



# **MINUTES OF THE ORDINARY COUNCIL MEETING**

**18 OCTOBER 2023**

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**MINUTES FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON  
18 OCTOBER 2023 COMMENCING AT 5.00PM**

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

The Shire President opened the meeting at 5:00pm

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

**Councillors**

Cr GJ Cosgrove	Shire President
Cr JD Bagley	Deputy President
Cr JR Holmes	Councillor
Cr HR McTaggart	Councillor
Cr CV Farr	Councillor
Cr AR Smyth	Councillor

**Apologies**

Cr AT Pearse	Councillor
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**Staff**

Mr Matt Fanning	Chief Executive Officer
Mr Helen Sternick	Manager Corporate Services
Mr Shane Noon	Works Manager

**Guests**

Nil

**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**

Nil.

**7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

**7.1 ORDINARY COUNCIL MEETING HELD 16 AUGUST 2023**

**OFFICER RECOMMENDATION - ITEM 7.1**

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 16 August 2023 be confirmed as a true and accurate record of proceedings.

**7.2 SPECIAL COUNCIL MEETING HELD 20 SEPTEMBER 2023**

**OFFICER RECOMMENDATION - ITEM 7.2**

That the Minutes of the Special Council Meeting of the Shire of Mingenew held in the Council Chambers on 20 September 2023 be confirmed as a true and accurate record of proceedings.

**OFFICER RECOMMENDATIONS AND COUNCIL DECISION ENBLOC– ITEM 7.1 & 7.2 – RESOLUTION# 01181023**

**MOVED:** Cr HR McTaggart

**SECONDED:** Cr JD Bagley

That the Minutes of the Ordinary Meeting of Council held in the Council Chambers on 16 August 2023 be confirmed as a true and accurate record of proceedings.

That the Minutes of the Special Meeting of Council held in the Council Chambers on 20 September 2023 be confirmed as a true and accurate record of proceedings.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

**8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

**9.0 DECLARATIONS OF INTEREST**

**10.0 RECOMMENDATIONS OF COMMITTEES**

**10.1 MINGENEW LOCAL EMERGENCY MANAGEMENT COMMITTEE**

**10.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 9 OCTOBER 2023 .**

**OFFICER RECOMMENDATION - 10.1.1**

That the Minutes of the Mingenew Local Emergency Management Committee Meeting held on 9 October 2023 be received.

**COMMITTEE RECOMMENDATIONS AND COUNCIL DECISION – ITEMS 10.1.1 RESOLUTION# 02181023**

**MOVED: Cr AR Smyth                      SECONDED: Cr JD Bagley**

**ITEM 10.1.1**

**That the Minutes of the Mingenew Local Emergency Management Committee Meeting held on 9 October 2023 be received.**

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

## 11.0 CHIEF EXECUTIVE OFFICER

### 11.1 RFQ1-2023-24 Coalseam Rd – Bitumen Sealing

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** RD.DSC.1  
**Date:** 11/10/2023  
**Author:** Matt Fanning, CEO  
**Voting Requirement:** Simple Majority

#### Summary

To award WALGA eQuote Request for Quotation – RFQ01-2023-24 Coalseam Rd – Bitumen Sealing – Package 2 SLK 20.0km - 23.57km.

#### Key Points

- This RFQ is for the sealing of RRG widening works on the Coalseam Road
- Two Offers were received
- The RFQ was separated into 3 portions as funding for the portions was only secured for the portion 1 at the time of requesting Quotes. Portion 3 has not received funding.
- This report is the subject of portion 2.
- Portion 3 has not been funded by Main Roads and as such will not be considered.

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 11.1 – RESOLUTION# 03181023**

**MOVED: Cr JR Holmes                      SECONDED: Cr CV Farr**

**That Council:**

- Accepts the submission for WALGA eQuote RFQ01-2023-24 Coalseam Rd – Bitumen Package 2 SLK 20.0 - 23.57km, received from Bitutek Pty Ltd, as recommended in the confidential Evaluation Report (Attachment 11.1.2) and identified as the most advantageous, for a schedule of rates value of \$260,625.72 exclusive of GST.**
- Authorises the CEO to execute the contract for awarding RFQ01-2023-24 Coalseam Rd – Bitumen Package 2 SLK 20.0 - 23.57km in accordance with s.9.49A of the Local Government Act 1995.**

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

**(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)**

#### **Confidentiality**

An attachment to this report is confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because it deals with –

- “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.”*
- “Information that has a commercial value to a person”*

#### **Attachment**

11.1.1 WALGA eQuote Documentation

11.1.2 Confidential Attachment - Evaluation Report circulated as separate confidential attachment as per s.5.23(2)(e)(ii)(iii)

### **Background**

Request for Quotation were issued under the WALGA eQuote Preferred Supplier Panel - Roads, Infrastructure & Depot Services (PSP009) - **RFQ01-2023-24 Coalseam Rd – Bitumen Sealing**.

**The works were divided into three separable portions – Packages 1 to 3 with Package 2 the subject of this report:**

- a. Package 1: SLK 17.9 – 20.00km
- b. Package 2: SLK 20.00 – 23.57km**
- c. Package 3: SLK 23.57 – 24.37km

The RFQ was issued 26 July 2023 and closed 11 August 2023.

Offers to Quote were issued to:

<b>Supplier Name</b>	<b>Contact Details (name, phone, email, address etc)</b>
Colas Western Australia Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Bitutek Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
SGA Roads Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Downer Infrastructure	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel
Fulton Hogan Industries Pty Ltd	Roads, Infrastructure & Depot Services (PSP009) via Vendor Panel

Of these, two submissions were received.

### **Comment**

The Qualitative Criteria was approved prior to the advertisement of the RFQ. Each Criterion was given the following weightings and included within the RFT document.

<b>Criteria</b>	<b>Weighting</b>
(a) Skills and experience of key field personnel	10%
(b) Technical support experience including seal design	10%
(c) Demonstrated capability and capacity including quality	10%
(d) Workplace OSH practices and procedures	10%
(e) Price	60%

The submissions were assessed against the Qualitative Criteria and each Criterion was given a score in accordance with the Evaluation Guide contained within the Evaluation Spreadsheets.

A rating scale of zero-to-ten (0 - 5) was used for evaluating the Tender submissions in accordance with the Qualitative Criteria, with 0 being lowest and 5 being highest.

The evaluation report, including the overall evaluation scores and rankings, is attached.

The evaluation of the submissions received against the quantitative and qualitative criteria resulted in the rankings (in order of priority) as shown below –

Ranking	Offeror
1	Bitutek PL
2	Colas Western Australia

**Consultation**

- Works Manager

**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 Regulation 11A (2) states that:

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
  - (aa) the supply of the goods or services is associated with a state of emergency or a COVID-19 declaration; or
  - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

Under Council Delegations Register item 1.2.17 c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$250,000 delegated above, the decision is to be referred to Council.

**Policy Implications**

In obtaining WALGA eQuotes, the Shire's Purchasing Policy (1.3.1) requirements have been met. Our Local Price Preference Policy was also applied in the attached tender assessment document.

**Financial Implications**

The estimate project expenditure to deliver Package 2 SLK 20.00 – 23.57km is \$450,000 comprising \$300,000 RRG funding and \$150,000 Council funding.

Of this the sealing component of the works is \$260,625.72 exclusive of GST.

**Strategic Implications**

Strategic Community Plan 2019-2029:

1.1.1 Provide and support cost effective transport networks



## 11.2 RFQ02 23-24 – Mingenew Town Hall Options Report

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** CP.USE.2  
**Date:** 11/10/2023  
**Author:** Matt Fanning, CEO  
**Voting Requirement:** Absolute Majority

### Summary

To award Request for Quotation – RFQ02 23-24 Mingenew Town Hall Options Report.

### Key Points

- This RFQ is for the development of an options report for the Mingenew Town Hall
- Two Offers were received
- The Current budget is \$50,000 and preferred offer will exceed this allocation
- Works are to be completed by 30 March 2024

### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 11.2 – RESOLUTION# 04181023**

**MOVED:** Cr JD Bagley

**SECONDED:** Cr JR Holmes

#### **That Council:**

- c. By Absolute Majority, under section 6.8.(1)(b) of the *Local Government Act 1995*, allocates an additional \$25,000 from its municipal fund facilitate the completion of the Mingenew Town Hall Options Report
- d. Accepts the submission for RFQ02 23-24 Mingenew Town Hall Options Report, received from LA3, as recommended in the confidential Evaluation Report (Attachment 11.2.2) and identified as the most advantageous, for a Lump Sum value of \$58,500 exclusive of GST Plus additional optional costs of \$14,040 exclusive of GST for the engagement of a professional estimator.
- e. Authorises the CEO to execute the contract for awarding RFQ02 23-24 Mingenew Town Hall Options Report in accordance with s.9.49A of the *Local Government Act 1995*.

#### **VOTING REQUIREMENTS:**

**LOST BY ABSOLUTE MAJORITY 0/6**

(FOR: Nil, AGAINST: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth)

**Note:** that the Council wished for the scope of works to be refined and delivered within the current allocated budget.

### **Confidentiality**

An attachment to this report is confidential in accordance with section 5.23 (2) of the *Local Government Act 1995* because it deals with –

- (c) “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.”
- (e) “Information that has a commercial value to a person”

### **Attachment**

11.2.1 RFQ Documentation

11.2.2 Confidential Attachment - Evaluation Report circulated as separate confidential attachment as per s.5.23(2)(e)(ii)(iii)

### **Background**

The Mingenew Town Hall was built in 1959 and has served the Mingenew community for many years. In about 2012 asbestos was identified in the Hall and along with other deficiencies a decision was made to close the Hall. Since this time many reports and discussions have been held regarding the future of the Hall. At no time has there been a comprehensive options report which has enabled the Council to make a fully informed decision as to its future.

Request for Quotation were issued under the WALGA eQuote Preferred Supplier Panel - Engineering Environmental & Technical Consultancy (PSP002) - 1: Project & Operations Management (PSP002-011) and also to other known firms.

The works will be completed in four (4) parts being:

### **Part 1 - Condition/Safety/Compliance Assessment**

The Consultant will review the current reports and determine what additional reports will be necessary to inform the development of an options report for the future of the Hall.

### **Part 2 - Space Needs Assessment**

The consultant will review the survey data from the 2021 and 2023 community surveys and the community scorecard report and in consideration of all other Shire of Mingenew infrastructure provide a needs analysis for the Hall identifying the operational tenancy space requirements, with recommendations on:

- How the Hall can contribute to efficient and effective service delivery, and
- Requirements for space for future growth or expansion.
- An assessment of other tenant and user needs, including functionality, security, accessibility, service provision, etc. for the foreseeable future.
- A final projection of future needs, based on all findings of setup and service delivery, and considering advancement of technology.

### **Part 3 - Feasibility Study / Options Analysis**

Based on the findings and work produced from the Part 1 and Part 2, the Consultant will review and examine feasibility of options for the Hall.

This element of the Services shall include:

- A full examination and assessment of alternative solutions available, including:
  - Potential to construct a new Town Hall at the current location,
  - Potential to add-to/ renovate / rehabilitate the existing Town Hall,
  - Potential of leasing of spaces,
  - Potential service integration, and
  - Potential of Integration of the Town Hall with additional space for commercial ventures or other community uses.
- The feasibility study / options analysis section of the report shall include:
  - A cost-benefit analysis of each of the above options that are found to be available, including both initial capital/repair and ongoing operation and maintenance costs.

Following completion of the Feasibility Study, the Consultant shall produce basic concept designs that present the space layout, space needs and operational requirements (current and future) for the alternative options.

At the completion of the Feasibility Study, the Consultant shall deliver an interim report on findings and work completed to-date. Council will then provide direction to the Consultant on which of the alternative solutions is chosen to be the focus for the plans to be produced under the Pre-Design Report.

### **Part 4 - Pre-Design Report:**

This element of the Services shall include:

- Development of detailed conceptual plans for the chosen option (as directed by Council upon completion of the Feasibility Study stage), whether it be rehabilitation of current facilities, or the construction of new ones.
- Detailed conceptual plans should show design standards, floors plans, quantity and quality of the space, exterior design, building efficiencies and service level outcomes.
- The detailed design concepts should be accompanied by a detailed bill of quantities construction cost estimate.
- Energy Efficiency is important, and the Pre-Design report must articulate a clear and Sustainable Design Strategy that aim to meet modern energy efficiency standards.
- The Pre-Design Report should identify the potential to qualify for sources of grant funding, based on the concept identified.
- The Pre-Design Report should contain suitable standards, specifications, drawings and scope information which will enable the Council to tender out the preferred option works.

The RFQ was issued 12 September 2023 and closed 6 October 2023.

Offers to Quote were issued to 25 Engineering Environmental & Technical Consultancy firms.

Of this, 14 firms downloaded the documents, 5 declined to lodge an offer.

Of these, two submissions were received.

#### **Comment**

The Qualitative Criteria was approved prior to the advertisement of the RFQ. Each Criterion was given the following weightings and included within the RFT document.

Criteria		Weighting
(a)	Experience in similar projects	20%
(b)	Personnel	20%
(c)	Methodology	10%
(d)	Timeframe	10%
(e)	Price	40%

The submissions were assessed against the Qualitative Criteria and each Criterion was given a score in accordance with the Evaluation Guide contained within the Evaluation Spreadsheets.

A rating scale of zero-to-ten (0 - 5) was used for evaluating the Tender submissions in accordance with the Qualitative Criteria, with 0 being lowest and 5 being highest.

The evaluation report, including the overall evaluation scores and rankings, is attached.

The evaluation of the submissions received against the quantitative and qualitative criteria resulted in the rankings (in order of priority) as shown below –

Ranking	Offeror
1	LA3 + Studio Mango - Build Environment, Design & Planning

2	Core Business Australia
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**Consultation**

- Works Manager

**Statutory Environment**

Council has complied with its procurement policy however as the recommended offer is over the existing allocated budget then the matter is required to be presented to the Council for consideration.

**Policy Implications**

In obtaining Quotes, the Shire's Purchasing Policy (1.3.1) requirements have been met.  
Our Local Price Preference Policy was also applied in the attached evaluation report.

**Financial Implications**

The estimate project expenditure to deliver the Mingenew Town Hall Options Report based on the market response is between \$45,000 and \$75,000.

The current budget for the project is \$50,000 requiring the Council to consider an additional allocation of \$25,000.

**Strategic Implications**

Strategic Community Plan 2019-2029:

1.1.2 Provide buildings, facilities and services to meet community needs

## 12.0 FINANCE

## 12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 31 AUGUST 2023

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>File Reference:</b>	FM.FRP
<b>Attachment/s:</b>	Monthly Financial Report – August 2023
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	12 September 2023
<b>Author:</b>	Helen Sternick, Manager Corporate Services
<b>Approved by:</b>	Matt Fanning, Chief Executive Officer
<b>Voting Requirement:</b>	Simple Majority

## Summary

Council is required by legislation to consider and adopt the Monthly Financial Report, including Statement of Financial Activity for the period ended 31 August 2023, as required by Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996*.

**OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 12.1 – RESOLUTION# 05181023**  
**MOVED: Cr CV Farr                      SECONDED: Cr AR Smyth**

**That Council receives the Monthly Financial Report, including the Statement of Financial Activity, for the period 1 July 2023 to 31 August 2023, as included at Attachment 12.1.1.**

**VOTING REQUIREMENTS:** **CARRIED BY SIMPLE MAJORITY 6/0**  
(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)

## Attachment

### 12.1.1 Monthly Financial Report for period ending 31 August 2023

## Background

Council is provided with the Monthly Financial Report which has been developed in line with statutory reporting standards and provides Council with a holistic overview of the operations of the Shire of Mingenew.

The Monthly Financial Report for the period ended 31 August 2023 includes the following:

- Statement of Financial Activity by Nature or Type
- Statement of Financial Position
- Statement of Financial Activity Information
- Explanation of Material Variances
- Cash and Financial Assets
- Reserve Accounts
- Capital Acquisitions
- Disposal of Assets
- Receivables
- Other Current Assets
- Payables
- Rate Revenue
- Borrowings
- Lease Liabilities

- Other Current Liabilities
- Grants, Subsidies and Contributions
- Capital Grants, Subsidies and Contributions
- Budget Amendments

### Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 31 August 2023	
Municipal Funds – Corporate cheque account	\$2,934,254
Cash on Hand	\$100
Trust Fund	\$1
Municipal Funds – Business Maximiser	\$0
Term Deposit – Reserves	\$1,079,710

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 2023/24 financial year.

The 2022/23 Annual Financial Report has not been audited and is subject to change, this may alter the opening surplus for the 2023/24 financial year.

### Consultation

Nil

### Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996

#### **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 the previous month (the **relevant month**) in the following detail —

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- budget estimates to the end of the relevant month; and
- actual amounts of expenditure, revenue and income to the end of the relevant month; and
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.

(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).

(1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.

- (2) *Each statement of financial activity is to be accompanied by documents containing —*  
    *[(a) deleted]*  
    *(b) an explanation of each of the material variances referred to in subregulation (1)(d); and*  
    *(c) such other supporting information as is considered relevant by the local government.*  
(3) *The information in a statement of financial activity must be shown according to nature classification.*  
(4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*  
    *(a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month;*  
    *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 FINANCIAL REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2023

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** FM.FRP  
**Attachment/s:** Monthly Financial Report – September 2023  
**Disclosure of Interest:** Nil  
**Date:** 11 October 2023  
**Author:** Helen Sternick, Manager Corporate Services  
**Approved by:** Matt Fanning, Chief Executive Officer  
**Voting Requirement:** Simple Majority

### Summary

Council is required by legislation to consider and adopt the Monthly Financial Report, including Statement of Financial Activity for the period ended 30 September 2023, as required by Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996*.

### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 12.2 – RESOLUTION# 06181023**

**MOVED: Cr HR McTaggart**

**SECONDED: Cr JD Bagley**

**That Council receives the Monthly Financial Report, including the Statement of Financial Activity, for the period 1 July 2023 to 30 September 2023, as included at Attachment 12.2.1.**

### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

### Attachment

12.2.1 Monthly Financial Report for period ending 30 September 2023

### Background

Council is provided with the Monthly Financial Report which has been developed in line with statutory reporting standards and provides Council with a holistic overview of the operations of the Shire of Mingenew.

The Monthly Financial Report for the period ended 30 September 2023 includes the following:

- Statement of Financial Activity by Nature or Type
- Statement of Financial Position
- Statement of Financial Activity Information
- Explanation of Material Variances
- Cash and Financial Assets
- Reserve Accounts
- Capital Acquisitions
- Disposal of Assets
- Receivables
- Other Current Assets
- Payables
- Rate Revenue
- Borrowings
- Lease Liabilities
- Other Current Liabilities



- Grants, Subsidies and Contributions
- Capital Grants, Subsidies and Contributions
- Budget Amendments

### Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 30 September 2023	
Municipal Funds – Corporate cheque account	\$2,856,258
Cash on Hand	\$100
Trust Fund	\$1
Municipal Funds – Business Maximiser	\$0
Term Deposit – Reserves	\$1,079,710

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 2023/24 financial year.

The 2022/23 Annual Financial Report has not been audited and is subject to change, this may alter the opening surplus for the 2023/24 financial year.

### Consultation

Nil

### Statutory Environment

*Local Government Act 1995 Section 6.4*

*Local Government (Financial Management) Regulations 1996*

#### **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 the previous month (the **relevant month**) in the following detail —

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- budget estimates to the end of the relevant month; and
- actual amounts of expenditure, revenue and income to the end of the relevant month; and
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.

(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).

(1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.

(2) Each statement of financial activity is to be accompanied by documents containing —

- [(a) deleted]*
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) such other supporting information as is considered relevant by the local government.*
- (3) The information in a statement of financial activity must be shown according to nature classification.*
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be*
  - 
  - (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; 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

### 12.3 LIST OF PAYMENTS FOR THE PERIOD 1 AUGUST 2023 TO 30 SEPTEMBER 2023

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** FM.CRD  
**Attachment/s:** List of Payments – August and September 2023  
**Disclosure of Interest:** Nil  
**Date:** 9 October 2023  
**Author:** Maria Snowden-Giles, Payroll/Finance Officer  
**Approved by:** Helen Sternick, Manager Corporate Services  
**Voting Requirement:** Simple Majority

#### Summary

This report recommends that Council receives the list of payments (including purchasing cards), made under delegated authority, for period 1 August 2023 to 30 September 2023.

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 12.3 – RESOLUTION# 07181023 MOVED: Cr CV Farr                      SECONDED: Cr AR Smyth**

That Council, in accordance with *Local Government (Financial Management) Regulations 1996* section 13 and 13A, receives the list of payments for the period of 1 August to 30 September 2023, as included at Attachment 12.3.1. represented by:

\$699,558.81	Municipal EFTs
\$20,827.21	Municipal EFT Purchasing Cards (Fuel Cards)
\$40,509.55	Municipal Direct Debit Department of Transport (Licencing) Payments
\$124,261.34	Municipal Direct Debit Other
\$4,416.00	Municipal Direct Debit Purchasing Cards (Credit and Fuel Cards)
\$145,790.71	Net Salaries
\$1,035,363.62	Total Payments

**VOTING REQUIREMENTS:** **CARRIED BY SIMPLE MAJORITY 6/0**  
(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)

#### Attachment

12.3.1 List of Payments – August and September 2023

#### Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with section 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

In accordance with section 13A of the *Local Government (Financial Management) Regulations 1996* a list of payments made by authorised employees via purchasing cards is to be provided to Council.

The list is to include 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*

#### **12. Payments from municipal fund or trust fund, restrictions on making**

- (1) A payment may only be made from the municipal fund or the trust fund —
  - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - (b) otherwise, if the payment is authorised in advance by a resolution of the council.

#### **13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - (a) for each account which requires council authorisation in that month —
    - (i) the payee's name; and
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction;
  - and
  - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

#### **13A. Payments by employees via purchasing cards**

- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment;
  - (d) sufficient information to identify the payment.
- (2) A list prepared under subregulation (1) must be —
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

### **Policy Implications**

Payments have been made under delegation.

### **Financial Implications**

The list of payments made in accordance with budget and delegated authority.

### **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

### 13.0 GOVERNANCE AND COMMUNITY

#### 13.1 MINIMUM STANDARDS FOR BUSHFIRE VOLUNTEERS (ITEM FROM 16 AUGUST 2023)

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>File Reference:</b>	ES.PLN.2 / ES.VOL.1
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	10 August 2023
<b>Author:</b>	Erin Greaves, Governance and Community Manager
<b>Authorising Author:</b>	Matt Fanning, Chief Executive Officer
<b>Voting Requirements:</b>	Simple Majority

#### Summary

To consider adopting a set of standards to guide bushfire volunteer requirements and behaviours to ensure they operate in a safe environment.

#### Key Points

- To ensure Council is providing a safe work environment for bushfire volunteers attending fires/incidents, a set of minimum standards have been developed
- Considerable consultation has been held with DFES and LGIS in developing the Standards to ensure Council meets its commitment to safety and well-being, and complying with statutory obligations
- A draft document was provided to bushfire volunteers as part of the 20 March 2023 Bushfire Advisory Committee meeting, at which minor amendments were proposed. This set of Standards has been moderately updated to reflect any proposed changes.

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 13.1 – RESOLUTION# 08181023**

**MOVED: Cr AR Smyth                      SECONDED: Cr CV Farr**

**Council adopts the ‘Minimum Standards for Bushfire Volunteers’ as presented in the GCM Attachment Booklet – August 2023.**

#### **VOTING REQUIREMENTS:**

**LOST BY SIMPLE MAJORITY 0/6**

*(FOR Nil; AGAINST: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth)*

#### Attachments

13.1.1 Minimum Standards for Bushfire Volunteers

13.1.2 DFES Bushfire Training Program

13.1.3 LGIS Guide – Understanding WHS Obligations for Bushfire Volunteers

#### Background

The Shire has been making significant improvements to its safety systems, with a particular focus on volunteers. There have been significant industry discussions regarding the recent changes to health and safety legislation and application to bushfire volunteers, and there are now stricter obligations and penalties for local government to ensure due diligence responsibilities are followed to protect “workers” from safety risks.

The new *Work Health and Safety Act 2020*, which came into effect on 1 January 2022, provides new definitions that impact bushfire volunteers:

**Person Conducting a Business or Undertaking (PCBU)** is the term given to a person conducting a business or undertaking alone or with others, whether or not for profit or gain. Local Governments are considered to be PCBU's. PCBU's have a primary duty of care to ensure, as far as is reasonably practicable, that the health and safety of persons is not put at risk from work conducted as part of the business or undertaking.

A **volunteer** is a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses). Within safety legislation a person is a **worker** if the person carries out work in any capacity for a person conducting a business or undertaking, in this case the Local Government. This includes working as a Volunteer. Therefore, the Shire must give them the same considerations as paid employees.

The Duty of Care as a Volunteer includes:

- Taking reasonable care for their own health and safety; and
- Not adversely affecting the health and safety of other persons; and comply, so far as reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person to comply with this Act; and
- Cooperating with the local government and brigade in ensuring their own safety.

This includes:

- Participating in consultation and communication
- Reporting hazards and incidents
- Using personal protective clothing (PPC), personal protective equipment (PPE) and Respiratory protective equipment (RPE)
- appropriately
- Following safety documentation and reasonable instruction
- Attend any identified and required training

Training (both formal and informal, on the ground) is an effective way to ensure volunteers are equipped with the relevant skills, knowledge and experience to prepare and respond to emergencies safely. The Department of Fire Emergency Services (DFES) have a recommended training pathway which has guided those outlined within the Standards (see Attachment 13.12). The Shire recognises that volunteer time is valuable and limited but investment in training is vital to ensuring that volunteers can act within their capabilities and remain safe. Whilst there are a great number of volunteers that have significant experience operating on a fire ground and attending fires, it is important that volunteers continue to be upskilled and records are maintained.

### **Comment**

Council recognises the value of local volunteers in providing this service and it is the Shire's role to ensure hazards and risks are identified and mitigated. The development of these Standards is just one strategy to ensure that the volunteers are prepared and protected when they attend fire grounds and are participating in other volunteering activities.

Whilst many of these standards have already existed in practice, it is vital that Council demonstrate its commitment to supporting volunteers in undertaking their duties safely, and these Standards provide a guidance tool to ensure they are consistently applied, they support new volunteers, and expectations can be communicated and managed effectively.

Given volunteers are often attending fires without direct local government oversight, it is important that all personnel have the necessary tools and resources to act safely and responsibly so that any risks are identified and eliminated or minimised and everyone returns home safely.

### **Consultation**

WALGA  
LGIS

Shire of Mingenew Bush Fire Advisory Committee

**Statutory Environment**

*Work Health and Safety Act 2020*

*Bush Fires Act 1986*

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Strategic Community Plan 2019-2029

Strategy 1.3.2 Provide services and processes to enhance public safety

## 13.2 CHILD SAFE AWARENESS POLICY

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** CM.POL.1  
**Disclosure of Interest:** Nil  
**Date:** 19 September 2023  
**Author:** Erin Greaves, Governance and Community Manager  
**Authorising Author:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

### Summary

To respond to the Royal Commission's recommendations from the Commission inquiry into Institutional Responses to Child Sexual Abuse, a policy outlining Council's commitment and role in improving child safety awareness within the community.

### Key Points

- The State Government has determined that local governments are best placed, within their respective communities, to share information and build awareness on child safety matters
- The Shire is not appropriately resources to respond to cases of potential abuse but this Policy sets out a commitment for sharing information and resources to educate the community

### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 13.2 – RESOLUTION# 09181023**

**MOVED:** Cr CV Farr                      **SECONDED:** Cr AR Smyth

**Council adopts Council Policy 1.4.4 'Child Safety Awareness' as presented in GCM Attachments Booklet – October 2023, to demonstrate Council's commitment to facilitating child safety awareness within the community and its role of connecting people to support services and resources.**

### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

### Attachments

13.2.1 Proposed new Council Policy 1.4.4 Child Safety Awareness

### Background

The Child Safe Awareness Policy template has been developed in response to Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) and its recognition of the important role that local governments play in building a community approach to child safety.

The Royal Commission found that a lack of transparency, accountability, and response to disclosures of abuse as well as concerns and complaints raised by children, young people, their parents/carers, and the broader community were a major factor in allowing child abuse to occur, concealing it when it did occur, and exacerbating the trauma experienced by children and young people it was inflicted upon.

The Royal Commission also found that a well-informed and proactive community approach to child safety can create environments that prevent child abuse. The Child Safe Messages are part of a broader community awareness campaign to increase child safety and wellbeing in the community.



In 2018, the State Government accepted, or accepted in principle, all 310 Royal Commission recommendations applicable to WA, including Recommendation 6.12.

The Royal Commission identified the opportunity to utilise the established responsibilities of local government within their broader role of supporting their community to protect the safety and wellbeing of children and young people.

The Policy is focused on the role of local governments in WA in building and maintaining child safety awareness and knowledge by providing information for the organisations and individuals that operate in their communities.

The Tranche 1 Child Safe Messages focus on providing information to organisations to promote changes to organisational culture, practice, and processes to prevent abuse from occurring and improving responses to abuse if it does occur.

### **Alignment of the Tranche 1 messages to the National Principles for Child Safe Organisations**

<b>Message</b>	<b>Aligned to</b>
Child Safe Culture	National Principle 1 - Child safety and wellbeing is embedded in organisational leadership, governance and culture
Children have rights	National Principle 2 - Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
Everyone's involved	National Principle 3 - Families and communities are informed and involved in promoting child safety and wellbeing.
All Types of Safety	National Principle 4 - Equity is upheld and diverse needs respected in policy and practice.
Right Person for the Job	National Principle 5 - People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Child Friendly Complaints	National Principle 6 - Processes to respond to complaints and concerns are child focused.
Child Safe Training	National Principle 7 - Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
Safe Online and Offline	National Principle 8 - Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

### **Comment**

Having a Policy solidifies the Shire's existing position of support for preventing child abuse, neglect, bullying and other threats to the well-being of our young community members. It further commits Council to empowering its community to be aware of risks and have a collective approach to child safety messaging and accessing of appropriate resources.

Some of the proactive and practical steps the Shire can take to create child safety awareness are:

- Share resources online
- Child safety messages in local publications
- Displaying child safety information and making resources available at Shire venues
- Discussing child safety with key stakeholder groups and event organisers

**Statutory Environment**

*Local Government Act 1995*

*Child Care Services Act 2007*

*Children and Community Services Act 2004*

**Policy Implications**

New Policy proposed.

**Financial Implications**

Nil.

The responsibility to print and share flyers, information and connect key stakeholders to support will require minimal resourcing.

**Strategic Implications**

Strategic Community Plan 2019-2029

Strategy 1.3.2 Provide services and processes to enhance public safety

### 13.3 ADVOCACY FOR DARK SKY AND WILDLIFE FRIENDLY LED STREETLIGHT LUMINAIRE

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** EN.SPR.1  
**Disclosure of Interest:** Nil  
**Date:** 19 September 2023  
**Author:** Erin Greaves, Governance and Community Manager  
**Authorising Author:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

#### **Summary**

To consider providing its written support for the development of a dark sky and wildlife friendlier LED streetlight luminaire for Local Governments to be able to choose as an installation option from Western Australian power companies where appropriate.

#### **Key Points**

- Carol Redford, Astrotourism WA, presented to Councillors on Dark Sky initiatives in late 2022.
- The letter proposes improving lighting designs available to local governments (as an option) for streetlights that minimise the impact of light on wildlife and our Astrotourism strategies.
- As Western Power is responsible for procurement and purchasing of streetlights, the letter is directed at them for state-wide change.

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 13.3 – RESOLUTION# 10181023 MOVED: Cr CV Farr    SECONDED: Cr JR Holmes**

**Council endorses the letter of support as presented in GCM Attachments Booklet – October 2023 for signing, to be sent to Western Power to prove the demand for a dark sky and wildlife friendlier LED streetlight luminaire for Local Government.**

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

#### **Attachments**

13.3.1 Letter of Support

13.3.2 Project Flyer

#### **Background**

The Shire of Mingenew has been working with Astrotourism WA since 2019 on the development of Dark Sky Tourism for the region. Places of interest for Dark Sky Tourism visitors have been mapped out and dark sky measurements have been recorded. The Shire has also hosted numerous stargazing events that have engaged the local community on astronomy, light pollution and the development of Dark Sky Tourism for the local economy.

Carol Redford, CEO Astrotourism WA, has been progressing an initiative to secure a dark sky and wildlife friendlier LED streetlight luminaire for Local Governments. Meetings have been held with the WA Local Government Association (WALGA), Western Power, Horizon Power and recently the Department of Biodiversity, Conservation and Attractions (DBCA).

Tristan Simpson, Senior Environmental Officer DBCA, has also engaged WALGA, Local Government, WA's power companies and lighting manufacturers in pursuit of the same initiative.

Western Power is responsible for the procurement and purchasing of streetlights for the State, including those for Horizon Power.

In some Western Australian communities, Western Power and Horizon Power are installing 3000K or 4000K LED streetlights. These LED streetlights have environmental benefits, including a reduced carbon footprint from lower energy usage and lower maintenance needs.

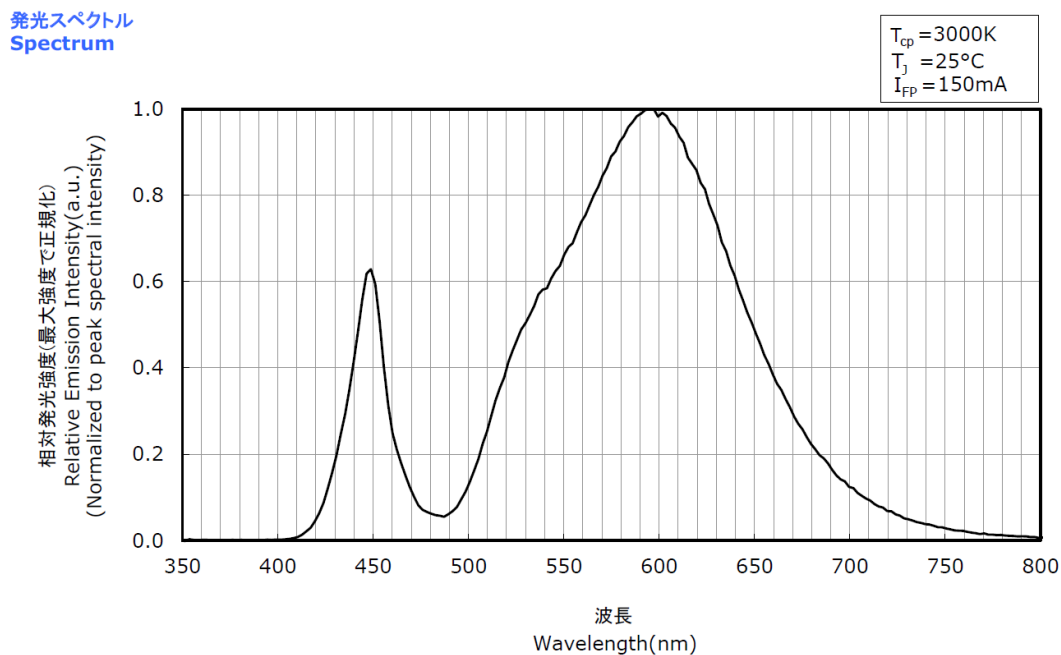
However, improvements can be made to the lighting design to reduce the impacts to the nighttime environment and nocturnal wildlife species. As outlined in the Australian National Light Pollution Guidelines for Wildlife, *"Animals perceive light differently from humans, and artificial light can disrupt critical behaviour and cause physiological changes in wildlife. For example, hatchling marine turtles may not be able to find the ocean when beaches are lit, and fledgling seabirds may not take their first flight if their nesting habitat never becomes dark."*

[Department of Climate Change, Energy, the Environment and Water, 2023, National Light Pollution Guidelines for Wildlife, Commonwealth of Australia, accessed 10 August 2023 (<https://www.dcceew.gov.au/sites/default/files/documents/national-light-pollution-guidelines-wildlife.pdf>)]

Improvements in streetlighting to reduce glare and correlated colour temperature will also lessen the impacts on human health. Current American Medical Association Policy supports efforts to reduce light pollution and states that *"...pervasive use of nighttime lighting disrupts various biological processes, creating potentially harmful health effects related to disability glare and sleep disturbance."*

Below is the spectral power distribution curve based on a current 3000K streetlight model showing a blue light spike that is detrimental to many native and threatened species of wildlife and the dark night sky.

Louis J. Kraus et al., 2016, Human and Environmental Effects of Light Emitting Diode (LED) Community Lighting, American Medical Association,



accessed 10 August 2023 ([https://www.australasiandarkskyalliance.org/files/ugd/2787e6\\_0ee945891153470e8afef4916d0b9615.pdf](https://www.australasiandarkskyalliance.org/files/ugd/2787e6_0ee945891153470e8afef4916d0b9615.pdf))

## Comment

DBCA and Astrotourism WA will propose to Western Power that an additional dark sky and wildlife friendlier LED streetlight luminaire option be added to the existing catalogue for selection to install by Local Governments.

DBCA has completed preliminary discussions with lighting designers and has identified that this initiative is feasible with negligible additional cost and tariffs, and will be compatible with existing fittings and infrastructure. Additionally, it will be compliant with relevant Australian Standards, AS1158.1.2:2010 - Lighting for roads and public spaces. This initiative will have no impost on Local Governments.

Western Power has confirmed its provisional support for this initiative pending demonstrated and formal confirmation from a representative proportion of Western Australia's Local Governments.

Upon enough support being obtained, DBCA and Astrotourism WA will collaborate with Western Power to procure a qualified lighting designer to progress. Once developed, the final luminaire product design(s), specifications and costs will be provided to Local Governments who have registered their formal support for feedback prior to progressing any further with Western Power.

Western Power will then include the additional choice of LED streetlight luminaire in their product catalogue as an option for Local Governments.

At this preliminary stage, DBCA and Astrotourism WA seek Shire of Mingenew support to demonstrate demand from Local Governments for a dark sky and wildlife friendlier LED streetlight luminaire.

### **Consultation**

Department of Biodiversity, Conservation and Attractions (DBCA)  
Astrotourism WA  
WALGA

### **Statutory Environment**

*Local Government Act 1995*

### **Policy Implications**

Nil.

### **Financial Implications**

Nil. The cost of the design of a new dark sky and wildlife friendlier streetlight will be covered by DBCA. DBCA's preliminary discussions with lighting designers has identified that this initiative is feasible with negligible additional cost and tariffs to Local Government.

### **Strategic Implications**

Strategic Community Plan 2019-2029

1.1.2 Provide buildings, facilities and services to meet community needs

1.3.2 Provide services and processes to enhance public safety

4.3.2 Support development of Tourism infrastructure to support deepening of local product

### 13.4 CHANGE OF COUNCIL MEETING DATE – DECEMBER 2023

<b>Location/Address:</b>	Shire of Mingenew
<b>Name of Applicant:</b>	Shire of Mingenew
<b>File Reference:</b>	GV.CMT
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	12 September 2023
<b>Author:</b>	Erin Greaves, Governance and Community Manager
<b>Authorising Author:</b>	Matt Fanning, Chief Executive Officer
<b>Voting Requirements:</b>	Simple Majority

## Summary

To consider changing the December Council meeting date from 13 December to 6 December 2023.

### Key Points

- The 13 December 2023 Ordinary Meeting date was set by Council at the 2022 December Ordinary meeting
- The CEO will be on leave from 11 December 2023
- The proposal is to bring forward the December 2023 Council meeting by a week to 6 December 2023 (no change to advertised date and venue)

**OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 13.4 – RESOLUTION# 11181023**

**MOVED: Cr CV Farr**

**SECONDED: Cr JR Homles**

**Council reschedules the December 2023 Ordinary Council meeting date from 13 December 2023 to 5:00pm, on Wednesday 6 December 2023 and publishes the details, in accordance with r.12(3) of the *Local Government (Administration) Regulations 1996*.**

## VOTING REQUIREMENTS:

**CARRIED BY SIMPLE MAJORITY 6/0**

**(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)**

## Background

At the December 2022 Ordinary Council meeting, Council set the 2023 meeting dates, with the Ordinary Council meeting in December set for 13 December 2023.

The meeting schedule is generally based on a schedule of meetings being held on the third Wednesday of every second month. This excludes the December meeting in order to allow for sufficient time to respond to meeting outcomes before the holiday break.

The Chief Executive Officer has leave scheduled to commence 11 December therefore, it is proposed the meeting be brought forward a week.

### Comment

The change is not expected to have any significant impact on community or Councillor attendance, and staff are expected to have sufficient time to prepare reports following the end of the month.

Changing the meeting ensures the CEO is available to provide executive advice on Council matters.

## Statutory Environment

Local Government Act 1995

Local Government (Administration) Regulations 1996

**12. Publication of meeting details (Act s. 5.25(1)(g))**

*(1) In this regulation — meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.*

*(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —*

*(a) ordinary council meetings;*

*(b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.*

*(3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.*

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Strategic Community Plan 2019-2029

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

## 14.0 WORKS MANAGER

### 14.1 Works Report October 2023

<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>	GV.CMT
<b>Date:</b>	October 2023
<b>Author:</b>	Shane Noon, Works Manager
<b>Voting Requirements:</b>	Simple Majority

#### **Summary**

The report is to provide Council with information regarding the performance by Council's Roads and Parks & Gardens operational teams over the month of September 2023 and may include proposed works for October 2023.

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 14.1 – RESOLUTION# 12181023**

**MOVED: Cr CV Farr                      SECONDED: Cr AR Smyth**

**Council receives and notes the Works report for the month of October 2023.**

#### **VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

#### **Background**

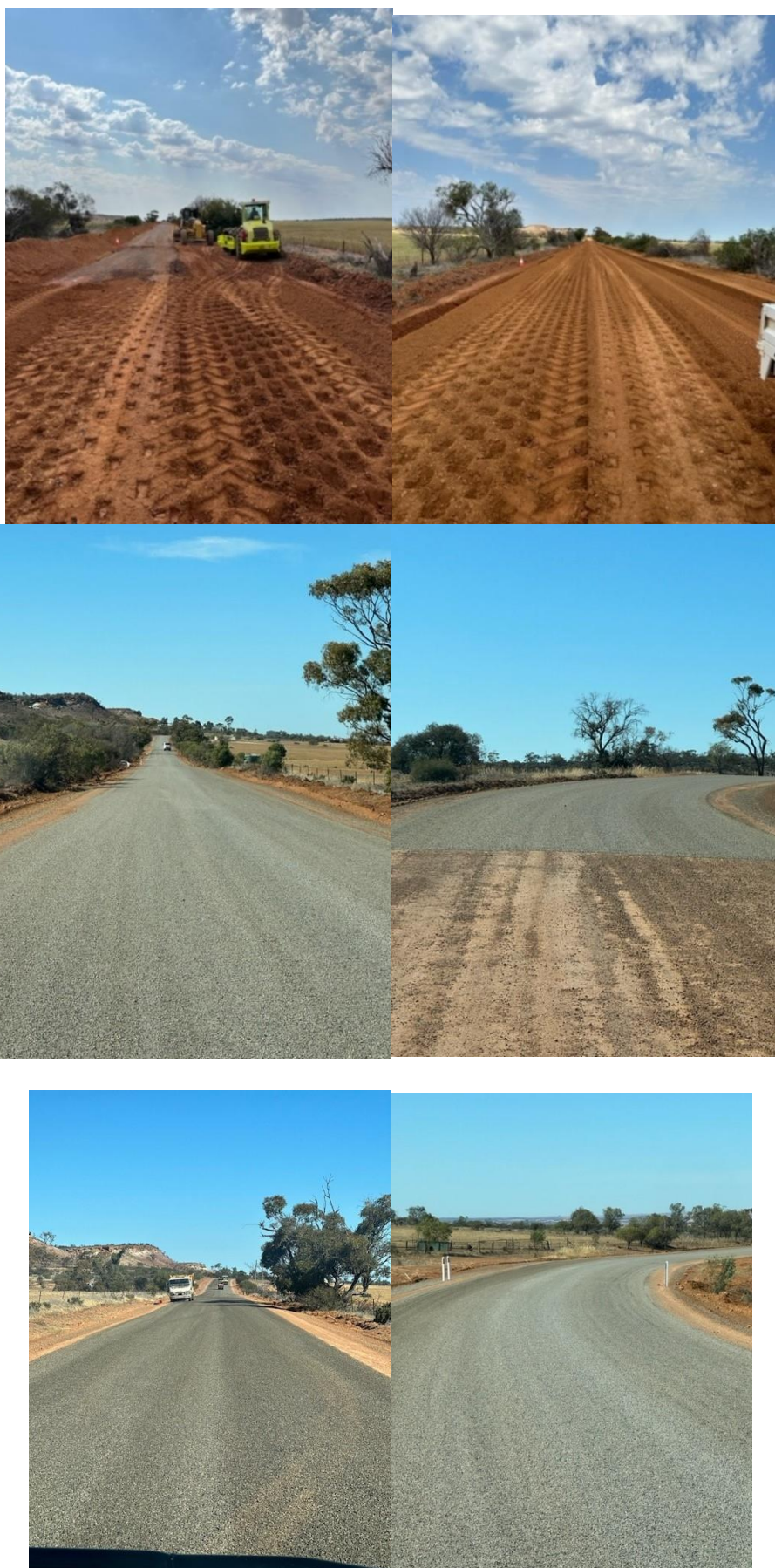
The report is to provide Council with information on Council's performance in relation to services supplied by Council's works area, roads, parks, gardens, open spaces and other operations and facilities.

#### **Comment**

##### **Road Renewal and new Works**

- RRG Coalseam road SLK 17.9 to 20.1km
  - Road works signage has been installed.
  - Road was sealed on the 4<sup>th</sup> October.
  - Some tidy up works along the drains and edges to be completed after the 27<sup>th</sup> October.
  - Guide posts to be installed.
- RRG Coalseam road SLK 20.1 to 23.57km
  - Gravel carting is complete except for some culvert and driveway areas.
  - Site works commenced 10<sup>th</sup> October and moving along.
  - Water point for the road has required relocating. Due to the low levels in the dam we were using thanks to the land holder for the use of the water. The water is being sourced from Depot hill. This will link into the next lot of gravel re-sheeting works to be done on Strawberry NE road.
  - Anticipated sealing date to be around the end of October or early November weather dependant.





## Maintenance Activities

**Maintenance grading works has been undertaken on the following roads:**

- Depot Hill road received a very quick brush over. We will return once we finish Coalseam road.
- Drilling rig contract grading works on Mooriary, Strawberry NE and Burma roads has commenced.

**Other Road Maintenance activities**

- Traffic counters are being prepared for placement. Roads being targeted are Eleanor Street, Yandanooka NE, Boolinda and Yandanooka West roads
- Yandanooka intersection line marking completed. Signage removed. Old road to be ripped up when grader is next in the area.

**Roadside signage**

- Narrow road signs removed from Coalseam road.

**Works ahead**

- Water grade roll Depot hill road - Main Roads
- Strawberry NE road gravel re-sheeting preparation works.
- Gravel patching Yandanooka Morawa road in 6 identified priority areas
- Gravel patching Colgate Road approximately SLK 10.22
- Pot hole patching Yandanooka North east road.
- Coalseam RRG project.

**Urban Services**

**Streetscape completed works**

- Mowing and maintenance of entrances and shared areas.

**Works ahead.**

- Routine maintenance
- Spraying, Street maintenance and garden maintenance.

**Open spaces completed works**

- Main oval, hocky field, Turf club straight and tennis courts have been renovated by Midwest turf suppliers.
- Mowing and maintenance of fields.
- Liquid fertilizer system has been installed and operating in Cecil Newton Park.
- Play grounds have been sand replenished up and weeded.
- Basic maintenance of the Spring area and working with community members to improve the Spring Area.
- The watering pump for the Bowling, tennis clubs has been renewed. All watering systems are back up and running. It took 3 and a half weeks to get a replacement pump for the watering systems.



**Works ahead.**

- Netball court maintenance on protruding lumps.
- Routine maintenance

**Tennis Club**

- The lights at the tennis courts need significant works. At present there is only 1 tower that functions correctly.
  - 1 tower does not operate at all
  - 6 towers only have 1 bulb working.
  - 3 control gear panels that are not functioning.
- Electrician has completed basic tests and is pricing replacing some of the bulbs and switch gear changing lights to a LED. These LED lights may not meet the Australian standard for lux lighting for tennis to be played. By replacing the lights with a below standard lights puts the Shire at a higher risk.
- A lighting specialist has been approached to provide a quote to do a lighting design and recommend lights with a proposal to change all lights. Cost estimate for this design is expected to be around the \$500 mark. This will be confirmed once the fee proposal has been received.



## **Infrastructure Projects**

### **Mingenew Airfield**

- Shed and shelter has been delivered.
- Pipe work will be completed by Nutrian Water date is yet to be set.
- Once the pipe work has been installed the shed will be constructed over the pump.

### **Tennis Club building**

- The transportable building was installed on the 29<sup>th</sup> September.
- Septic system and plumbing works have been completed.
- Electrical works have been completed.
- Blocks have been delivered. Thanks to Murray Tomas for his voluntary contribution to the project of transporting the blocks.





**Works ahead.**

- Installation of the shed and shade.
- Installation of the pipe work at the airfield.
- Routine maintenance
- Investigate options for light repairs or replacement for the tennis courts.
- Tennis clubhouse block walls and land scaping works.



**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

All works have been completed to Budget

**Strategic Implications**

Strategic Community Plan 2019-29

## MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 18 October 2023

- 1.1.1 Provide and support cost effective transport networks
- 1.1.2 Provide buildings, facilities and services to meet community needs
- 1.3.2 Provide services and processes to enhance public safety
- 2.4.2 Continue programs to improve the look and feel of the community public spaces, places and services to support an active and inclusive lifestyle

**15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

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

Nil.

**17.0 CONFIDENTIAL ITEMS**

**17.1 PURCHASE OF KARARA-OWNED PROPERTIES – 42 VICTORIA ST AND 49 SHENTON ST, MINGENEW**

*To be held in closed session under s5.23 (2)(b) of the Local Government Act 1995 as the matter to be considered relates to 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.*

*Copy of Confidential Report provided to Councillors under separate, confidential cover*

**PROCEDURAL MOTION AND COUNCIL DECISION – ITEM 17.0 – RESOLUTION# 13181023**

**MOVED: Cr JD Bagley                      SECONDED: Cr CV Farr**

That Council closes the meeting to the public at 5:50pm in order to discuss Confidential Item 17.1, in accordance with s.5.23.2(c) of the Local Government Act 1995, as the matter pertains to 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 REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

**OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 17.1 – RESOLUTION# 14102023**

**MOVED: Cr AR Smyth                      SECONDED: Cr CV Farr**

That with respect to the offer from Karara Mining Limited to purchase 42 Victoria Street and 49 Shenton Street, Mingenew, Council:

- a. resolve not to proceed with the purchase as this will only consume existing housing stock and its strategic direction is to increase housing stock within Mingenew.
- b. reserve the existing budget allocation of \$400,000 for a potential future key worker housing accord project.
- c. Instruct the CEO to write to Karara Mining Limited declining the offer to purchase the two Karara Houses and thank them for their continued support of the Mingenew Community.

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 6/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, and Cr AR Smyth, AGAINST: Nil)*

**PROCEDURAL MOTION AND COUNCIL DECISION – ITEM 17.0 – RESOLUTION# 15181023**

**MOVED: Cr JR Holmes                      SECONDED: Cr HR McTaggart**

**Council reopens the meeting to the public at 5:55pm.**

**VOTING REQUIREMENTS:**

**CARRIED BY SIMPLE MAJORITY 7/0**

*(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr CV Farr, Cr JR Holmes, Cr HR McTaggart, Cr AR Smyth, AGAINST: Nil)*

**18.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 6 December 2023 commencing at 5.00pm.

**19.0 CLOSURE**

The meeting was closed at 5:56pm.

**These minutes were confirmed at an Ordinary Council meeting on 18 October 2023.**

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

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