



AGENDA FOR THE ORDINARY COUNCIL MEETING

19 JUNE 2024



Ordinary Council Meeting Notice Paper

19 June 2024

An Ordinary Meeting of Council is called for Wednesday, 19 June 2024 in the Council Chambers, Victoria Street, Mingenew, commencing at 5.00 pm. Members of the public are most welcome to attend.

Matt Fanning
Chief Executive Officer
14 June 2024

DISCLAIMER

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

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

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

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

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

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

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

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

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

A Deputation invited to attend a Council meeting:

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

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

PROCEDURE FOR PRESENTATION

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

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

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

PROCEDURE FOR PETITIONS

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

- be addressed to the Shire President.

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

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

PROCEDURE FOR PUBLIC QUESTION TIME

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

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

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

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

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

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AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS
ON 19 JUNE 2024 COMMENCING AT 5:00PM.

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
Nil.
- 4.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES
- 7.1 ORDINARY COUNCIL MEETING HELD 17 APRIL 2024

OFFICER RECOMMENDATION - ITEM 7.1

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 17 April 2024 be confirmed as a true and accurate record of proceedings.

7.2 SPECIAL COUNCIL MEETING HELD 29 APRIL 2024

OFFICER RECOMMENDATION - ITEM 7.2

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 29 April 2024 be confirmed as a true and accurate record of proceedings.

7.3 SPECIAL COUNCIL MEETING HELD 6 MAY 2024

OFFICER RECOMMENDATION - ITEM 7.2

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 6 May 2024 be confirmed as a true and accurate record of proceedings.

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

The Shire President acknowledges and congratulates the Shire of Mingenew recently being announced by the Office of the Auditor General as a 2022-23 best practice entity for timeliness and quality of financial reporting and controls. This is the second year the Shire's performance has been recognised.

The OAG's Local Government 2022-23 – Financial Audit Results can be viewed by [clicking here](#).

9.0 DECLARATIONS OF INTEREST

10.0 RECOMMENDATIONS OF COMMITTEES

10.1 SHIRE OF MINGENEW EXECUTIVE MANAGEMENT COMMITTEE

10.1.1 MINUTES OF THE EXECUTIVE MANAGEMENT COMMITTEE MEETING 12 JUNE 2024

OFFICER RECOMMENDATION - 10.1.1

Council receives the Minutes of the Shire of Mingenew Audit & Risk Committee Meeting held on 12 June 2024.

10.1.2 CEO PERFORMANCE REVIEW - KPIS 2024

EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDATION - 10.1.2

Council:

1. Endorses the revised Key Performance Indicators for 2024 which aligns to the newly adopted Strategic Community Plan 2023-2033.
2. Schedules the 2024 annual appraisal to be commenced by early August 2024 and completed by the 21 August 2024 Ordinary Council Meeting.

11.0 CHIEF EXECUTIVE OFFICER

11.1 VOTING DELEGATES - WALGA STATE COUNCIL AGM 2024

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	GR.LRL.4
Disclosure of Interest:	Nil
Date:	14 June 2024
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Minority

Summary

To consider, and to appoint Council's voting delegates for the meeting.

Key Points

- All WALGA member Councils are entitled to be represented by two voting delegates at the AGM
- The Annual General Meeting 2024 is to be held on Wednesday, 9 October 2024, in conjunction with the 2024 Local Government Convention at the Perth Convention Centre.
- Elected Members and senior officers are welcome to attend as observers
- Registrations for voting delegates close 27 September 2024

OFFICER RECOMMENDATION – ITEM 11.1

Council appoints Cr GJ Cosgrove and Mr Matt Fanning as voting delegates for the Shire of Mingenew at the 2024 WALGA State Council AGM on Wednesday, 9 October 2024.

Attachment

11.1.1 2024 WA Local Government Convention Program

11.1.2 WALGA-2024-AGM-Notice-of-meeting

11.1.3 Guideline-for-the-submission-of-Member-Motions

11.1.4 2024-AGM-Member-motion-template

Background

The WALGA State Council AGM is commonly held the week of the Local Government Convention and this year it will be held at 2:30pm on Wednesday 8 October 2024 at the Perth Convention Centre. A copy of the program for this event is provided as Attachment 11.2.1 and the AGM notice of meeting provided as attachment 11.2.2.

Member Local Governments are also invited to submit motions for inclusion in the Agenda for consideration at the AGM. Submission guidelines and template provided as attachments 11.2.3 and 11.1.4.

The closing date for any submissions of motions is 5pm Friday, 23 August. Any matters relevant to the State Council have gone through the Northern Country Zone of WALGA. No motion shall be accepted for debate at the Annual General Meeting after this closing date unless the Association President determines that it is of an urgent nature, sufficient to warrant immediate debate, and delegates resolve accordingly at the meeting.

Comment

It has been previous practice to appoint the Shire President and Chief Executive Officer as Shire representative voting delegates. Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers. Council may wish to nominate two proxy delegates.

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The Agenda for the meeting was not available at the time of preparing this report but a copy of the Minutes from the 2023 AGM can be viewed at [https://walga.asn.au/awcontent/Web/Documents/WALGA%20Governance/2023-AGM-Minutes-\(ID-668893\).pdf](https://walga.asn.au/awcontent/Web/Documents/WALGA%20Governance/2023-AGM-Minutes-(ID-668893).pdf). A copy of the Agenda will be provided to Councillors once released.

All Voting Delegates will need to present at the WALGA Delegate Service Desk prior to the AGM to collect their electronic voting device (keypad) for voting and identification tag to gain entry into the Annual General Meeting.

The appointment does not preclude other Councillors or officers from attending the AGM.

Should Council wish to submit a motion or motions at the WALGA AGM, it is advisable this be considered at this meeting or at the latest, the 21 August 2024 Ordinary Council Meeting to ensure the deadline is met.

Consultation

WALGA

Statutory Environment

Local Government Act 1995

WALGA State Council Constitution

Policy Implications

1.1.1 Elected Member entitlements Policy

1.1.5 Elected Member Training and Professional Development Policy

"All Elected Members shall be entitled to attend the annual Western Australian Local Government Association (WALGA) Conference, with estimated costs to be included in the annual budget each year."

The Draft Budget for 2024/25 currently makes provision for up to 4 attendees at the conference (as per 2023/24). Should any more than 4 elected members wish to attend, Council will need to consider an amendment to the motion to increase the Budget and number of Elected Members authorised to attend.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan 2023-2033

16.2 Participate in regional collaborations to advocate for local needs

11.2 LOCAL GOVERNMENT JOINT POSITION STATEMENT FOR THE CONTINUATION OF LIVE SHEEP EXPORT FROM WA

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: GR.LRL
Date: 14 June 2024
Author: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

Council is requested to endorse the actions of the President to formally support the joint Local Government Position Statement for the continuation of live sheep exports.

Key Points

- The *Export Control Amendment (Ending Live Sheep Exports by Sea) Bill 2024* proposes to ban the export of live sheep by sea from Australia from 1 May 2028
- An Inquiry into the *Export Control Amendment (Ending Live Sheep Exports by Sea) Bill 2024* was announced on 4 June 2024 with submissions closing 11 June 2024.
- Council was required to act out of session due to the submission closing date.

OFFICER RECOMMENDATION – ITEM 11.2

That Council formally endorse the actions of the President in signing the submission supporting the Local Government Joint Position Statement for the continuation of live sheep exports within Western Australia.

Attachments

11.2.1 Support Live Sheep Exports from WA – Joint Local Government Position Statement

Background

The *Export Control Amendment (Ending Live Sheep Exports by Sea) Bill 2024* proposes to ban the export of live sheep by sea from Australia from 1 May 2028.

An Inquiry into the *Export Control Amendment (Ending Live Sheep Exports by Sea) Bill 2024* was announced on 4 June 2024. The Bill would amend the Act to:

- prohibit absolutely the export from Australia of live sheep by sea on and after 1 May 2028;
- ensure that offences and civil penalties apply to a failure to comply with the prohibition on the export of live sheep by sea;
- allow the export of live sheep by air to continue;
- allow the export of all other livestock, by sea or by air, to continue (including the export of live cattle); and
- provide authority for Commonwealth spending to assist individuals, businesses and communities in relation to preparing for, or adapting or responding to the phasing out of the export of live sheep by sea, including sheep producers and sheep supply chain businesses.

The deadline for submissions to the Inquiry is 11 June 2024 resulting in any Council consideration of support being required to be made by the President out of session.

A Joint Local Government Position Statement has been prepared by the Shire of Pingelly and is provided as Attachment 11.2.1.

Australia is one of the world's largest exporters of sheep meat, encompassing both live exports and frozen products. In 2022–23, the estimated value of Australia's sheep meat exports was \$4.5 billion. Live sheep exports by sea made up less than 2% of this trade, at around \$77 million. Western Australia accounts for almost all of Australia's live sheep exports. In addition, the wool industry had a gross value of \$655 million in 2021/22, 49% of the total contribution of the sheep industry.

A \$107 million Federal transition support package for the Australian sheep industry has been announced. The package includes:

- \$64.6 million to assist sheep producers and the supply chain, particularly in Western Australia, to capitalise on existing and emerging opportunities so that they are well positioned when the trade ends. Funding will assist businesses to plan and implement transition actions and to expand domestic sheep processing capacity. It will also support community wellbeing activities and rural financial counsellors.
- \$27.0 million to enhance demand within Australia and internationally for sheep products to maintain and develop market opportunities. With a range of delivery partners, including Austrade, this will fund activities such as market analyses, consumer studies, product promotions and building business relationships. Agricultural counsellors and Austrade will also work to support diverse trade to and relationships in the Middle East and North Africa region.
- \$2.6 million to continue to improve sheep welfare standards so that they are practical and meet community expectations and for Australia to enhance its engagement in the World Organisation for Animal Health.
- \$1.7 million to appoint a Transition Advocate to facilitate two-way communication between industry and government, provide information to industry about the transition plan and support, and provide advice to government on how the transition is progressing.
- \$11.1 million for the implementation of the phase out, including a stocktake of transition progress in 2026-27 and to facilitate ongoing engagement with industry, communities, trading partners and other stakeholders.

The arguments in favour of the ban are summarised as follows:

- protect Australia's international reputation
- reflect community concern
- incentivise economically sustainable alternatives to live sheep exports.

The arguments against the ban are summarised as follows:

- hurts rural communities and the Australian economy
- hurts animal welfare internationally because a ban in Australia merely shifts animal welfare responsibilities to other countries that do not uphold Australia's high animal welfare standards

Comment

Reflecting upon these arguments, it is considered that legislation should be informed by those impacted by it. In this case, legislation is being proposed which impacts the livelihood of rural people and communities, by largely people outside these communities. This leads to a mismatch between the legislation and local social values.

The hurt caused by this proposal appears to be underestimated and therefore the transition support package is insufficient. This is because only the direct impacts on the live sheep export are considered and also because the impacts on the wool industry are not considered. The removal of an entire industry without providing a replacement industry is harmful to the farmers, the local community and the whole of the Western Australian economy. This was a lesson learned through the withdrawal of support to the car manufacturing industry and clearly demonstrated that the decision makers are ill informed, and only politically based.

Even a small loss in economic vitality has an outsized impact within small rural communities including Mingenew. The loss of this industry will significantly impact local haulage businesses and regional sheering

teams which could impact local families which could then impact school numbers, teachers and services which then impact whole communities.

Consultation

Local Pastoral industry operators

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2023-2033

- 2.1 Work collaboratively to grow resource, agricultural and service industries in Mingenew.
- 16.2 Participate in regional collaborations to advocate for local needs

The loss of the Live export industry will directly impact and appose our Strategic Community Planning priority 2.1.

12.0 CORPORATE SERVICES

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 30 APRIL 2024 AND 31 MAY 2024

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	FM.FRP
Date:	14 June 2024
Author:	Jack Smith, Senior Finance Officer
Authorising Officer:	Helen Sternick, Manager Corporate Services
Voting Requirements:	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 April 2024 and 31 May 2024, as required by Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996*.

OFFICER RECOMMENDATION – ITEM 12.1

Council receives:

- 1) the Monthly Financial Report, including the Statement of Financial Activity, for the period 30 April 2024, as included at Attachment 12.1.1;
- 2) the Monthly Financial Report, including the Statement of Financial Activity, for the period 31 May 2024, as included at Attachment 12.1.2.

Attachments

12.1.1 Monthly Financial Report for the period ending 30 April 2024

12.1.2 Monthly Financial Report for the period ending 31 May 2024

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 April 2024 and 31 May 2024 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 April 2024	
Municipal Funds – Corporate cheque account	\$1,876,135
Cash on Hand	\$100
Trust Fund	\$1
Term Deposit – Reserves	\$1,142,398

Summary of Funds as per bank statements – Shire of Mingenew as at 31 May 2024	
Municipal Funds – Corporate cheque account	\$1,714,350
Cash on Hand	\$100
Trust Fund	\$1
Term Deposit – Reserves	\$1,142,398

The road agreement with Terra Mining, as at 31 May 2024, has contributed \$45,644 towards the Community Infrastructure Fund, of which \$17,653 remains outstanding.

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.

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 –

- (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 relevant month; and
- (c) actual amounts of expenditure, revenue and income to the end of the relevant month; 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 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).

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- (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 2023-2033

14 Operating with a high standard of good governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs

12.2 LIST OF PAYMENTS FOR THE PERIOD 1 APRIL TO 31 MAY 2024

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.CRD
Date: 14 June 2024
Author: Maria Snowden-Giles, Payroll/Finance Officer
Authorising Officer: Helen Sternick, Manager Corporate Services
Voting Requirements: Simple Majority

Summary

This report recommends that Council receives the list of payments (including purchasing cards), made under delegated authority, for period 1 April to 31 May 2024.

OFFICER RECOMMENDATION – ITEM 12.2

Council, in accordance with *Local Government (Financial Management) Regulations 1996* section 13 and 13A, receives the list of payments for the period of 1 April to 31 May 2024, as included at Attachment 12.2.1. represented by:

\$376,533.68	Municipal EFTs
\$27,689.06	Municipal EFT Purchasing Cards (Fuel Cards)
\$70,777.45	Municipal Direct Debit Department of Transport (Licencing) Payments
\$114,356.04	Municipal Direct Debit Other
\$12,269.14	Municipal Direct Debit Purchasing Cards (Credit and Fuel Cards)
<u>\$154,448.35</u>	Net Salaries
\$756,073.72	Total Payments

Attachments

12.2.1 List of Payments – 1 April to 31 May 2024

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 sub-regulation (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 sub-regulation (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 2023-2033

14 Operating with a high standard of governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs

12.3 BUDGET AMENDMENT – JUNE 2024

Location/Address: Shire of Mingenew – 21 Victoria Road, Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.BU.23.24
Date: 14 June 2024
Author: Helen Sternick, Manager Corporate Services
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

Previous budget amendments adopted by Council reduced the Plant Reserve by 258,265, it is proposed to reduce the amount transferred from the Plant Reserve to cover the costs of the new Skid Steer Loader, Profiler and Mulcher and to transfer to the Plant Reserve the proceeds of the sale of the Water Truck.

Key Points

- The budget amount to be transferred from the Plant Reserve is \$258,265
- The Draft Long Term Financial Plan and Draft Plant Replacement Program are anticipating the Plant Reserve opening balance of \$394,764
- The total expenditure for the skid steer loader, profiler and mulcher was \$160,827.19
- The total proceeds on the sale of the water truck was \$6,363.64

OFFICER RECOMMENDATION – ITEM 12.3

Council, by Absolute Majority, adopts an amendment to the budget to:

- 1) transfer from the Plant Reserve \$160,827.19 to cover the expenditure of the skid steer loader, profiler and mulcher;
- 2) transfer to the Plant Reserve \$6,363.64 the proceeds on the sale of the water truck;
- 3) transfer to Mingenew Day Care Centre Redevelopment Reserve \$2,137.68, the additional community contributions received; and
- 4) transfer the additional interest earned from Term Deposits to their respective reserves \$15,142.

Background

At the August Council meeting Council adopted to amend the budget to increase the transfer from the Plant Reserve to balance the budget to a zero surplus/deficit.

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 12.4 – RESOLUTION# 11160823

MOVED: Cr AT Pearse

SECONDED: Cr JD Bagley

That Council, by absolute majority, adopts the Budget amendments for 2023/24 reflected in this report. The budgeted closing surplus does not change, it remains at \$0.

VOTING REQUIREMENTS:

CARRIED BY ABSOLUTE MAJORITY 5/0

(FOR: Cr GJ Cosgrove, Cr JD Bagley, Cr JR Holmes, Cr HR McTaggart and Cr AT Pearse, AGAINST: Nil)

Comment

Processing the previous budget amendment in August 2023, to transfer funds from the Plant Reserve to balance the budget is in contradiction to the purpose of the reserve, which is for the purchase of plant and equipment. An alternative action is proposed regarding the transfer of funds from the Plant Reserve prior to end of year.

It is proposed \$160,827.19 be transferred from the Plant Reserve for the purchase of the skid steer loader, profiler and mulcher. Reducing the transfer from plant reserve and including the transfer of funds from the sale of the water truck will fund the purchases of plant as identified in the Draft Plant Replacement Program in the future.

The transfer to the Mingenew Day Care Centre Redevelopment Reserve is due to additional community contributions received from the Mingenew Tennis Club.

An interest rate of 5.11% was received at the commencement of the term deposit in August 2023, which is higher than the anticipated 3.2% within the budget, resulting in an additional \$15,142 to be received, as at 30 June 2024.

Original budget opening balances, including August 2023 proposed budget amendments:

Reserve	Budget					Budget Closing Balance
	Opening Balance	Budget Interest Earned	Budget Transfer In	Budget Transfer Out		
Aged Person Unit	12,859	532	1,000	0	14,391	
Employee Entitlement	77,063	2,776	0	0	79,839	
Plant	275,869	18,372	22	(258,265)	35,998	
Recreation	13,263	112	0	0	13,375	
Building & Land	71,080	9,851	0	0	80,931	
Environmental	19,734	709	0	0	20,443	
Land Development	7,020	0	0	0	7,020	
TRC/PO/NAB Building	22,351	807	0	0	23,158	
Insurance	43,481	838	0	0	44,319	
Economic Development & Marketing	20,534	373	0	0	20,907	
Mingenew Day Care Centre Redevelopment	25,688	904	37,000	0	63,592	
Community Infrastructure Fund Contribution	0	0	50,000	0	50,000	
Total	588,942	35,274	88,022	(258,265)	453,973	

Proposed budget amendments, with adjusted opening balances:

Reserve	Opening				Closing Balance
	Balance	Interest Earn	Transfer In	Transfer Out	
Aged Person Unit	15,217	718	1,000	0	16,935
Employee Entitlement	79,212	3,737	0	0	82,949
Plant	524,927	24,749	6,364	(160,827)	395,213
Recreation	13,633	643	0	0	14,276
Building & Land	323,061	15,240	0	0	338,301
Environmental	25,649	1,210	0	0	26,859
Land Development	7,216	340	0	0	7,556
TRC/PO/NAB Building	22,974	1,084	0	0	24,058
Insurance	44,693	2,108	0	0	46,801
Economic Development & Marketing	21,107	996	0	0	22,103
Mingenew Day Care Centre Redevelopment	25,688	1,913	39,138	0	66,739
Community Infrastructure Fund Contribution	0	0	50,000	0	50,000
Total	1,103,377	52,738	96,502	(160,827)	1,091,790

Statutory Environment

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) *is authorised in advance by resolution**; or

(c) *is authorised in advance by the mayor or president in an emergency.*

* *Absolute majority required.*

Policy Implications

Nil

Financial Implications

By adopting the recommended budget amendment, the Plant Reserve will have sufficient funds to be able to fund the Plant Replacement Program in the future. The budget amendment will reduce the anticipated closing surplus.

Strategic Implications

Strategic Community Plan 2023-2033

14 Operating with a high standard of good governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs

12.4 LONG TERM FINANCIAL PLAN 2025 - 2036

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	CM.PLN.2
Date:	14 June 2024
Author:	Helen Sternick, Manager Corporate Services
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

The purpose of this report is for Council to consider the adoption of the Long Term Financial Plan (LTFP) 2025 - 2036.

Key Points

- The LTFP anticipates a balanced budget for each year
- Assumptions for the average annual increase for rates between the years 1–4 is 7.5%; and years 5-12 is 5.0%
- Assumptions for the average annual increase for employee costs between the years 1-12 is 3.0%
- The LTFP accounts for an increase in residential housing through the use of borrowings

OFFICER RECOMMENDATION – ITEM 12.4

Council adopts the Shire of Mingenew Long Term Financial Plan 2025 – 2036, as attached.

Attachments

12.4.1 Long Term Financial Plan 2025 – 2036

Background

Local Governments are required to make future plans under Section 5.56(1) of the *Local Government Act 1995*. The Department of Local Government, Sport and Cultural Industries (DLGSC) has created an Integrated Planning and Reporting Framework to assist local governments to fulfil their strategic planning obligations under this provision.

The Long Term Financial Plan (LTFP) is a document that informs the Corporate Business Plan (CBP) and allocates the necessary resources to ensure that the Shire's priorities are achieved. From these planning processes, annual budgets that are aligned with strategic objectives can be developed.

The LTFP has used the operating baseline of the 2023/24 budget, removing one off expenditure and carry-overs to obtain a minimum level of revenue and expenditure that the Shire requires to operate current service levels. Capital and new operating initiatives, with accompanying funding sources, were then incorporated with key consideration for renewal requirements and meeting the initiatives of the CBP. Strategic decisions have been made to distribute funds to new capital and operating projects or changes to existing services, repayment of loan debt or transfers to reserves.

The first four years focus on construction of the daycare centre, six residential housing, aged persons residential housing, major refurbishment of the town hall, extension to the recreation centre, replacement of museum roof, construction of new shared pathways and construction of botanical garden at Mingenew Springs.

The years beyond the four year CBP timeframe provide an estimate of future financial impacts of strategic decision and identifies options to ensure a balanced and sustainable financial approach.

The development of the LTFP assists in the management of the local government's growth and provides guidance on the management of cashflows, funding requirements, community assets and risk. There is a high level of accuracy in the first two – three years of the plan, however as the plan extends the level of accuracy is reduced. For this reason, the LTFP will be reviewed and updated annually to ensure that current economic impacts are considered.

Comment

Through the development of the 2025 – 2036 LTFP the Shire has identified key economic drivers that will influence the future cost of providing infrastructure, services and facilities and estimated revenue generated from rates, fees and charges and asset sales. This information has been compiled into the LTFP and provides a financial roadmap detailing the Shire's capacity to meet the competing demands of services and facilities required by the community.

The plan identifies a variety of measures available to enable the Shire to achieve its objectives. The LTFP balances the funding needs for renewal and new infrastructure assets, current service levels, rating expectations, fees and charges aligned to CPI, appropriate use of debt, use of funds held in reserve and strategic sale of assets.

The 2025-2036 LTFP has been developed with the following underlying assumptions:

- Balanced annual budget
- 10% increase in rate revenue decreasing to 5% from 2026/27 onwards
- A conservative 2% increase on interest earnings
- 1 change to staffing levels once the Mingenew Spring botanical garden is completed
- Employee costs annual increase of 3%
- Utilities costs annual increase of 3%
- Insurance annual increase of 3%
- New borrowings totally \$4.6m for the construction of residential housing
- \$300,000 annual transfer to Plant Reserve to self-fund plant purchasing in future years
- \$3,000 annual transfer to Aged Person Units Reserve
- Transfers from Plant Reserve to self-fund plant purchases

Consultation

The information obtained through the MARKYT survey, various community and club workshops that has been conducted throughout 2022 and 2023 to inform the development of the Shire's Strategic Community Plan 2023-2033 and Corporate Business Plan 2023-2027 has also informed the development of the LTFP.

Statutory Environment

Local Government Act 1995

5.56. Planning for the future

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

Local Government (Administration) Regulations 1996

Section 19, Division 3, outlines the requirements of Planning for the Future.

The Department of Local Government, Sport and Cultural Industries have provided guidelines for the Integrated Planning and Reporting Framework.

Policy Implications

Nil.

Financial Implications

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The adoption of the Long Term Financial Plan does not have any financial implications, however, the document is used to guide the development of the annual budget.

Strategic Implications

Strategic Community Plan 2023-2033

- 15.1 Build our operational reserves to support long term goals and/or enable adaptation to changing needs
- 15.2 Balance value for money principles and compliance in procurement practices
- 15.3 Develop an updated LTFP that considers asset management capabilities
 - b Develop an updated Long Term Financial Plan (CBP)

12.5 ADOPTION OF THE 2024/25 BUDGET

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	FM.BUD.24.25
Date:	14 June 2024
Author:	Helen Sternick, Manager Corporate Services
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Absolute Majority

Summary

To consider and adopt the Municipal Fund Budget for the 2024/25 financial year together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of Council members fees for the year and other consequential matters arising from the budget papers.

Key Points

- An anticipated opening surplus for 2024/25 (closing surplus for 2023/24) of \$575,000 and is subject to change after audit.
- A proposed increase in general rates of 10% (5% general increase and 5% for road improvement program),
- Two new loans from WATC, totally \$1.6m, for four new residential houses, (two x Government Regional Officer Housing and two Key Workers' Accommodation) financed over 10 years.
- Elected Members fees updated accordingly to new calculations and to Section 6 and 7 of the Local Government CEO and Elected Members Determination No 1 of 2024.
- 11% interest on outstanding rates and 5.5% interest on rates instalments remain the same.

OFFICER RECOMMENDATION – ITEM 12.5

PART A – ANNUAL BUDGET FOR 2024/25

Pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopts the Budget as contained in Attachment 12.5.1 of this agenda and the minutes, for the Shire of Mingenew for the 2024/25 financial year which includes the following:

- Statement of Comprehensive Income
- Statement of Cash Flows
- Statement of Financial Activity
- Notes to and Forming Part of the Budget.

PART B – GENERAL RATES, MINIMUM PAYMENTS, INSTALMENT PAYMENT ARRANGEMENTS, DISCOUNTS AND INTEREST

1. For the purposes of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* ~~impose the following general rates and minimum payments on Gross Rental and Unimproved Values.~~

1.1 General Rates

- Residential / Commercial / Industrial (GRV) 16.6315 cents in the dollar
- Rural / Mining (UV) 0.8203 cents in the dollar

1.2 Minimum Payments

- Residential / Commercial / Industrial (GRV) \$924.00
- Rural / Mining (UV) \$1,389.00

2. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominates the following due dates for the payment in full by instalments:
 - Option 1 (Full Payment)
Full amount of rates and charges including arrears, to be paid on or before 23 August 2024 or 35 days after the date of issue appearing on the rate notice whichever is the later.
 - Option 2 (Two Instalments)
 - First instalment to be made on or before 23 August 2024 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges; and
 - Second instalment to be made on or before 25 October 2024 or 2 months after the due date of the first instalment, whichever is later.
 - Option 3 (Four Instalments)
 - First instalment to be made on or before 23 August 2024 or 35 days after the date of issue appearing on the rate notice whichever is later, including all arrears and half the current rates and service charges;
 - Second instalment to be made on or before 25 October 2024 or 2 months after the due date of the first instalment, whichever is later;
 - Third instalment to be made on or before 10 January 2025 or 2 months after the due date of the first instalment, whichever is later; and
 - Fourth instalment to be made on or before 14 March 2025 or 2 months after the due date of the first instalment, whichever is later.
3. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$17 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and services charges through an instalment option.
5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
6. Pursuant to section 6.47 of the *Local Government Act 1995*, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite. Rates for A219 (Charitable property) are exempt and subject to a 20% voluntary contribution by the ratepayer.

PART C – FEES AND CHARGES FOR 2024/25

Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, Council adopts the Fees and Charges included in the draft 2024/25 budget included as Attachment 12.5.1 of this agenda.

PART D – COUNCIL MEMBERS' FEES AND ALLOWANCES FOR 2024/25

In accordance with Section 5.99 of the *Local Government Act 1995*, and regulation 30 of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

- Shire President \$12,683
- Councillors \$4,114

In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996* and Part 7.2(1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for the Shire President be set at \$13,026.

In accordance with Section 5.98A(1) of the *Local Government Act 1995*, Regulation 33A *Local Government (Financial Management) Regulations 1996* and Part 7.3(1) of the Determination for Local Government Elected Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for the Deputy Shire President be set at \$3,256.

PART E – MATERIAL VARIANCE REPORTING FOR 2024/25

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, the level to be used in statements of financial activity in the 2024/25 for reporting material variances shall be 15% or \$20,000, whichever is the greater.

Attachments

12.5.1 2024/25 Annual Budget

Background

The draft 2024/25 budget has been compiled based on the principles contained in the Strategic Community Plan 2023-2033 and is in accordance with the presentations made to Council at the budget workshops held 17 April 2024 and 15 May 2024.

Comment

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

- The budget has been prepared with a 10% rate increase in line with the forward financial plans contained in the Plan for the Future (5% general increase and 5% for road improvement program).
- Household and commercial waste charges are proposed to be increase by 5% and are itemised in the proposed schedule of fees and charges.
- The recurrent operating budget includes an overall increase in estimated expenditure of 5% (although individual line items may vary from this based on specific factors affecting each of these) and continues to focus on improved service delivery to the community. There is no increase in staff number planned.
- A capital works program totalling \$6.48m for investment in infrastructure, land and buildings, plant and equipment is planned. Expenditure on buildings is the major component of this (\$3.84m), renewal of day care facility, upgrade of recreation centre, 4 x new residential housing and road infrastructure expenditure of \$1.61m.
- Loan borrowings of \$1,600,000 to fund 4 x residential housing are proposed.
- An estimated surplus of \$575,000 is anticipated to be brought forward from 30 June 2024, however, this is unaudited and may change. Any change will be addressed as part of a future budget review.

Consultation

The 2024/25 draft budget is based on the Strategic Community Plan, which include input from the community. There has been internal consultation with staff and elected members throughout the preparation of the budget.

Statutory Environment

Local Government Act 1995

6.2. Local government to prepare annual budget

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*,*

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in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

Division 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2024/25 budget as presented is considered to meet statutory requirements.

Waste Avoidance and Resource Recovery Act 2007

67. Local government may impose receptacle charge

- (1) A local government may, in lieu of, or in addition to a rate under section 66, provide for the proper disposal of waste, whether within its district or not, by making an annual charge per waste receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of premises provided with a waste service by the local government.

Salaries and Allowances Act 1975

7B. Determinations as to fees and allowances of local government councillors

- (2) The Tribunal is to, from time to time as provided by this Act, inquire into and determine —
 - (a) the amount of fees, or the minimum and maximum amounts of fees, to be paid under the Local Government Act 1995 to elected council members for attendance at meetings; and
 - (b) the amount of expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the Local Government Act 1995 to elected council members; and
 - (c) the amount of allowances, or the minimum and maximum amounts of allowances, to be paid under the Local Government Act 1995 to elected council members.

The Determination on Local Government Chief Executive Officers and Elected Members requires local governments to set an amount within the relevant range determined for fees, expenses or allowances.

Local Government Act 1995

5.98. Fees etc. for council members

- (1) A council member who attends a council or committee meeting is entitled to be paid —
 - (a) the fee determined for attending a council or committee meeting; or
 - (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.
- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
 - (a) the annual local government allowance determined for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

** Absolute majority required.*

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 June 2024

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

* Absolute majority required.

5.99A. Allowances for council members in lieu of reimbursement of expenses

- (1) A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members

-
- (a) the annual allowance determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for that type of expense; or
- (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances for that type of expense, an allowance of that amount, and only reimburse the member for expenses of that type in excess of the amount of the allowance.

* Absolute majority required.

Regulations 30, 31, 32, and 34 ACA of the *Local Government (Administration) Regulations 1996* set the limits, parameters and types of allowances that can be paid to Elected Members.

Policy Implications

Nil.

Financial Implications

As outlined in the body of this report and as itemised in the draft 2024/25 budget attached for adoption.

Strategic Implications

Strategic Community Plan 2023-2033

14 Operating with a high standard of good governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs

13.0 GOVERNANCE AND COMMUNITY

13.1 CONTRACT FOR SERVICES – ENVIRONMENTAL HEALTH

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew and Shire of Irwin
Disclosure of Interest: Nil
File Reference: CP.DSC.5
Date: 14 June 2024
Author: Erin Greaves, Governance and Community Manager
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To consider resourcing of environmental health services (EHO services) for the Shire of Mingenew.

Key Points

- Council operated under an MOU with the Shire of Irwin between 2015-2023
- In 2023 (for the 2023/24 financial year) Council resolved to contract an external provider
- The external provider has indicated they do not wish to renew the contract beyond 30 June 2024

OFFICER RECOMMENDATION – ITEM 13.1

Council authorises the Chief Executive Officer to negotiate and enter into a Contract for Services for Environmental Health Services with the Shire of Irwin as per the proposal received (commercial in confidence as per s5.23(2)(c) and (e)(iii) of the *Local Government Act 1995*), commencing 1 July 2024 with a contract value of up to \$10,000 ex GST for the 2024/25 financial year based on:

- At least one in-person visit to the Shire of Mingenew per month
- Additional site visits as required and approved by the CEO
- Remote work as required and approved by the CEO.

Attachments

In accordance with s.5.23(2)(c) and (e)(iii) of the Local Government Act 1995, attachments for this item are provided under separate confidential cover as it refers to a contract that may be entered into that has commercial value.

13.1.1 CONFIDENTIAL: Proposed MOU from the Shire of Irwin for provision of EHO Services

Background

From 2015-2023, the Shire of Mingenew received support for environmental health services from the Shire of Irwin under a resource sharing arrangement. The Memorandum of Understanding (MOU) between the Shire of Irwin and the Shire of Mingenew concluded 30 June 2023. Under this MOU, Ramsay Constructions Pty Ltd was engaged by the Shire of Irwin to provide shared services to the Shires of Mingenew, Three Springs and Carnamah.

Environmental health services include:

- Carrying out mandatory food inspections of Food Businesses and Public Buildings, and any other food inspections, as required under the Food Act 2008
- Carry out assessments and inspections for the installation of septic systems and issue permits
- Provide advice and investigate complaints relating to health and building
- Reporting on compliance with regard to the Food Act 2008, Public Health Act 2016 and any other applicable legislation

Towards the end of the 2023/24 financial year, Ramsay Constructions Pty Ltd advised they would not be continuing with the shared arrangement under contract with the Shire of Irwin but was willing to offer services to individual local governments under a separate agreement.

Council considered the options at the 21 June 2023 Ordinary Council Meeting to continue with a MOU arrangement with the Shire of Irwin (they were in the process of trying to secure an Environmental Health Officer as an internal resource, but this was not guaranteed at the time) or consider engaging Ramsay Constructions Pty Ltd to provide EHO services under a new contract for services. Below is an extract from the Council Minutes indicating Council's decision to accept the proposal from Ramsay Constructions Pty Ltd:

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 13.3 – RESOLUTION# 10210623

MOVED: Cr Holmes

SECONDED: Cr Bagley

Council:

1. **Authorises the Chief Executive Officer to negotiate and enter into a Contract for Services for Environmental Health Services with Ramsay Constructions Pty Ltd as per the proposal received (commercial in confidence as per s5.23(2)(c) and (e)(iii) of the *Local Government Act 1995*), for a period of 12 months from 1 July 2023 to 30 June 2024 at a contract value of up to \$10,000 ex GST (including accommodation, travel and other overheads) based on:**
 - **At least one in-person visit to the Shire of Mingenew per month for 10 of the 12 months**
 - **Additional site visits as required and approved by the CEO**
 - **Remote work as required and approved by the CEO**
2. **Advises the Shire of Irwin of its intention not to renew the Memorandum of Understanding for shared environmental health services in 2023/24.**

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 AT Pearse and Cr AR Smyth, AGAINST: Nil)

In February 2024, Allan Ramsay indicated he would be retiring from local government work at the end of this financial year and the Shire has been considering viable options to ensure continuity of service.

Comment

In response to this, the Shire reached out to the Shire of Irwin to enquire if they had capacity and interest in considering a resource sharing arrangement once again. In response, the Shire has provided a draft MOU for consideration (provided under separate, confidential cover).

The proposed MOU terms from the Shire of Irwin include:

- MOU to take effect 1 July 2024
- Provision of services 1 day per calendar month (with maximum of 9 hours per day, inclusive of travel)
- Charge out rate per hour for in-person services, including travel time, and invoiced monthly
- Charge out rate per hour for email and phone services
- Per kilometre charge for travel (in addition to officer time)
- Includes provision to proportion costs if the shared service extends to other local governments

Service charges proposed within the MOU are competitive with the arrangement provided under Ramsay Constructions.

The Shire has not pursued alternative arrangements to engage a suitably qualified employee or seek expressions of interest for consultancy services.

Local Government Professionals WA undertook a research project to explore workforce challenges in local government in WA in 2023 and reported that recruitment of Environmental Health Officers is the most challenging occupation to fill in the sector. Given this a specialised, highly skilled role, it is suggested that the Shire would have great difficulty in recruiting directly (particularly given the Shire would not require a full

FTE), and there is a significant shortage generally for contract services to engage a suitable consultant. In this regard, a resource sharing arrangement would offer best value for money for local governments and offer attractive and meaningful work for any officer engaged.

Consultation

Shire of Irwin

Ramsay Constructions Pty Ltd

LG Professionals WA – [2023 Local Government Workforce Shortage Survey in WA](#)

Statutory Environment

Local Government Act 1995

Food Act 2008

Public Health Act 2016

Building Act 2011

Policy Implications

Nil.

Financial Implications

The Shire budgeted \$5,000 for the consultancy service provided under the Shire of Irwin MOU in 2022/23 but the actual costs were around \$10,000 for the year. As at 30 April 2024, services have cost \$9,265.93, with May and June's still to be issued.

The additional costs expected in 2023/24 are reflective of the additional work Ramsay has provided in following up untidy blocks.

It is difficult to estimate actual costs for the year as the contract is intentionally flexible to allow response to unforeseen events that may require support and advice on environmental health matters.

Strategic Implications

Strategic Community Plan 2023-2033

16.1 Investigate resource sharing and partnership opportunities where feasible

c Continue to participate in regional discussions and resource sharing opportunities

13.2 ANNUAL REVIEW OF DELEGATIONS AND UPDATE OF REGISTER

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	GV.AUT.2
Date:	14 June 2024
Author:	Erin Greaves, Governance and Community Manager
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

In order to meet the local government's statutory obligation to review its delegations at least once a year to facilitate effective and efficient decision making.

Key Points

- Local governments are required to review its delegations at least once every financial year
- The last review was undertaken by Council in June 2023
- The Register provided, lists all delegations made from the state government to the local government, Council to Committees and Council to the Chief Executive Officer or other personnel
- The CEO may delegate to any employee a power or discharge where appropriate

OFFICER RECOMMENDATION – ITEM 13.2

Council adopts, by Absolute Majority, the updated Delegations Register as presented in GCM Attachment Booklet – June 2024, satisfying the requirement under s5.18 of the *Local Government Act 1995* to undertake an annual review at least once every financial year.

Attachments

13.2.1 Proposed Updated Delegations Register 2024

13.2.2 Reforms to decision Making on Development of Single Houses

Background

Local Governments are required to keep a register of delegations and to review the delegations at least once every financial year, as per Local Government Act 1995 s5.18 and s5.46. The Act requires a review by Council of delegations from Council to the Chief Executive Officer and Committees, and the Chief Executive Officer to other staff. Council last reviewed the Register in June 2022.

The purpose of a Delegations Register is to transfer Council's decision making function to a Committee or the CEO, as provided for under s.5.42 and s5.43 of the Act. This ensures that the Shire is able to respond effectively and efficiently, without referral of these matters to Council. There may be times where a matter is deemed in the public interest or at a level requiring Council oversight, and the CEO may refer the matter back to Council where it is deemed appropriate.

New reforms have recently resulted in changes to the *Planning and Development Act 2005* with regard to decision making on the development of single houses. A new section (s.257C) to the Act and amendments to the regulations have been developed, providing for single house development or any development associated with single house such as additions, alterations

Comment

WALGA's Delegations Register template has been used to form the Shire's updated Delegations Register and there have been no changes to the Delegations by Council except for additional condition added to Delegation 8.1.1 Dealing with and Approving Development Applications.

The Shire received notification from the Department of Planning, Lands and Heritage on 16 May 2024, advising of reform changes regarding decision making on development of single houses (copy enclosed in Attachment Booklet). These changes were amended within the *Planning and Development Amendment Act 2023* and will be reflected within the *Planning and Development Act 2005* (the Act) and *Planning and Development (Local Planning Schemes) Regulations 2015*. An extract of the changes in the Act have been provided below under Statutory Implications.

As of 1 July 2024, the CEO (or a person delegated by the CEO) must make decisions in regard to single house development and associated development i.e. additions, alterations, patios or carports and the decision cannot be referred to Council. This authority excludes development for a heritage protected place.

These changes are expected to reduce processing times for single house developments, provide consistency across the State and create efficiencies in the decision making process. Further information on planning reform can be found at <https://www.planning.wa.gov.au/planning-reform/current-reform-initiatives/planning-and-development-amendment-act-2023-and-associated-regulations>.

Statutory Environment

Local Government Act 1995

5.16. Delegation of some powers and duties to certain committees

(1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

(3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*

(a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*

(b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*

(4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

5.17. Limits on delegation of powers and duties to certain committees

(1) *A local government can delegate —*

(a) *to a committee comprising council members only, any of the council's powers or duties under this Act except —*

(i) *any power or duty that requires a decision of an absolute majority of the council; and*

(ii) *any other power or duty that is prescribed; and*

(b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*

(c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —*

(i) *the local government's property; or*

(ii) *an event in which the local government is involved.*

(2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.42. Delegation of some powers and duties to CEO

(1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

- (a) *this Act other than those referred to in section 5.43; or*
- (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
 - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) — conditions includes qualifications, limitations or exceptions.*

5.45. Other matters relevant to delegations under this Division

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
 - (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing —*
 - (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *a CEO from performing any of his or her functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- 1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- 2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

- 3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Specific statutory requirements are outlined within the Register for each delegation made.

Planning and Development Act 2005

257C. Regulations dealing with performance of functions under local planning schemes in relation to single house development

(1) *In this section —*

ancillary structure means a building, structure, fixture, or feature, that is ancillary or incidental to a single house;

CEO, in relation to a local government, means the chief executive officer of the local government;

development approval function means a function of a local government under a local planning scheme in relation to development applications, approvals of development or ancillary or incidental matters;

Examples for this definition:

1. *Receiving, administering or considering development applications.*
2. *Granting or refusing approvals of development.*
3. *Imposing conditions on approvals of development.*
4. *Receiving, administering or considering applications for any of the following —*
 - (a) *an amendment to an approval of development;*
 - (b) *an amendment to conditions imposed on an approval of development;*
 - (c) *the cancellation of an approval of development.*
5. *Amending approvals of development or conditions imposed on approvals of development.*
6. *Cancelling approvals of development.*

single house means a dwelling, other than a dwelling on land that is, or is to be, subject to —

- (a) *a strata scheme under the Strata Titles Act 1985; or*
- (b) *a community titles (building) scheme under the Community Titles Act 2018;*

single house development means development that consists of —

- (a) *the erection of, or alterations or additions to, a single house; or*
- (b) *the erection or installation of, or alterations or additions to, an ancillary structure.*

(2) *Without limiting section 256, regulations under section 256(1) may prescribe provisions that —*

- (a) *specify development approval functions of the local government (the prescribed development approval functions); and*
- (b) *provide that, when the prescribed development approval functions are performed in relation to single house development, or single house development of a specified class, the functions —*
 - (i) *must be performed for and on behalf of the local government by the CEO or employees of the local government authorised by the CEO; and*
 - (ii) *cannot be performed by the local government in any other manner (for example, by the council of the local government or a committee of that council); and*
- (c) *otherwise deal with or regulate —*
 - (i) *the performance of the prescribed development approval functions as referred to in paragraph (b); and*
 - (ii) *authorisations referred to in paragraph (b)(i); and*
 - (iii) *supplementary or incidental matters.*

(3) *Provisions of a kind referred to in subsection (2), and regulations prescribing those provisions, have effect despite any provision of the Local Government Act 1995.*

258. Regulations for procedure and costs for local planning schemes

(1) *The Governor may make regulations for regulating the procedure to be observed —*

- (a) *with respect to the preparation or adoption of a local planning scheme;*

- (b) *with respect to obtaining the approval of the Minister to a local planning scheme so prepared or adopted;*
 - (c) *with respect to the review, amendment or repeal of a local planning scheme;*
 - (d) *with respect to any inquiries, reports, notices, or other matters required in connection with the preparation, adoption or approval of a local planning scheme, or preliminary to the preparation, adoption or approval of the scheme.*
- (2) *Provision is to be made by the regulations for ensuring that —*
- (a) *notice of the proposal to prepare or adopt a scheme is to be given, at the earliest stage possible, to any local government interested in the land; and*
 - (b) *the local government of the district in which any land proposed to be included in a scheme is given —*
 - (i) *a notice of any proposal to prepare or adopt such a scheme; and*
 - (ii) *a copy of the draft scheme before the scheme is made; and*
 - (c) *the local government is entitled to be heard at any inquiry held by the Minister in regard to the scheme.*
- (3) *Without limiting the generality of subsection (1) regulations made under that subsection with regard to the amendment of a scheme may require the payment by the owner of land of the costs incurred in the publication under the regulations of any notice prescribed in the regulations relating to an amendment to a local planning scheme where the amendment is made at the request of that owner and is in respect of land owned by that owner.*

Policy Implications

The Delegations Register will link with and guide some Council and internal policies. Reference to the relevant Council Policy for each delegation is listed within the register.

Financial Implications

Delegations allow for a more streamlined and timely service for its ratepayers and stakeholders creating resourcing efficiencies, where Council oversight is not required as direction has been provided through the delegation, policy or other instrument, or an employee is suitably qualified and/or experienced to undertake the power/duty.

Strategic Implications

Strategic Community Plan 2023-2033

- 14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness
- 14.2 Prepare and respond in a timely manner to Local Government Act reforms

13.3 SIGNAGE AND INFRASTRUCTURE STYLE GUIDE

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	CM.POL
Date:	14 June 2024
Author:	Erin Greaves, Governance and Community Manager
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

A new policy has been developed providing guidance for signage and infrastructure installed in public spaces within the Shire of Mingenew to ensure safety, consistency, value for money and enhancing the functionality and visual appeal.

Key Points

- A new policy 'Signage and Infrastructure Guide' has been developed for Council consideration
- The policy incorporates a number of principles to guide decision making whilst providing appropriate flexibility to continue to meet the needs of the community
- Whilst safety and functionality are key factors, the intent is to provide consistency and visual appeal in design principles to appropriately capture and promote the Shire's identity

OFFICER RECOMMENDATION – ITEM 13.3

Council adopts the new Council Policy 1.5.5 Signage and Infrastructure Style Guide, as provided in GCM Attachment Booklet – June 2024.

Attachments

13.3.1 Council Policy 1.5.5 Signage and Infrastructure Style Guide

Background

To ensure a consistent approach to signage and infrastructure design and purchases across the Shire, a Guide has been developed to establish agreed principles and practical applications.

Comment

The Shire has a number of large community infrastructure projects in the pipeline for the next 5-10 years and this document will assist in guiding design and development.

The new Policy (or Guide) is intended to be used by:

- Council staff when preparing detailed designs for streets and open spaces as part of public domain improvements; streetscape upgrades and asset replacement;
- The community and Councillors to provide an understanding of the values, priorities and design principles that guide our approach to the public domain;
- Developers, designers and consultants when preparing proposals that affect the public domain and its components when undertaking works in accordance with conditions of consent; and
- Council's Planning team when assessing and approving development applications.

The Design Principles identified within the Policy are:

- Character and design – how it looks and interacts with affiliated spaces
- Consistency – same branding and colouring
- Functionality – considers user experience and intent

- Availability – ease of supply and maintenance
- Life Cycle Costs
- Maintenance

Another factor is giving consideration to people with disability, which is a requirement of the Shire's Disability Access and Inclusion Plan (2019-2024). An outcome of the Shire's DAIP is to ensure *"People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority."* And some of the tasks include:

- All new or redeveloped facilities allow for access for people with physical, cognitive, sensory and psychiatric disability through the application of specific building and planning codes. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable.

This Policy may be varied and improved by Council over time, but this is the first step in outlining a standardised and considered approach. A broad view, overarching policy has been considered to provide sufficient flexibility to suite a wide range of signage and infrastructure needs

Consultation

Works Manager
Main Roads WA

Statutory Environment

Local Government Act 1995
Disability Discrimination Act 1992

Policy Implications

This is a new policy for consideration.

Financial Implications

There are not considered to be any significant financial implications in adopting this policy.

Strategic Implications

Strategic Community Plan 2023-2033

- 6.1 Community facilities continue to be fit for purpose, multi-use and meet sustainable community needs
- 7.2 Support and include disabled and vulnerable community members
- 8.4 Identify and monitor key community safety and health needs

13.4 VOLUNTARY CONTRIBUTIONS TO ROADWORKS POLICY

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	CM.POL.1
Date:	14 June 2024
Author:	Erin Greaves, Governance and Community Manager
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

To consider a new Council Policy that defines the application of community contributions (material and plant) towards upgrading and repair to roads and associated infrastructure.

Key Points

- A new policy has been developed to recognise and support the contribution the community can make by providing in-kind support for upgrading of Council's assets within the road network
- The policy provides guidance on how the arrangements will be agreed and controlled

OFFICER RECOMMENDATION – ITEM 13.4

Council adopts the new Council policy 1.5.6 Voluntary Contributions to Roadworks, as provided in GCM Attachment Booklet – June 2024.

Attachments

13.4.1 New Council Policy 1.5.6 Voluntary Contributions to Roadworks

Background

The Shire often receives requests for an improved road network but the Shire's programming and resourcing is limited. This policy has been developed to facilitate a shared response to road repair and maintenance requirements where local contractors have plant and/or materials available to contribute.

Comment

It is essential that Council ensures the health and safety of any workers (including contractors) and this policy sets out clear expectations and responsibilities to facilitate this. A practical way in which the Shire can do this is by:

- Establishing an agreement to define the work and responsibilities
- Ensuring contractors are aware of the Work Health and Safety (WHS) obligations by requiring them to undergo an induction
- Capture proof of liability insurance

Statutory Environment

Local Government Act 1995

Work Health and Safety Act 2020

Policy Implications

New Policy as enclosed.

Financial Implications

The implementation of this Policy allows Council to formalise any arrangements with local contractors (including farmers) who may wish to contribute to Shire road projects or other road maintenance tasks.

Strategic Implications

Strategic Community Plan 2023-2033

14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness

15.2 Balance value for money principles and compliance in procurement practices

13.5 POLICY AMENDMENT - SUPPORTING THE COMMUNITY

Location/Address: Shire of Mingenew
 Name of Applicant: Shire of Mingenew
 Disclosure of Interest: Nil
 File Reference: CM.POL.1
 Date: 14 June 2024
 Author: Erin Greaves, Governance and Community Manager
 Authorising Officer: Matt Fanning, Chief Executive Officer
 Voting Requirements: Simple Majority

Summary

Some guidance has been added to the Council Policy 1.4.2 Supporting the Community in apply waivers and discounts to venue hire for activities that provide significant community benefit.

Key Points

- The venue hire fees for the proposed Fees & Charges for 2024/25 have been amended and the application of discounts has been removed and referred through the Supporting the Community policy
- Therefore, amendments have been established to guide the CEO in applying discounts
- The change will also allow the tracking of discounts and waivers through the financial system to

OFFICER RECOMMENDATION – ITEM 13.5

Council adopts the amended Council Policy 1.4.2 ‘Supporting the Community’ to provide guidance in applying waivers and discounts to the

Attachments

13.5.1 Amended Council Policy 1.4.2 ‘Supporting the Community’

Background

The Shire’s Fees & Charges in relation to venue hire has previously been structured based on user type however this has provided challenges for staff and members of the public in establishing the appropriate application of fees and charges.

As such, the proposed fees for 24/25 are set at a commercial value similar to previous years and allows more flexibility in applying waivers and discounts and efficiencies in decision making and applying them. To provide guidance and consistency on what activities and groups are eligible for a discount or waiver, the ‘Supporting the Community’ Policy has been updated to provide guidance.

A review has been undertaken of the common uses and typical requests for waivers to establish the changes and a below is an extract of the proposed changes to the Policy:

As a guide, the following discounts and waivers may be applied, subject to the CEO signing the booking form as approved:

Activity	Discount / Waiver
<i>Free seniors’ activities</i>	<i>100% waiver for all venues (Autumn Centre preference)</i>
<i>Youth discos (PCYC)</i>	<i>100% waiver for all venues</i>
<i>School community events e.g. carnivals, graduation, concert etc)</i>	<i>100% waiver for all venues</i>

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<i>Fitness, dance or yoga classes</i>	<i>Where charge to clients is less than \$20 per one hour session – 100% waiver for all venues, otherwise 50% discount may apply</i>
<i>Health and counselling services to local residents only</i>	<i>Where no charge to clients - 100% waiver for all venues (Co-working space preference), otherwise 50% discount may apply</i>
<i>CWA Meetings</i>	<i>100% waiver for all venues</i>
<i>Wake / Funeral Reception</i>	<i>50% discount for receptions for former Mingenew residents</i>
<i>Free community forums / workshops</i>	<i>100% waiver for all venues (where broader community participation is sought)</i>
<i>Free local community and sporting group meetings / functions</i>	<i>75% discount for bookings outside of lease or MOU arrangements</i>
<i>Mingenew CRC community events (free to local residents)</i>	<i>75% discount for events not supported through other funding</i>
<i>Small local businesses</i>	<i>75% discount for Co-working space or private room hire at relevant venues</i>
<i>Regular use (e.g. more than 6 consecutive weeks, school term etc.)</i>	<i>10% discount applies (may be used in conjunction with other discounts)</i>

A discount or waiver cannot be applied where funding has been granted to the hirer through any other means, including the Shire's Community Assistance Scheme grants (Annual or Quick Response).

The discounts apply to the hire of venues only and do not include costs for setup or other charges which may be charged out at the relevant labour / plant / equipment hire charges.

Small local business is defined as a business that operates within the Shire of Mingenew as a sole trader or less than two employees. The business must be owned by a person or persons living in the Shire of Mingenew and at the time of venue use, catering its goods and/or services predominantly to the local community.

As shown above, changes to the Policy provide for a 75% discount to automatically apply to local community and sporting groups for bookings made outside of an established MOU or annual fee arrangement. For example, where the hire charge for the Rec Centre Function Room is \$140 for a whole day, the community group would be charged \$35 with the discount applied. This is similar to the charge under the previous structure (\$34).

The previous fees structure included a local and non-local fee structure however, it is rare for individuals or groups, outside the Shire to hire our facilities and therefore this has been removed. The set rate would now apply for non-locals unless they could demonstrate alignment with the Shire's Strategic Community Plan and apply for a waiver under other terms already provided for within the Policy.

It is anticipated that will be minimal changes or even some savings to individuals and groups in the application of the new Fees & Charges and Policy.

A copy of the 2023/24 Fees and Charges for venue hire is provided below:

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VENUE HIRE		Local Business	External Organisation / Other
Recreation Centre			
Meetings, demonstrations, community workshops	per day	\$34.00	\$118.00
Business forums, private parties, weddings, other functions	per day	\$181.00	\$263.00
Turf Bar / Pavilion / Offices			
Special events, parties, functions	per day	\$130.00	\$189.00
Meetings	per day	\$34.00	\$118.00
Autumn Centre			
Kitchen / Office (per room)	per hour	\$6.00	\$15.00
	per day	\$24.00	\$58.00
Co-working Space			
Office space (per desk)	per hour	\$10.00	\$16.00
more than 3 hrs	per day	\$30.00	\$40.00
5 days per week or more	per week	\$150.00	\$200.00
Railway Station			
Meetings, demonstrations, visiting professionals	per hour	\$6.00	\$15.00
	per day	\$23.00	\$55.00
Functions, parties and events	per day	\$124.00	\$180.00
Other (not exclusive to specific venue)			
Fitness Classes	per day	N/A	N/A
Social, not-for-profit activities (e.g. seniors, toy library, arts & crafts)	per day	N/A	N/A

For comparison, the Shire's proposed Fees & Charges for 2024 (subject to Council approval at this meeting) are provided below:

VENUE HIRE					
<i>See Council's 'Supporting the Community' Policy for concessions, discounts and waivers</i>					
<i>Daily rates charged for bookings of more than 3 hrs</i>					
Recreation Centre					
Function Room only	per day	\$140.00	C	Y	
	per hour	\$40.00	C	Y	
Kitchen only	per day	\$140.00	C	Y	
	per hour	\$40.00	C	Y	
Function Room & Kitchen	per day	\$220.00	C	Y	
	per hour	\$60.00	C	Y	
Changerooms	per day	\$50.00	C	Y	
Turf Bar / Pavilion / Offices					
Office only	per day	\$90.00	C	Y	
	per hour	\$22.50	C	Y	
Bar / Pavilion	per day	\$180.00	C	Y	
	per hour	\$45.00	C	Y	
Coolroom	per day	\$100.00	C	Y	
Tennis Clubhouse					
Clubhouse (excludes Mingenew Tennis Club events)	per day	\$160.00	C	Y	
	per hour	\$40.00	C	Y	
Town Hall (*limited use)					
Main Hall only	per day	\$100.00	C	Y	
	per hour	\$25.00	C	Y	
Autumn Centre					
Office only	per day	\$60.00	C	Y	
	per hour	\$15.00	C	Y	
Kitchen / Main Hall	per day	\$140.00	C	Y	
	per hour	\$40.00	C	Y	
Railway Station					
Private Room	per day	\$60.00	C	Y	
	per hour	\$15.00	C	Y	
Main Function Room	per day	\$96.00	C	Y	
	per hour	\$24.00	C	Y	
Entire Venue	per day	\$124.00	C	Y	
	per hour	\$31.00	C	Y	
Sports Club					
Private Room	per day	\$120.00	C	Y	
	per hour	\$30.00	C	Y	
Main Function Room	per day	\$160.00	C	Y	
	per hour	\$40.00	C	Y	
Entire Venue	per day	\$240.00	C	Y	
	per hour	\$60.00	C	Y	
Co-working Space					
Office space (per desk, hourly rate)	per hour	\$16.00	C	Y	
Office space (per desk, daily rate)	per day	\$40.00	C	Y	
Office space (per desk, weekly rate for 5 days per week or more)	per week	\$200.00	C	Y	

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 June 2024

The fees now include hire charges for the Sports Club, Tennis Club and Town Hall (although the Hall will only be hired if the activity is suitable for the Hall in its current state), until such time as a future is determined.

Comment

Similar to Council's recent review of operating costs to determine the annual fees for sporting and community groups, the Shire is looking to undertake a review of facility operating costs and calculating actual cost of recovery through the fees and charges. The Shire's new receipting system will provide capacity for tracking of any waivers and discounts applied and will create internal efficiencies (including general journaling).

The intention is trial this structure in 2024/25 and establish a more inform set of fees based on improved data collection over the year.

Consultation

Executive Leadership Team

Statutory Environment

Local Government Act 1995

Policy Implications

As indicated above.

Financial Implications

This financial year, Council gained approximately \$3,000 in revenue from fees and charges relating to venue hire. As a result of the proposed changes to the Fees & Charges and Policy in 2024/25 it is expected that there may be a minor variance (reduction) in revenue, but significant internal efficiencies gained and Council will be better informed in establishing the fees in 2025/26.

Strategic Implications

Strategic Community Plan 2023-2033

13.1 Demonstrated delivery of priority projects and SCP outcomes

14.1 Seek innovative ways to continually improve organisational efficiency and effectiveness

14.0 WORKS

Nil.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 19 June 2024

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

Nil.

18.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday, 21 August 2024 commencing at 5.00pm.

19.0 CLOSURE

The meeting was closed at ____pm.

These minutes were confirmed at an Ordinary Council meeting on 21 August 2024

Signed _____
Presiding Officer

Date: _____