple Majority

Summary

This report recommends that the Monthly Financial Report for the period ending 28 February 2021 as presented to the Council be received.

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.1 – RESOLUTION# 06170321

MOVED: Cr AR Smyth

SECONDED: Cr CV Farr

That the Monthly Financial Report for the period 1 July 2020 to 28 February 2021 be received.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Attachment

12.1.1 Monthly Financial Report for period ending 28 February 2021

Background

The Monthly Financial Report to 28 February 2021 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
- Bonds and Deposits
- Explanation of Material Variances

Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 28 February 2021	
Municipal Funds – Corporate cheque account	\$280,978
Cash on Hand	\$100
Trust Fund	\$1
Municipal Funds – Business Maximiser	\$1,750,249

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 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

Strategic Community Plan 2019-2029 Strategies

1.2.1 Manage organisation in a financially sustainable manner

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

12.2 LIST OF PAYMENTS FOR THE PERIOD 1 FEBRUARY TO 28 FEBRUARY 2021

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: FM.CRD
Disclosure of Interest: Nil
Date: 3 March 2021
Author: Jeremy Clapham, Finance & Administration Manager
Voting Requirement: Simple Majority

Summary

This report recommends that Council receive the list of payments for period 1 February to 28 February 2021 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.2 – RESOLUTION# 07170321
MOVED: Cr HR McTaggart SECONDED: Cr AR Smyth

That Council receive the attached list of payments for the period of 1 February to 28 February 2021 as follows:

 \$84,852.48 Municipal EFT's;
 \$41,949.00 Municipal Direct Debit Department of Transport (Licencing) Payments;
 \$27,146.24 Municipal Direct Debit Other;
 \$680.25 Municipal Other Charges;
 \$76,430.80 Net Salaries

Total \$231,058.77 as per attached list of payments.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Attachment

12.2.1 List of Payments – February 2021

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

Strategic Community Plan 2019-2029 Strategies

1.2.1 Manage organisation in a financially sustainable manner

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

12.3 BUDGET REVIEW – 2020/21

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0130
Date: 11 March 2021
Author: Jeremy Clapham, Finance & Administration Manager
Voting Requirement: Absolute Majority

Summary

Council is requested to review and adopt the documentation tabled for the 2020/21 Budget Review.

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.3 – RESOLUTION# 08170321
MOVED: Cr HR McTaggart SECONDED: Cr AR Smyth

That Council, by Absolute Majority:

1. **Adopts the 2020/21 Budget Review as tabled; and**
2. **That administration staff make the required budget amendments within the chart of accounts to reflect those changes adopted and proposed in “Note 4” within the 2020/21 Budget Review document.**

VOTING REQUIREMENTS:

CARRIED BY ABSOLUTE MAJORITY 7/0

Attachment

12.3.1 Budget Review for the period ended 28 February 2021

Background

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires Council to conduct a review of its budget between 1 January and 31 March in each financial year. The Regulation requires that the results be submitted to Council to determine whether to adopt the review and recommendations made. Within 30 days of the review a copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries.

Comment

The attached budget review is to comply with the Shire’s statutory obligations.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

This report provides information by program and is based on the eight month period from 1 July 2020 to 28 February 2021.

The budget review reflects a view of the position of the Shire of Mingenew, projected full year revenue and expenditure against full year original budget.

The projected actuals are based on the information provided for each program, with an estimated zero increase/decrease in the closing funding surplus/(deficit) compared to original budget.

When the initial budget was prepared for 2020/21, an estimated amount of \$568,521 for the Opening Surplus was used, due to the Annual Financial Report not yet having been finalised or audited. After the audit was

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 March 2021

completed, there were adjustments of \$162,587 required to be made. These adjustments related mainly to legislation changes, with \$146,667 (re-allocation of income for bridge related funds received in 2016/17 now needing to be shown as a liability rather than income) being the largest adjustment. This meant that in order to balance the budget review back to nil, that the expenditure needed to be reduced by \$162,587. This has been achieved by:

- Reducing employee costs by approximately 51k, taking into account positions that have not been filled during the year;
- Savings achieved on the replacement of Plant & Equipment of approximately 58k;
- Various reallocations of income and expenditure of approximately 53k (please refer to Note 4 of the Budget Review Report for further details).

Consultation

Nils Hay; Chief Executive Officer
Peter Wood; Works Manager
Helen Sternick; Senior Finance Officer

Statutory Environment

Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Australian Accounting Standards

Policy Implications

Nil

Financial Implications

While the proposed amended budget does re-allocate funds across several areas, the final result provides a balanced budget.

Strategic Implications

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

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

PROCEDURAL MOTION AND COUNCIL DECISION - ITEM 14.0 – RESOLUTION# 09170321

MOVED: Cr HR McTaggart SECONDED: Cr AR Smyth

That Council accepts the Late Item 14.1 Confidential - Proposed Change of Valuation/Rating Methodology L32 & L33 on DP68473.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Mr Peter Wood returned to the meeting at 4:56pm.

PROCEDURAL MOTION AND COUNCIL DECISION - ITEM 14.0 – RESOLUTION# 10170321

MOVED: Cr HR McTaggart SECONDED: Cr CV Farr

That Council closes the meeting to members of the public at 4:56pm in accordance with s5.23(2)(e)(iii) of the *Local Government Act 1995*, as the matter to be discussed pertains to the business and financial affairs of a person (ratepayer).

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

14.1 CONFIDENTIAL - PROPOSED CHANGE OF VALUATION/RATING METHODOLOGY L32 & L33 DP68473

The confidential report was provided to Councillors under separate, confidential cover as provided in the Minute record.

COUNCIL DECISION - ITEM 14.1 – RESOLUTION# 11170321

MOVED: Cr RW Newton

SECONDED: Cr HR McTaggart

That Council:

1. Endorses a change to the rating methodology of the portions of L33 on DP68473 and the portion of L32 on DP68473 as identified in attachment 14.1.3, on the grounds that it believes the predominant use of that land is non-rural in nature; and
2. Directs the Chief Executive Officer to make a submission to the Minister for Local Government, in accordance with the Operational Guideline for Changing Methods of Valuation of Land, in support of this change taking effect on 1 July 2021.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 5/2

15.0 CONFIDENTIAL ITEMS

15.1 MINGENEW HILL LAND DEVELOPMENT PROCESS

The confidential report was provided to Councillors under separate, confidential cover as provided in the Minute record.

OFFICER RECOMMENDATION – ITEM 15.1

MOVED: Cr HM Newton

SECONDED: Cr HR McTaggart

That Council amends resolution #19161220, and in doing so:

- a) Endorses the Mingenew Hill, 10-lot subdivision layout as shown in attachment 15.1.1;
- b) Endorses the proposed Mingenew Hill Land Tenure Process v2 as outlined in attachment 15.1.4; and
- c) Directs the Chief Executive Officer to submit the endorsed design to the Department of Planning, Lands and Heritage and progress investigations/discussions and return this matter to Council for further consideration upon receipt of a land valuation response.

AMENDMENT – RESOLUTION# 12170321

MOVED: Cr HM Newton

SECONDED: Cr HR McTaggart

That Council removes point a) as the reference to the 10-lot subdivision layout is an administrative error and the decision of Council from 16 December 2020 (Resolution# 19161220) endorsing the 8-lot subdivision is confirmed as correct.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 6/0

SUBSTANTIVE MOTION AND COUNCIL DECISION - ITEM 15.1 – RESOLUTION# 13170321

MOVED: Cr AR Smyth

SECONDED: Cr JD Bagley

That Council amends resolution #19161220, and in doing so:

- a) Endorses the proposed Mingenew Hill Land Tenure Process v2 as outlined in attachment 15.1.4; and
- b) Directs the Chief Executive Officer to submit the endorsed design to the Department of Planning, Lands and Heritage and progress investigations/discussions and return this matter to Council for further consideration upon receipt of a land valuation response.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 6/0

NOTE: The Mingenew Hill Land Tenure Process v2 replaces the previously endorsed process from 16 December 2020 (Resolution# 19161220), and the 8-lot subdivision layout remains the preferred layout option should site (Lot 11976 on DP218480) be selected for development for the purposes of seeking a valuation from the Department of Planning, Lands and Heritage.

PROCEDURAL MOTION AND COUNCIL DECISION - ITEM 15.0 – RESOLUTION# 14170321

MOVED: Cr HR McTaggart

SECONDED: Cr AR Smyth

That Council reopens the meeting to the public at 5:29pm.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

14.1 CONFIDENTIAL - PROPOSED CHANGE OF VALUATION/RATING METHODOLOGY L32 & L33 DP68473 (CONTINUED)

PROCEDURAL MOTION AND COUNCIL DECISION - RESOLUTION# 15170321

MOVED: Cr HM Newton

SECONDED: Cr RW Newton

That Council approves consideration of a matter of an urgent nature in relation to Confidential Item 14.1 Proposed Change of Valuation/Rating Methodology L32 & L33 DP68473 in accordance with clause 3.13 of the *Shire of Mingenew Standing Orders Local Law 2017*, to consider the timing for giving effect to the endorsed change in methodology.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

MOTION AND COUNCIL DECISION - ITEM 14.1 – RESOLUTION# 16170321

MOVED: Cr HM Newton

SECONDED: Cr RW Newton

That Council phase the new GRV rates for L32 & L33 on DP68473 in over three years at the rate of one third per year, in accordance with Schedule 6.1 of Local Government Act 1995.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

NOTE: This decision is made in addition to the Council Resolution# 11170321 intending that the submission to the Minister for Local Government indicates support for the change in rating methodology taking effect from 1 July 2021 but for the change to be phased in over three years.

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 March 2021

16.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 21 April 2021 commencing at 4.30pm.

17.0 CLOSURE

The meeting was closed at 5:35pm.

These minutes were confirmed at an Ordinary Council meeting on 21 April 2021.

Signed _____
Presiding Officer

Date: _____