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SHIRE OF MINGENEW

MINUTES FOR ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON 17 June 2015 COMMENCING AT 4.05pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr Michelle Bagley, declared the meeting open at 4.00pm.

2.0 ATTENDANCE

MA Bagley	President	Rural Ward
PJ Gledhill	Deputy President	Rural Ward
MP Pearce	Councillor	Town Ward
GJ Cosgrove	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
AT Sobey	Councillor	Town Ward
CR Lucken	Councillor	Town Ward

STAFF

MG Whitely	Chief Executive Officer
NS Jane	Manager of Finance and Administration
ML Criddle	Community Development Officer (Minutes)

APOLOGIES

Nil

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.0 DECLARATIONS OF INTEREST

Cr Gledhill declared an interest in item 9.1.1 construction of the Ambulance Set Down Bay.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY MEETING HELD 20TH MAY 2015

COUNCIL DECISION – ITEM 7.1

Moved Cr Gledhill

Seconded Cr Lucken

That the minutes of the ordinary meeting of the Shire of Mingenew held in the council chambers on 20TH May 2015 be confirmed.

CARRIED: 7/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 OFFICERS REPORTS**9.1 CHIEF EXECUTIVE OFFICER****9.1.1 2015/16 DRAFT BUDGET****Disclosure of Financial Interest Item 9.1.1 – Cr Gledhill**

Prior to any consideration of item 9.1.1 Cr Gledhill disclosed a financial interest in this matter. The nature of his interest is that he is a potential supplier for the proposed Ambulance Set Down Bay.

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0130
Date:	14 th June 2015
Author:	Martin Whitely, Chief Executive Officer

Summary

The purpose of this report is to table the draft budget and to set a date to review the draft budget before submitting the final budget for adoption at the July Ordinary Council Meeting.

Attachment

2015/16 Draft Budget

Background

On the 9th June 2015 a preliminary draft budget was held as a starting point for implementing strategies to address the current operating deficit position.

Comment

The draft budget reflects Council's recent review of the Corporate Business Plan and has prioritised those outcomes from the strategic plans that can be financially sustained by Council whilst still addressing the Shire's current operating deficit position.

The draft budget is based on discussion at the preliminary draft budget meeting. There are two pending calculations which will have a direct impact on the final budget, both of which form part of the Rate Setting Statement;

1. The estimated Deficit position at 30 June 2015, and
2. The estimated Surplus/Deficit position at 30 June 2016

Both of these calculations are essential in the finalisation of the 2015/16 Budget.

The estimated deficit position for 30 June 2015 can not be calculated with full certainty until the 2014/15 financial year has been finalised. The figure calculated in the draft budget is based on the assumptions of the 2014/15 budget review and I am confident that the starting point will not change significantly from now through to the end of this financial year.

The estimate surplus/deficit position at 30 June 2016 is a direct result of the assumptions of the tabled Draft Budget. The surplus/deficit position at 30 June 2016 is directly effected by the deficit position at 30 June 2015 as this is the starting point for the 2015/16 Budget. The estimated surplus/deficit position at 30 June 2016 must also fall within a 10% range of the total rates, which at this point in time is \$175,235 to **(\$175,235)**.

Council have until 31 August 2015 to adopt the 2015/16 Budget.

Consultation

Nita Jane, Manager Administration & Finance

Statutory Environment

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Policy Implications

The 2015/16 Budget will ensure that Council policy and directions are implemented.

Financial Implications

As detailed in the report.

Strategic Implications

The 2015/16 Budget will address Council's capacity to deliver on projects identified in the Community Strategic Plan, Corporate Business Plan, Long Term Financial Plan and other associated plans.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That Council;

1. Receives the 2015/16 Draft Budget as tabled, and
2. Schedule a further Budget Meeting of Full Council to commence at 4.00pm Tuesday 7th July 2015 in the Shire Council Chambers, and
3. Any required changes to the 2015/16 Draft Budget made at the Budget Meeting held 7th July 2015 are completed and presented to Council in the form of a Final Budget at the July Ordinary Council Meeting
4. The 2015/16 Budget be adopted at the July Ordinary Council Meeting

COUNCIL RESOLUTION – ITEM 9.1.1

Moved: Cr Cosgrove

Seconded: Cr Pearce

That Council;

1. Receives the 2015/16 Draft Budget as tabled, and
2. Schedule a further Budget Meeting of Full Council to commence at 4.00pm Tuesday 7th July 2015 in the Shire Council Chambers, and
3. Any required changes to the 2015/16 Draft Budget made at the Budget Meeting held 7th July 2015 are completed and presented to Council in the form of a Final Budget at the July Ordinary Council Meeting
4. The 2015/16 Budget be adopted at the July Ordinary Council Meeting

CARRIED: 7/0

9.2 FINANCE**9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31st May 2015**

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 14th June 2015
Author: Martin Whitely, Chief Executive officer

Summary

The Monthly Statement of Financial Activity report for the period ending 31st May 2015 is presented to Council for adoption.

Attachment

Finance Report for period ending 31st May 2015.

Background

Financial Regulations require a monthly statement of financial activity report to be presented to Council.

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	137
Business Cash Maximiser (Municipal Funds)	204,459
Trust Account	142,524
Mid-West Regional Council Trust Account	158,660
Reserve Maximiser Account	271,589

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 31st May 2015:

	Current	30+ Days	60+ Days	90+ Days	TOTAL
Amount	42,222	492	1,503	7,233	51,450

Rates Outstanding at 31st May 2015 were:

	Current	Arrears	TOTAL
Rates	19,028	15,928	34,956
Rubbish	300	0	300
TOTAL	19,328	15,928	35,256

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2014 / 2015 financial year.

Consultation

Nita Jane, Manager Administration & Finance
 Julie Borrett, Senior Finance Officer

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

Policy Implications

Nil

Financial Implications

Financial implications are outlined in comments.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.1

That the Monthly Statement of Financial Activity for the period 1st July 2014 to 31st May 2015 be received.

COUNCIL RESOLUTION – ITEM 9.2.1

Moved: Cr Sobey

Seconded: Cr Cosgrove

That the Monthly Statement of Financial Activity for the period 1st July 2014 to 31st May 2015 be received.

CARRIED: 7/0

SHIRE OF MINGENEW
MONTHLY FINANCIAL REPORT
For the Period Ended 31 May 2015

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Shire of Mingenew**Compilation Report**

For the Period Ended 31 May 2015

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996*, Regulation 34 .

Overview

Summary reports and graphical progressive graphs are provided on page 3, 4 and 5.
No matters of significance are noted.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 May 2015 of \$16,983.

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary.

Preparation

Prepared by: Martin Whitely

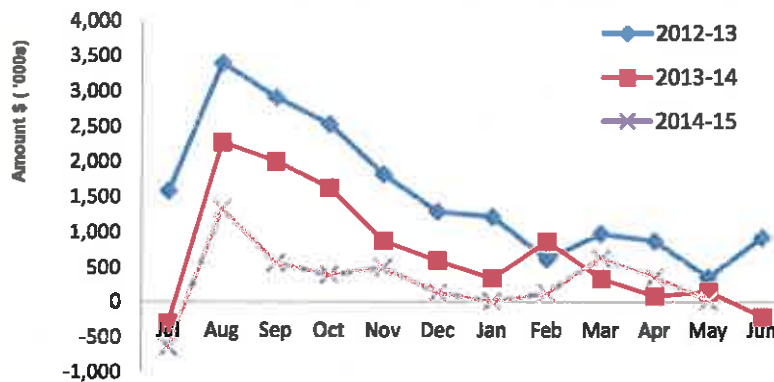
Reviewed by:

Date prepared: 10/06/2015

Shire of Mingenew

Monthly Summary Information

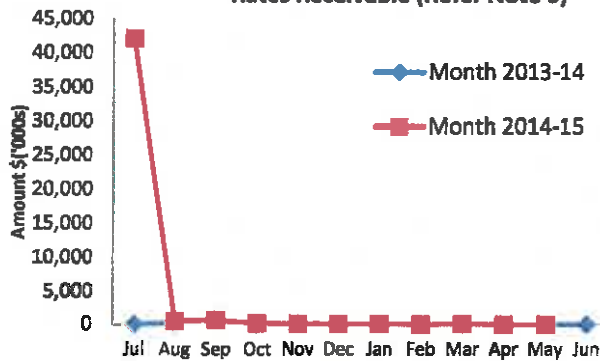
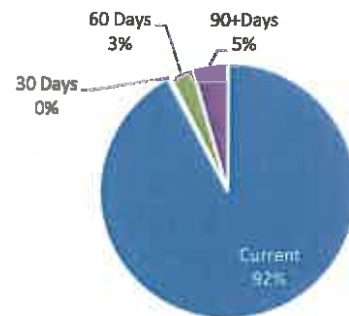
For the Period Ended 31 May 2015

Liquidity Over the Year (Refer Note 3)**Cash and Cash Equivalents
as at period end**

Unrestricted	-\$	102,692
Restricted	\$	579,341
	\$	476,649

Receivables

Rates	\$	39,930
Other	\$	51,450
	\$	91,380

Rates Receivable (Refer Note 6)**Accounts Receivable Ageing (non-rates)
(Refer Note 6)**

Comments

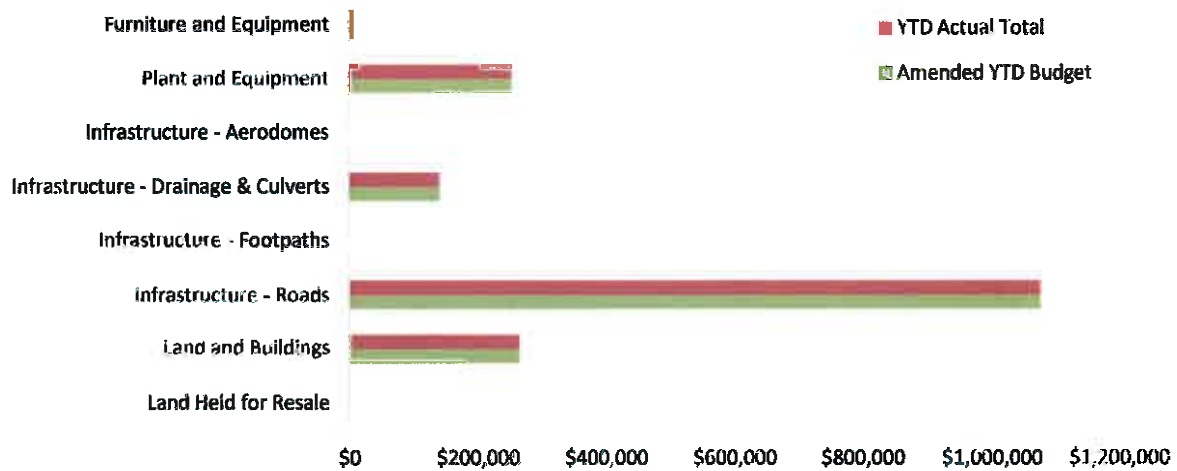
This information is to be read in conjunction with the accompanying Financial Statements and notes.

Shire of Mingenew

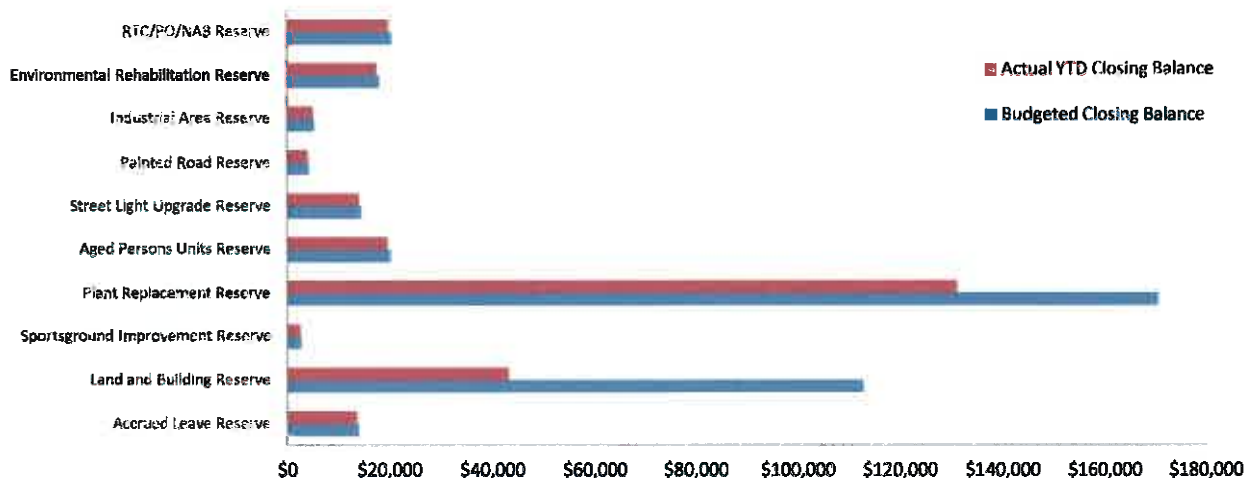
Monthly Summary Information

For the Period Ended 31 May 2015

Capital Expenditure Program YTD (Refer Note 13)



Year To Date Reserve Balance to End of Year Estimate (Refer Note 7)



Comments

This information is to be read in conjunction with the accompanying Financial Statements and notes.

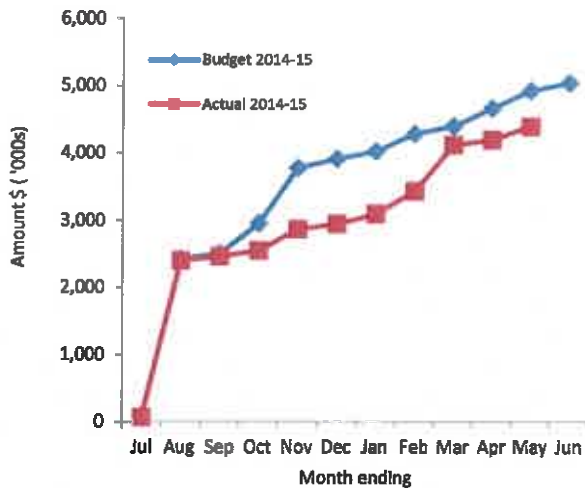
Shire of Mingenew

Monthly Summary Information

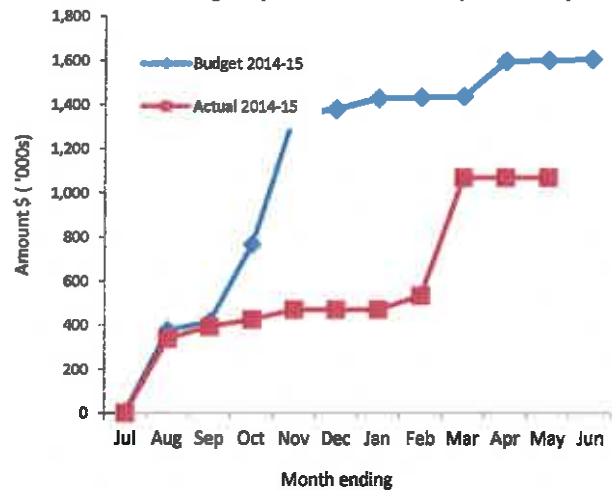
For the Period Ended 31 May 2015

Revenues

Budget Operating Revenues -v- Actual (Refer Note 2)

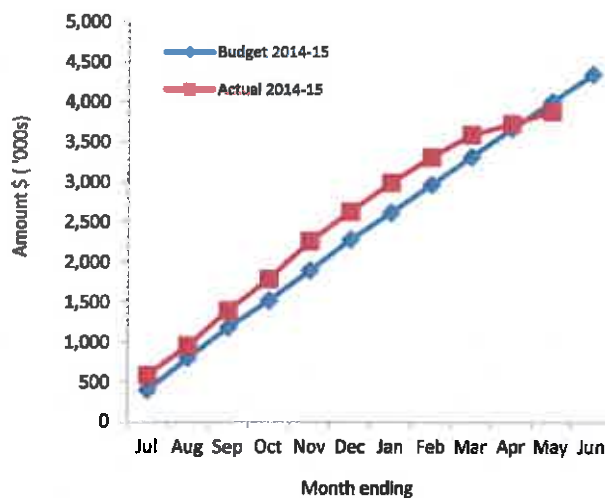


Budget Capital Revenue -v- Actual (Refer Note 2)

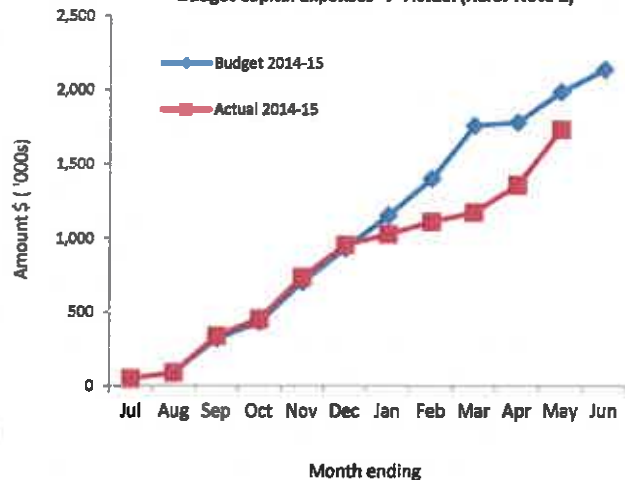


Expenditure

Budget Operating Expenses -v- YTD Actual (Refer Note 2)



Budget Capital Expenses -v- Actual (Refer Note 2)



Comments:

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF MINGENEW
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 May 2015

Note	2014/15 Forecast Budget	2014/15 Original Budget (a)	2014/15 YTD Budget (a)	2014/15 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(A)/(A)	Var.
Operating Revenues							
General Purpose Funding	2,277,062	2,258,372	2,255,568	2,274,572	16,004	0.87%	
Governance	30,616	37,179	34,045	30,453	(3,592)	(10.55%)	
Law, Order and Public Safety	25,154	27,100	26,856	24,739	(2,127)	(7.92%)	
Health	217	0	0	221	221		
Education and Welfare	3,448	3,795	3,465	3,255	(210)	(6.07%)	
Housing	99,876	92,204	84,502	91,668	7,166	8.48%	
Community Amenities	64,647	56,979	56,867	65,153	8,485	14.92%	
Recreation and Culture	69,408	73,446	72,796	74,567	1,766	2.43%	
Transport	662,210	718,813	658,878	628,045	(30,833)	(4.68%)	
Economic Services	10,208	11,012	10,054	10,458	404	4.02%	
Other Property and Services	122,224	271,626	234,577	124,351	(110,225)	(46.99%)	▼
Total Operating Revenues	3,365,070	3,550,526	3,437,618	3,327,577	(128,945)		
Operating Expense							
General Purpose Funding	(77,581)	(55,096)	(50,479)	(58,750)	(8,271)	(16.38%)	
Governance	(272,989)	(151,940)	(146,475)	(289,802)	(143,327)	(97.85%)	▼
Law, Order and Public Safety	(109,788)	(99,789)	(93,059)	(79,390)	13,669	14.69%	▲
Health	(69,499)	(81,856)	(75,009)	(51,489)	23,520	31.36%	▲
Education and Welfare	(40,347)	(28,747)	(26,988)	(32,320)	(5,332)	(19.76%)	
Housing	(268,994)	(189,845)	(175,823)	(248,845)	(73,022)	(41.53%)	▼
Community Amenities	(162,816)	(136,322)	(125,818)	(142,728)	(18,310)	(13.44%)	▼
Recreation and Culture	(950,109)	(802,508)	(740,844)	(855,448)	(114,604)	(15.47%)	▼
Transport	(2,446,585)	(2,409,430)	(2,210,958)	(2,044,338)	266,626	7.54%	
Economic Services	(172,879)	(147,993)	(135,597)	(142,380)	(6,786)	(5.00%)	
Other Property and Services	(133,992)	(248,498)	(228,580)	56,249	284,829	124.61%	▲
Total Operating Expenditure	(4,705,579)	(4,352,024)	(4,009,630)	(3,889,240)	120,390		
Funding Balance Adjustments							
Add back Depreciation	1,797,508	1,454,710	1,333,442	1,344,194	10,752	0.81%	
Adjust (Profit)/Loss on Asset Disposal	5,061	7,267	5,061	5,061		(0.00%)	
Adjust Provisions and Accruals	0	0	0	0	0		
Net Cash from Operations	462,052	660,479	766,491	787,692	2,197		
Capital Revenues							
Grants, Subsidies and Contributions	1,448,465	1,491,330	1,491,182	1,470,283	(420,779)	(28.22%)	▼
Proceeds from Disposal of Assets	67,773	131,700	127,176	67,773	(39,403)	(30.98%)	▼
Total Capital Revenues	1,536,238	1,623,286	1,618,338	1,558,156	(460,182)		
Capital Expenses							
Land Held for Resale	0	0	0	0	0		
Land and Buildings	(291,711)	(176,700)	(285,711)	(263,755)	21,956	7.68%	
Infrastructure - Roads	(1,619,193)	(1,746,918)	(1,339,560)	(1,076,111)	263,449	19.67%	▲
Infrastructure - Footpaths	0	0	0	0	0		
Infrastructure - Drainage & Culverts	(168,500)	(56,167)	(168,499)	(140,085)	28,414	16.80%	▲
Infrastructure - Aerodomes	0	0	0	0	0		
Plant and Equipment	(252,299)	(317,700)	(252,299)	(252,299)	(0)	(0.00%)	
Furniture and Equipment	(6,454)	0	(6,064)	(6,454)	(390)	(6.43%)	
Total Capital Expenditure	(2,338,157)	(2,297,485)	(2,052,133)	(1,738,704)	513,429		
Net Cash from Capital Activities	(801,919)	(674,199)	(433,795)	(580,548)	(146,753)		
Financing							
Proceeds from New Debentures	170,000	170,000	170,000	170,000	0	0.00%	
Proceeds from Advances	0	0	0	0	0		
Self-Supporting Loan Principal	0	0	0	0	0		
Transfer from Reserves	33,897	0	0	33,897	33,897		
Advances to Community Groups	0	0	0	0	0		
Repayment of Debentures	(162,587)	(162,587)	(148,420)	(148,419)	1	0.00%	
Transfer to Reserves	(20,000)	(97,467)	(20,000)	(26,243)	(6,243)	(31.21%)	
Net Cash from Financing Activities	21,310	(90,054)	1,580	29,235	27,655		
Net Operations, Capital and Financing	(318,557)	(103,774)	334,276	236,378	(116,902)		
Opening Funding Surplus(Deficit)	(219,396)	33,967	(219,396)	(219,395)	1	(0.00%)	
Closing Funding Surplus(Deficit)	(537,953)	(68,807)	114,880	16,983	(116,901)		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF MINGENSHIRE
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 May 2015

	Note	2014/15 Amended Annual Budget	2014/15 Original Budget (a)	2014/15 YTD Budget (a)	2014/15 YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues								
Rates	9	\$ 1,662,962	\$ 1,618,296	\$ 1,618,296	\$ 1,657,864	\$ 39,568	2.45%	
Operating Grants, Subsidies and Contributions	11	1,002,300	1,032,319	1,001,748	982,970	(18,778)	(1.87%)	
Fees and Charges		263,079	424,351	381,732	255,083	(126,649)	(33.18%)	▼
Service Charges		0	0	0	0	0		
Interest Earnings		25,394	33,367	30,514	27,411	(3,109)	(10.17%)	
Other Revenue		408,015	438,000	401,489	401,029	(460)	(0.11%)	
Profit on Disposal of Assets	8	3,320	4,193	3,839	3,320			
Total Operating Revenue		3,365,070	3,550,526	3,437,618	3,327,677	(109,423)		
Operating Expense								
Employee Costs		(1,121,192)	(1,023,656)	(935,525)	(1,002,483)	(66,958)	(7.16%)	
Materials and Contracts		(935,843)	(927,389)	(864,361)	(744,746)	119,615	13.84%	▲
Utility Charges		(109,110)	(99,050)	(90,662)	(92,900)	(2,238)	(2.47%)	
Depreciation on Non-Current Assets		(1,797,500)	(1,454,710)	(1,333,442)	(1,344,194)	(10,752)	(0.81%)	
Interest Expenses		(67,769)	(64,527)	(64,527)	(64,620)	(93)	(0.14%)	
Insurance Expenses		(189,256)	(242,782)	(228,950)	(192,139)	36,811	16.08%	▲
Other Expenditure		(476,528)	(528,450)	(481,658)	(439,778)	41,880	8.70%	
Loss on Disposal of Assets	8	(8,381)	(11,460)	(10,505)	(8,381)			
Total Operating Expenditure		(4,705,579)	(4,352,024)	(4,009,830)	(3,889,240)	118,266		
Funding Balance Adjustments								
Add back Depreciation		1,797,500	1,454,710	1,333,442	1,344,194	10,752	0.81%	
Adjust (Profit)/Loss on Asset Disposal	8	5,061	7,267	5,061	5,061	(0)	(0.00%)	
Adjust Provisions and Accruals		0	0	0	0	0		
Net Cash from Operations		462,052	660,479	766,491	787,692	19,595		
Capital Revenues								
Grants, Subsidies and Contributions	11	1,448,465	1,491,586	1,491,162	1,070,383	(420,779)	(28.22%)	▼
Proceeds from Disposal of Assets	8	87,773	131,700	127,176	87,773	(39,403)	(30.98%)	▼
Total Capital Revenues		1,536,238	1,623,286	1,618,338	1,158,156	(460,182)		
Capital Expenses								
Land Held for Resale	13	0	0	0	0	0		
Land and Buildings	13	(291,711)	(176,700)	(285,711)	(263,755)	21,956	7.58%	
Infrastructure - Roads	13	(1,619,193)	(1,746,918)	(1,399,560)	(1,076,111)	263,449	19.67%	▲
Infrastructure - Footpaths	13	0	0	0	0	0		
Infrastructure - Drainage & Culverts	13	(168,500)	(56,167)	(168,499)	(140,085)	28,414	16.86%	▲
Infrastructure - Aerodomes	13	0	0	0	0	0		
Plant and Equipment	13	(252,299)	(317,700)	(252,299)	(252,299)	(0)	(0.00%)	
Furniture and Equipment	13	(6,454)	0	(6,064)	(6,454)	(390)	(6.43%)	
Total Capital Expenditure		(2,338,157)	(2,297,485)	(2,052,133)	(1,738,704)	313,429		
Net Cash from Capital Activities		(801,919)	(674,199)	(433,795)	(580,548)	(146,753)		
Financing								
Proceeds from New Debentures		170,000	170,000	170,000	170,000	0	0.00%	
Proceeds from Advances		0	0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0	0		
Transfer from Reserves	7	33,897	0	0	33,897	33,897		
Advances to Community Groups		0	0	0	0	0		
Repayment of Debentures	10	(162,587)	(162,587)	(148,420)	(148,419)	1	0.00%	
Transfer to Reserves	7	(20,000)	(97,467)	(20,000)	(26,243)	(6,243)	(31.21%)	
Net Cash from Financing Activities		21,310	(90,054)	1,580	29,235	27,655		
Net Operations, Capital and Financing		(318,557)	(103,774)	334,276	236,378	(99,503)		
Opening Funding Surplus(Deficit)	3	(219,396)	33,967	(219,396)	(219,395)	1	(0.00%)	
Closing Funding Surplus(Deficit)	3	(537,953)	(69,807)	114,880	16,983	(99,502)		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

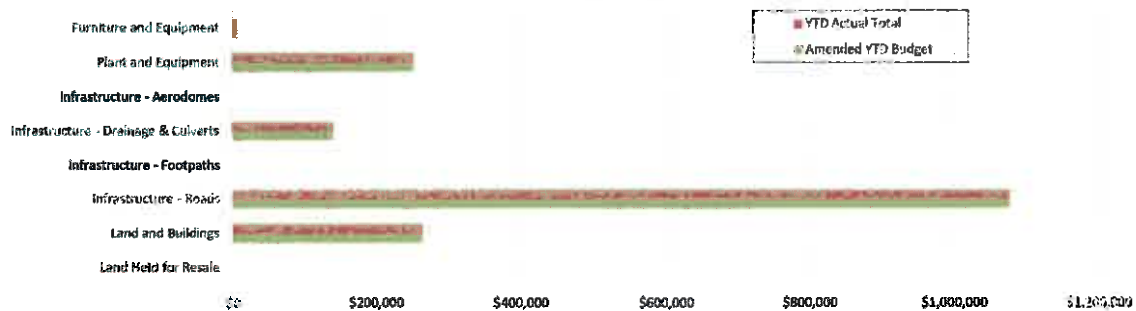
SHIRE OF MINGENEW
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 May 2015

Capital Acquisitions	Note	YTD 31.05.2015					
		YTD Actual New / Upgrade (a)	YTD Actual (Renewal) Expenditure (b)	YTD Actual Total (c) = (a)+(b)	Amended YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land Held for Resale	13	0	0	0	0	0	0
Land and Buildings	13	183,139	80,616	263,755	263,755	291,711	0
Infrastructure - Roads	13	646,438	429,673	1,076,111	1,076,111	1,619,193	0
Infrastructure - Footpaths	13	0	0	0	0	0	0
Infrastructure - Drainage & Culverts	13	0	140,085	140,085	140,085	168,500	0
Infrastructure - Aerodomes	13	0	0	0	0	0	0
Plant and Equipment	13	252,299	0	252,299	252,299	252,299	0
Furniture and Equipment	13	6,454	0	6,454	6,454	6,454	0
Capital Expenditure Totals		1,088,330	650,374	1,738,704	1,738,704	2,338,157	0

Funded By:

Capital Grants and Contributions	1,056,483	1,491,162	1,434,565	434,679
Borrowings	170,000	170,000	170,000	0
Other (Disposals & C/Fwd)	87,773	127,176	87,773	(39,403)
Own Source Funding - Cash Backed Reserves				
Land and Building Reserve	27,319	0	0	27,319
Sportsground Improvement Reserve	0	0	0	0
Plant Replacement Reserve	6,578	0	0	6,578
Aged Persons Units Reserve	0	0	0	0
Street Light Upgrade Reserve	0	0	0	0
Painton Road Reserve	0	0	0	0
Industrial Area Reserve	0	0	0	0
Total Own Source Funding - Cash Backed Reserves	(33,897)	0	0	(33,897)
Own Source Funding - Operations	424,448	(49,634)	645,819	474,082
Capital Funding Total	1,738,704	1,738,704	2,338,157	0

Comments on programs

Capital Expenditure Program YTD

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

SHIRE OF MINGENEW
STATEMENT OF BUDGET AMENDMENTS
(Statutory Reporting Program)
For the Period Ended 31 May 2015

	Adopted Budget	Adopted Budget Amendments (Note 5)	Amended Annual Budget	Amended YTD Budget (a)
Operating Revenues	\$	\$	\$	\$
General Purpose Funding - Rates	2,258,372	18,690	2,277,062	2,255,568
Governance	37,179	(6,563)	30,616	34,045
Law, Order and Public Safety	27,100	(1,946)	25,154	26,866
Health	0	217	217	0
Education and Welfare	3,795	(347)	3,448	3,465
Housing	92,204	7,672	99,876	84,502
Community Amenities	56,979	7,668	64,647	56,867
Recreation and Culture	73,446	(4,038)	69,408	72,796
Transport	718,813	(56,603)	662,210	658,878
Economic Services	11,012	(804)	10,208	10,054
Other Property and Services	271,626	(149,402)	122,224	234,577
Total Operating Revenue	3,550,526	(185,456)	3,365,070	3,437,618
Operating Expense				
General Purpose Funding	(55,096)	(22,485)	(77,581)	(50,479)
Governance	(151,940)	(121,049)	(272,989)	(146,475)
Law, Order and Public Safety	(99,789)	(9,999)	(109,788)	(93,059)
Health	(81,856)	12,357	(69,499)	(75,009)
Education and Welfare	(28,747)	(11,600)	(40,347)	(26,988)
Housing	(189,845)	(79,149)	(268,994)	(175,823)
Community Amenities	(136,322)	(26,494)	(162,816)	(125,818)
Recreation and Culture	(802,508)	(147,601)	(950,109)	(740,844)
Transport	(2,409,430)	(37,155)	(2,446,585)	(2,210,958)
Economic Services	(147,893)	(24,886)	(172,779)	(135,597)
Other Property and Services	(248,498)	114,506	(133,992)	(228,580)
Total Operating Expenditure	(4,352,024)	(353,555)	(4,705,579)	(4,009,630)
Funding Balance Adjustments				
Add back Depreciation	1,454,710	342,790	1,797,500	1,333,442
Adjust (Profit)/Loss on Asset Disposal	7,267	(2,206)	5,061	5,061
Adjust Provisions and Accruals	0	0	0	0
Net Cash from Operations	660,479	(198,427)	462,052	766,491
Capital Revenues				
Grants, Subsidies and Contributions	1,491,586	(43,121)	1,448,465	1,491,162
Proceeds from Disposal of Assets	131,700	(43,927)	87,773	127,176
Total Capital Revenues	1,623,286	(87,048)	1,536,238	1,618,338
Capital Expenses				
Land Held for Resale	0	0	0	0
Land and Buildings	(176,700)	(115,011)	(291,711)	(285,711)
Infrastructure - Roads	(1,746,918)	127,725	(1,619,193)	(1,339,560)
Infrastructure - Footpaths	0	0	0	0
Infrastructure - Drainage & Culverts	(56,167)	(112,333)	(168,500)	(168,499)
Infrastructure - Aerodomes	0	0	0	0
Plant and Equipment	(317,700)	65,401	(252,299)	(252,299)
Furniture and Equipment	0	(6,454)	(6,454)	(6,064)
Total Capital Expenditure	(2,297,485)	(40,672)	(2,338,157)	(2,052,133)
Net Cash from Capital Activities	(674,199)	(127,720)	(801,919)	(493,795)
Financing				
Proceeds from New Debentures	170,000	0	170,000	170,000
Proceeds from Advances	0	0	0	0
Self-Supporting Loan Principal	0	0	0	0
Transfer from Reserves	0	33,897	33,897	0
Advances to Community Groups	0	0	0	0
Repayment of Debentures	(162,587)	0	(162,587)	(148,420)
Transfer to Reserves	(97,467)	77,467	(20,000)	(20,000)
Net Cash from Financing Activities	(90,054)	111,364	21,310	1,580
Net Operations, Capital and Financing	(103,774)	(214,783)	(318,557)	334,276
Opening Funding Surplus(Deficit)	33,967	(253,363)	(219,396)	(219,396)
Closing Funding Surplus(Deficit)	(69,807)	(468,146)	(537,953)	114,880

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

(c) Rounding Off Figures

All figures shown in this statement are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	25 to 50 years
Construction other than Buildings (Public Facilities)	5 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Heritage Assets	25 to 50 years
Roads	25 years
Footpaths	50 years
Sewerage Piping	75 years
Water Supply Piping and Drainage Systems	75 years

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

3. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies the These are television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**(q) Nature or Type Classifications (Continued)****Insurance**

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.

(r) Statement of Objectives

Council has adopted a 'Plan for the future' comprising a Strategic Community Plan and Corporate Business Plan to provide the long term community vision, aspirations and objectives.

Based upon feedback received from the community the vision of the Shire is:

"Standing proud, growing strong"

The Strategic Community Plan defines the key objectives of the Shire as:

"Economic: To be a diverse and innovative economy with a range of local employment opportunities.

Environment: A sustainable natural and built environment that meets current and future community needs.

Social: A safe and welcoming community where everyone has the opportunity to contribute and belong.

Civic Leadership: A collaborative and innovative community with strong and vibrant leadership."

(s) Reporting Programs

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).

GENERAL PURPOSE FUNDING

Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.

LAW, ORDER, PUBLIC SAFETY

Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.

HEALTH

Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.

**SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(s) Reporting Programs (Continued)

EDUCATION AND WELFARE

HOUSING

Provision and maintenance of rented housing accommodation for pensioners and employees.

COMMUNITY AMENITIES

Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.

RECREATION AND CULTURE

Parks, gardens and recreation reserves, library services, walk trails, youth recreation, Public halls and Mingenew Recreation Centre.

TRANSPORT

Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase and cleaning of streets.

ECONOMIC SERVICES

Tourism, community development, pest control, building services and private works.

OTHER PROPERTY & SERVICES

Plant works, plant overheads and stock of materials.

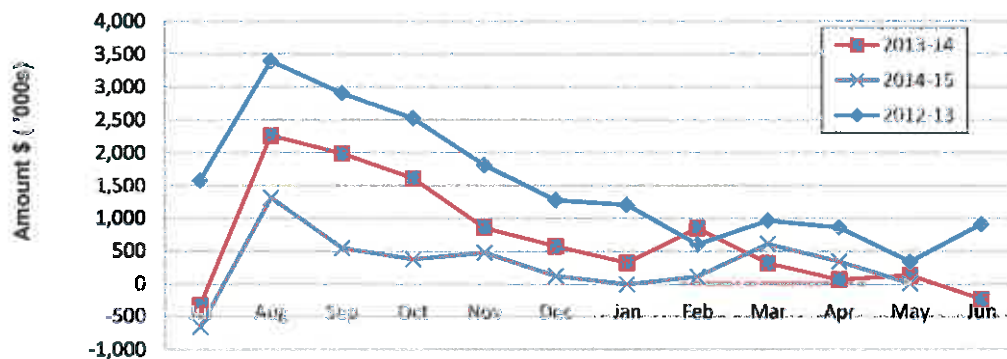
Note 2: EXPLANATION OF MATERIAL VARIANCES

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
General Purpose Funding	(3,592)	(10.55%)			
Governance	(2,127)	(7.92%)			
Law, Order and Public Safety	221				
Health	(210)	(6.07%)			
Education and Welfare	7,166	8.48%			
Housing	8,486	14.92%			
Community Amenities	1,766	2.43%			
Recreation and Culture	(30,833)	(4.68%)			
Transport	404	4.02%			
Economic Services	(110,226)	(46.99%)	▼		
Other Property and Services	(128,945)	0.00%		Permanent	Private Works activity reduced due to other road program requirements (\$78k), MWIRSA increased activity \$19k
Operating Expenses					
General Purpose Funding	(8,271)	(16.38%)		Permanent	Increase in legal costs associated with rate recovery (\$10k), increase in Administration Allocations (\$6k)
Governance	(143,327)	(97.85%)	▼		
Law, Order and Public Safety	13,669	14.69%	▲		
Health	23,520	31.36%	▲	Permanent	Reduction in expenditure at Day Care, lease requires tenant to pay some operating costs \$7k, Reduction in EHO time \$5k, GP and dentist services (timing) \$6k
Education and Welfare	(5,332)	(19.76%)			
Housing	(73,022)	(41.53%)	▼	Permanent	Original budget for 15 Moore St not included (\$10k), sewerage issues at 114 Shenton St (\$6k), additional mtce required at Triplex (\$14k), increased depreciation charges following application of fair value (\$26k), APU mtce (timing only) \$7k
Community Amenities	(16,910)	(13.44%)	▼		
Recreation and Culture	(114,604)	(15.47%)	▼	Permanent	Increased depreciation charges (\$114k), increase in Administration Allocations (\$18k), increase in expenditure Recreation Centre gardens and building, race track (\$35)
Transport	166,620	7.54%			
Economic Services	(6,783)	(5.00%)		Permanent	Increased depreciation charges (\$25k)
Other Property and Services	284,829	124.61%	▲	Permanent	Reduced Private Works activity due to other road program requirements \$105k, increase in Administration Allocations \$33k
Capital Revenues					
Grants, Subsidies and Contributions	(420,779)	(28.22%)	▼	Permanent	changes to RRG projects (\$70k), changes to R2R
Proceeds from Disposal of Assets	(39,403)	(30.98%)	▼	Permanent	Changeover of 1-Mi postponed until 15/16
Capital Expenses					
Land Held for Resale	0				
Land and Buildings	21,956	7.68%			
Infrastructure - Roads	263,449	19.67%	▲		
Infrastructure - Footpaths	0				
Infrastructure - Drainage & Culverts	28,414	16.86%	▲		
Infrastructure - Aerodomes	0				
Plant and Equipment	(0)	(0.00%)			
Furniture and Equipment	(390)	(6.43%)			
Financing					
Loan Principal	1	0.00%			

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
Note		YTD 31 May 2015	30th June 2014	YTD 31 May 2014
		\$	\$	\$
Current Assets				
Cash - Unrestricted	4	(102,692)	25,543	411,580
Cash - Restricted Reserves	4	271,589	279,243	274,698
Cash - Restricted Unspent Grants		307,752	0	0
Investments		0	0	0
Rates - Current	6	39,930	22,660	27,241
Sundry Debtors	6	51,450	368,653	98,469
Provision for Doubtful Debts		(1,370)	(1,370)	0
ESL Levy		0	0	0
GST Receivable		(7)	46,119	42,425
Receivables - Other		0	0	0
Inventories - Fuel & Materials		26,321	20,314	33,352
Inventories - Land Held for Resale		40,394	40,394	40,394
		633,367	801,556	928,159
Current Liabilities				
Sundry Creditors		(277,371)	(367,645)	(217,667)
GST Payable		0	(29,631)	(55,928)
PAYG		5,876	(11,512)	(9,776)
Accrued Interest on Debentures		(17,236)	(276,857)	(19,343)
Accrued Salaries & Wages		(15,670)	(15,670)	0
Current Employee Benefits Provision		(225,457)	(225,457)	(182,755)
Current Loan Liability		15,808	(132,611)	0
		(514,051)	(1,059,384)	(485,470)
NET CURRENT ASSETS		119,316	(257,827)	442,689
Less:				
Cash - Restricted Reserves		(271,589)	(279,243)	(274,698)
Inventories - Land Held for Resale		(40,394)	(40,394)	(40,394)
Add Back:				
Current Loan Liability		(15,808)	132,611	0
Cash Backed Employee Provisions	7	225,457	225,457	182,755
Net Current Funding Position (Surplus / Deficit)		16,982	(219,395)	310,353

Note 3 - Liquidity Over the Year

Comments - Net Current Funding Position

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	2.35%	(102,992)	307,752		204,760	NAB	At Call
Trust Bank Account	0.00%			142,524	142,524	NAB	At Call
Cash Maximiser Account (Muni)	2.35%					NAB	At Call
Cash On Hand	Nil	300	0		300	NAB	At Call
Reserve Funds	2.35%	0	271,589		271,589	NAB	At Call
(b) Term Deposits							
Short Term Deposits	0.00%	0	0		0		
Total		(102,692)	579,341	142,524	619,173		

Comments/Notes - Investments**Restricted Cash****(1) Municipal Fund**

Purpose for Funds Being Restricted	Funding Organisation	Date to be Expended	Amount
1 DLG - Long Term Financial Plan	DLG		8,000
2 DLG - Strategic Planning	DLG		9,376
3 Key Worker Housing	R4R		6,041
4 Fire Shed Water Tank	DFES		2,545
5 Regional Road Group	MRD		97,542
6 Road to Recovery	RTR		134,248
7 CLGF Individual	R4R		50,000

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 5: BUDGET AMENDMENTS
Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption		Opening Surplus		\$ 33,967	\$	\$ 33,967
	Permanent Changes						
	Opening surplus adjustment				0	(219,394)	(185,427)
104820	Rates Legal Costs	141219	Operating Expenses			(8,000)	(193,427)
100110	Rates Levied	141219	Operating Revenue		8,704		(184,723)
100210	Back Rates Levied	141219	Operating Revenue		4,361		(180,362)
100310	Administration Charges	141219	Operating Revenue		6,133		(174,229)
100510	CBH Agreement	141219	Operating Revenue		1,507		(172,722)
100610	Non Payment Penalty	141219	Operating Revenue		4,500		(168,222)
148320	Interest on Overdraft	141219	Operating Expenses			(2,350)	(170,572)
149030	Bank Interest on Investment	141219	Operating Revenue			(11,000)	(181,572)
100120	Conference Expenses	141219	Operating Expenses			(861)	(182,433)
101720	Expenses Other	141219	Operating Expenses		1,512		(180,921)
101820	Subscriptions	141219	Operating Expenses			(1,362)	(182,283)
102020	Insurance	141219	Operating Expenses		10,247		(172,036)
102220	Donations & Gifts	141219	Operating Expenses		576	(800)	(172,836)
100330	Reimbursements	141219	Operating Revenue			(96,363)	(268,623)
102720	Salaries	141219	Operating Expenses			(10,449)	(279,072)
102820	Superannuation	141219	Operating Expenses				(266,087)
102920	Insurance	141219	Operating Expenses		12,985	(226)	(266,313)
103120	Insurance Regional Risk Coordinator	141219	Operating Expenses			(200)	(266,513)
103720	Bank Charges	141219	Operating Expenses			(1,572)	(268,085)
103820	Printing & Stationery	141219	Operating Expenses			(2,250)	(270,335)
103920	Telephone	141219	Operating Expenses				(266,335)
104020	Equipment Repair & Mtce	141219	Operating Expenses		4,000	(6,000)	(272,335)
104620	Audit Fees	141219	Operating Expenses			(36,350)	(308,685)
105020	Consultants	141219	Operating Expenses			(4,100)	(312,785)
107720	Administration Vehicle	141219	Operating Expenses				(312,785)
165300	Asset Depreciation	141219	Operating Expenses				(323,985)
101130	Sundry Income - Other	141219	Operating Revenue	(60,000)		(11,200)	(320,485)
101230	Compensation/Insurance Reimbursement	141219	Operating Revenue		3,500		(323,385)
105230	Reimbursements	141219	Operating Revenue			(2,900)	(322,435)
107730	Contributions to Vehicle Expenses	141219	Operating Revenue		950		

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
105840	Furniture & Equipment	141219	Capital Expenses	\$	\$	\$	\$
106250	Transfer from Plant Reserve	141219	Capital Revenue		20,000	(1,818)	(324,253)
106420	Insurance	141219	Operating Expenses			(2,138)	(304,253)
106720	Communication Mtce & Repairs	141219	Operating Expenses		3,400		(306,391)
106920	Fire Control Expenses Other	141219	Operating Expenses		1,900		(302,991)
107130	ESL Administration Grant	141219	Operating Revenue		400		(301,091)
107330	ESL Penalty Interest	141219	Operating Revenue		50		(300,691)
165400	Asset Depreciation	141219	Operating Expenses	(1,500)			(300,641)
108330	Dog & Cat Registration Fees	141219	Operating Revenue		64		(300,641)
108430	Fines & Penalties	141219	Operating Revenue		124		(300,577)
108530	Impounding Fees	141219	Operating Revenue			(200)	(300,453)
110020	Maternal & Infant Health	141219	Operating Expenses		10,430		(300,653)
112920	Group Regional Scheme	141219	Operating Expenses		5,000		(290,223)
113730	Contributions & Donations	141219	Operating Revenue		217		(285,223)
116220	School Resource Centre	141219	Operating Expenses		700		(285,006)
116620	Seniors Week	141219	Operating Expenses		320		(284,306)
118420	Other Welfare - Community Events	141219	Operating Expenses		720	(300)	(283,986)
116820	Community Christmas Tree	141219	Operating Expenses				(284,286)
165700	Asset Depreciation	141219	Operating Expenses		300	(8,950)	(283,566)
116430	Grants - Other Welfare	141219	Operating Revenue				(292,516)
116930	YAC Reimbursements	141219	Operating Revenue			(175)	(292,216)
116640	Land & Buildings	141219	Capital Expenses			(91,319)	(292,391)
106450	Transfer from Reserve	141219	Capital Revenue		27,319	(12,685)	(383,710)
117120	Building Maintenance	141219	Operating Expenses		3,660		(356,391)
117230	Chares Rent/Leases	141219	Operating Revenue		2,609		(369,076)
117330	Reimbursements	141219	Operating Revenue		22,000		(365,416)
117440	Buildings	141219	Capital Expenses				(362,807)
117020	Maintenance 13 Moore St	141219	Operating Expenses			(10,000)	(340,807)
118320	Other Housing Expenditure	141219	Operating Expenses			(3,000)	(350,807)
165800	Asset Depreciation	141219	Operating Expenses				(353,807)
117430	Rent Silver Chain	141219	Operating Revenue	(33,000)		(2,856)	(353,807)
117630	Cpntributions/Reimbursement	141219	Operating Revenue		1,000		(356,663)
117730	Aged Persons Units	141219	Operating Revenue			(3,505)	(355,663)
117620	Domestic Refuse Collection	141219	Operating Expenses			(19,178)	(359,168)
117720	Rubbish Site Maintenance	141219	Operating Expenses			(1,888)	(378,346)
117920	Recycling Program	141219	Operating Expenses		5,000		(380,234)
165900	Asset Depreciation	141219	Operating Expenses	(3,500)			(375,234)
118030	Domestic Refuse Removal	141219	Operating Revenue			(3,625)	(375,234)
118620	Commercial Industrial Refuse Collection	141219	Operating Expenses			(6,265)	(378,859)
118720	Collection - Streets/Parks	141219	Operating Expenses			(1,103)	(385,124)
							(386,227)

MINGENSHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

GL Account Code	Description	Council Resolution	Classification	Non-Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
119230	Commercial Refuse Removal	141219	Operating Revenue		\$ 4,225	\$	\$ (382,002)
119430	Sundry Income	141219	Operating Revenue		209		(381,793)
119830	Septic Tank Fees	141219	Operating Revenue		376		(381,417)
121120	Salaries (TP)	141219	Operating Expenses			(500)	(381,917)
122630	Sundry Income	141219	Operating Revenue		1,100		(380,817)
123930	Sundry Income	141219	Operating Revenue		700		(380,117)
124530	Charges - Hall Hire	141219	Operating Revenue			(100)	(380,217)
126420	Public Gardens & Reserves	141219	Operating Expenses		3,541		(376,676)
126520	Sporting Complex & Amenities	141219	Operating Expenses		10,800		(365,876)
166000	Depreciation	141219	Operating Expenses	(125,000)			(365,876)
127330	Contributions & Donations	141219	Operating Revenue			(500)	(366,376)
127430	Reimbursements	141219	Operating Revenue		185		(366,191)
127530	Charges - Rec Leases/Rentals	141219	Operating Revenue			(868)	(367,059)
127830	Charges - Other	141219	Operating Revenue		244		(366,815)
128440	Purchase Plant & Equipment	141219	Operating Revenue			(35)	(366,850)
129020	Salaries	141219	Capital Expenses			(2,327)	(369,177)
129220	Lost/Damaged Books	141219	Operating Expenses		300		(368,877)
129320	Library Operating Other	141219	Operating Expenses		400		(368,477)
130420	Railway Station	141219	Operating Expenses		35,000		(333,477)
130820	Arts & Crafts Centre	141219	Operating Expenses			(1,030)	(334,507)
130920	Museums	141219	Operating Expenses			(5,961)	(340,468)
131120	Mingenew Mens Shed	141219	Operating Expenses		25,000		(315,468)
131220	Road Board Office	141219	Operating Expenses		8,000		(307,468)
131130	Lotterywest Grant	141219	Operating Revenue		1,598		(305,870)
131230	Museum Conservation Grant	141219	Operating Revenue			(17,000)	(322,870)
131330	Contributions & Donations	141219	Operating Revenue			(5,000)	(327,870)
131730	Grants - other Culture	141219	Operating Revenue		1,780		(326,090)
130540	Land & Buildings	141219	Capital Expenses			(28,128)	(354,218)
133250	Reimbursements	141219	Operating Revenue		389		(353,829)
131740	Municipal Funds Bridges	141219	Capital Expenses		66,520		(287,309)
132740	Depot Construction	141219	Capital Expenses			(2,064)	(289,373)
133520	Asset Preservation Rural	141219	Operating Expenses		3,000		(286,373)
134420	Traffic Signs & Control Equipment	141219	Operating Expenses		14,400		(271,973)
166200	Asset Depreciation	141219	Operating Expenses	(89,000)			(271,973)
135740	Realisation of Sale of Asset	141219	Operating Revenue	518			(271,973)
135850	Sale of Plant & Equipment	141219	Operating Revenue			(518)	(272,491)
135540	Purchase Plant & Equipment	141219	Capital Expenses		11,123		(261,368)
137020	Police Licensing	141219	Operating Expenses		130,000		(131,368)
137420	Salaries	141219	Operating Expenses			(2,327)	(133,695)
137430	Police Licensing	141219	Operating Revenue			(130,000)	(263,695)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
137720	Alirstrip Maintenance	141219	Operating Expenses	\$	\$	\$	\$
138730	Reimbursements - MIG	141219	Operating Revenue			(3,000)	(266,695)
139420	Tourist & Promotional Committee	141219	Operating Expenses		1,500	(2,825)	(269,520)
166300	Asset Depreciation	141219	Operating Expenses				(268,020)
139530	Rental Income - Tourism & Promotions	141219	Operating Revenue	(29,500)	3,181		(268,020)
140820	Group Scheme Expenses	141219	Operating Expenses		4,000		(264,839)
141630	BRB Commission	141219	Operating Revenue			(100)	(260,839)
141830	BCITF Commission	141219	Operating Revenue			(125)	(260,939)
151520	PO Building Maintenance	141219	Operating Expenses			(600)	(261,664)
142220	Drum Muster Expenses	141219	Operating Expenses		6,353		(255,311)
142320	Water Supply Standpipes	141219	Operating Expenses		2,000		(253,311)
142730	Water Sales	141219	Operating Revenue			(1,300)	(254,611)
142820	Private Works	141219	Operating Expenses		146,000		(108,611)
143230	Charges - Cartage	141219	Operating Revenue			(6,000)	(114,611)
143330	Charges - Private Works	141219	Operating Revenue			(166,500)	(281,111)
144230	Reimbursements	141219	Operating Revenue			(350)	(281,461)
144930	Reimbursements	141219	Operating Revenue			(550)	(282,011)
145920	Workers Compensation	141219	Operating Expenses			(8,888)	(290,899)
146130	Workers Compensation Reimbursements	141219	Operating Revenue		8,889		(282,010)
146220	Expenses Other	141219	Operating Expenses		2,200		(279,810)
146420	Expenses Yandy Leases	141219	Operating Expenses			(128)	(279,938)
146620	MWIRSA	141219	Operating Expenses			(40,000)	(319,938)
146720	MWIRSA	141219	Operating Expenses		37,000		(282,938)
146820	Reimbursement Expense	141219	Operating Expenses			(150)	(283,088)
146920	Risk Mitigation	141219	Operating Expenses			(2,500)	(285,588)
147120	NWDF Training Program	141219	Operating Expenses			(5,000)	(290,588)
147220	EBPPP Training Program	141219	Operating Expenses			(1,300)	(291,888)
116640	Asset Depreciation	141219	Operating Expenses	(7,340)			(291,888)
146230	MWIRSA	141219	Operating Revenue		3,000		(288,888)
146730	Reimbursements	141219	Operating Revenue		136		(288,752)
147130	NWDF Training Program	141219	Operating Revenue		5,000		(283,752)
147230	EBPPP Training Program	141219	Operating Revenue		1,300		(282,452)
147440	Transfer to Bldg Reserve	141219	Capital Expenses		40,600		(241,852)
147540	Transfer to Plant Reserve	141219	Capital Expenses		30,000		(211,852)
J0110	Midlands Road Garden Maintenance	9.1.1 - 15/4/2015	Operating Expenses			(6,000)	(217,852)
J0113	Rec Centre Parks/Gardens	9.1.1 - 15/4/2015	Operating Expenses			(6,500)	(224,352)
J0054	Rec Centre - Hockey Oval Mtc	9.1.1 - 15/4/2015	Operating Expenses			(6,000)	(230,352)
0080	Rates Written Off	9.1.1 - 15/4/2015	Operating Expenses			(1,500)	(231,852)
0472	Rating Valuations	9.1.1 - 15/4/2015	Operating Expenses			(400)	(232,252)
0482	Rates Legal Costs	9.1.1 - 15/4/2015	Operating Expenses			(2,500)	(234,752)

MINGENSHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
7302	Administration	9.1.1 - 15/4/2015	Operating Expenses	\$ (4,062)	\$	\$	\$ (234,752)
7740	Rate Refunds	9.1.1 - 15/4/2015	Operating Expenses		1,000		(233,752)
0031	Administration Charges	9.1.1 - 15/4/2015	Operating Revenue		2,367		(231,385)
0061	Non-Payment Penalty	9.1.1 - 15/4/2015	Operating Revenue		400		(230,985)
0071	Formula Local Road Grant	9.1.1 - 15/4/2015	Operating Revenue		2,039		(228,946)
0091	General Purpose Grant	9.1.1 - 15/4/2015	Operating Revenue		1,329		(227,617)
4832	Interest on Overdraft	9.1.1 - 15/4/2015	Operating Expenses			(3,150)	(230,767)
7292	Administration	9.1.1 - 15/4/2015	Operating Expenses	(1,523)			(230,767)
0903	Property Enquiries	9.1.1 - 15/4/2015	Operating Revenue		350		(230,417)
4903	Bank Interest on Investment	9.1.1 - 15/4/2015	Operating Revenue			(2,000)	(232,417)
0002	Members Travelling	9.1.1 - 15/4/2015	Operating Expenses		500		(231,917)
0072	Council Chambers Maintenance	9.1.1 - 15/4/2015	Operating Expenses			(1,083)	(233,000)
0172	Expenses Other	9.1.1 - 15/4/2015	Operating Expenses			(238)	(233,238)
0222	Donations & Gifts	9.1.1 - 15/4/2015	Operating Expenses			(100)	(233,338)
7282	Administration	9.1.1 - 15/4/2015	Operating Expenses	(11,171)			(233,338)
0102	CEO Contract entitlements	9.1.1 - 15/4/2015	Operating Expenses			(3,000)	(236,338)
0192	MFA Contract entitlements	9.1.1 - 15/4/2015	Operating Expenses			(3,000)	(239,338)
0292	Insurance	9.1.1 - 15/4/2015	Operating Expenses			(1,016)	(240,354)
0302	Staff Training	9.1.1 - 15/4/2015	Operating Expenses			(500)	(240,854)
0322	Staff Conferences	9.1.1 - 15/4/2015	Operating Expenses		3,000		(237,854)
0372	Bank Charges	9.1.1 - 15/4/2015	Operating Expenses			(600)	(238,454)
0382	Printing & Stationery	9.1.1 - 15/4/2015	Operating Expenses			(4,500)	(242,954)
0412	Postage & Freight	9.1.1 - 15/4/2015	Operating Expenses		1,200		(241,754)
0432	Office Expenses - Other	9.1.1 - 15/4/2015	Operating Expenses		830		(240,924)
0452	Office Maintenance	9.1.1 - 15/4/2015	Operating Expenses			(533)	(241,457)
0614	Realisation of Sale of Asset	9.1.1 - 15/4/2015	Operating Revenue	43,400			(241,457)
	Additional Budget Review Amendments	9.1.1 - 15/4/2015				(226,689)	(468,146)
				(321,678)	821,219	(1,289,365)	

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

NOTE 5 (b): BUDGET AMENDMENTS - CORPORATE BUSINESS PLAN LINKAGE

A number of additional operating actions were forecast to be undertaken during the current period of the Corporate Business Plan CBP which result in additional operating expenditure or revenue. The additional activities for the current year are summarised below along with the amount included within the budget and budget amendments.

Strategy Ref	Strategy	Action Ref	Action	2014/15 per CBP	Cr Account	Adopted Budget	Amended Budget	YTD Expenditure
ECONOMIC								
1.1	Increase the number of visitors and extend the tourism season within the region	Project 1.1	Support Tourism Development and Promotions	41,000	3912	800	800	773
1.2	Increased availability of serviced, residential, commercial and industrial land	Project 1.5	Wildflower Way and Arbelt	50,000	3942	4000	2,500	2,500
1.3	Protect and enhance economic infrastructure	Project 3.1	Residential and Light Industrial Land Development					
1.4	To maintain and increase the number of local businesses, industries and services that will provide a range of employment opportunities for the people of Mingenew	Project 3.3						
		Project 3.4	Develop a Business Incubator Project Support local business and community groups	1,000				
1.5	Ensure the provision of adequate services to support economic growth	Project 3.2	Improved digital communications access for the community					
ENVIRONMENT								
2.1	Our natural environment is enhanced, protected, rehabilitated and leveraged so it continues to be an asset to our community	Project 2.2	Pursuing sustainability project	41,000	3892	3,000	3,000	3,000
2.2	Our indigenous and cultural heritage is acknowledged		Refer Project 3.4		3102	400	400	250
2.3	To retain Mingenew as an attractive town that is a comfortable and welcoming place to live and visit, and reflects our lifestyle values	Project 4.5	Heavy traffic by-pass Relocate Shire depot and Redevelop Vacated Land	20,000				
2.4	To provide recognition and retention of places of heritages	Project 1.4	Maintain and enhance heritage infrastructure	30,000	2642	181,503	197,500	195,410
		Project 4.2	Restoration of old Railway Station		3042	35,000	0	0
					3122	9,500	1,620	1,620
					3054	17,000	45,128	43,015

MINGENSHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

Strategy Item	Strategy	Action Ref	Action	2014/15 J101 CRP	EL Account	Adopted Budget	Amended Budget	YTD Expenditure
ECONOMIC								
2.5	Safe and functional road and ancillary infrastructure	Project 4.1	Roads Program	1,508,000				
2.6	Efficient usage of resources	Project 2.1	Waste Management - Regional Project			1,873,535 515,481		
SOCIAL								
3.1	Maintain and increase population	Project 4.7	Refer project 3.1					
3.2	Maintain the provision of high quality community infrastructure		Develop Recreation Complex		1652 2922 2652 2894	7,747 20,877 279,545 33,200	7,746 16,700 313,421 33,200	8,553 17,700 312,698 28,937
3.3	Improved capacity of education and training	Project 4.3	Aged Care Units			64,315		
3.4	Affordable housing options that respond to community needs	Project 4.4	Key Worker Housing		9010	104,500	120,000	92,890
3.5	Improved community health and well-being	Project 1.3	Upgrade Medical Facility - Ambulance setdown at Silver Chain					
3.6	Community events continue to be supported		Mingenew Mens Shed Arts & Crafts Centre GP & Dental Services Support		3112 3082 1582	25,000 1,970 31,634	0 3,200 35,000	1,057 1,778 20,516
3.7	Maintain a safe community environment		Community Christmas Tree Community Activities		1582 2312	1,500 4,150	690 2,500	689 1,778
			Ranger Services Community Emergency Services Mana		0752 0742	23,340 15,000	23,340 13,000	20,091 13,520
CIVIC LEADERSHIP								
4.1	A well informed and engaged community that actively participates in an open and accountable local government that is respected, professional and trustworthy	Project 5.1	Leadership support	7,500				
4.2	Improved partnerships	Project 5.3	Leadership and advocacy role					
4.3	Long term planning and strategic management	Project 5.2	Invest in Council's capacity					
4.4	Achieve a high level of compliance							
4.5								
Total				1,688,500	0502	4,000 3,285,727	31,250 1,175,295	21,596 1,584,511

SHIRE OF MINGENSHIRE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 May 2015

Note 6: RECEIVABLES

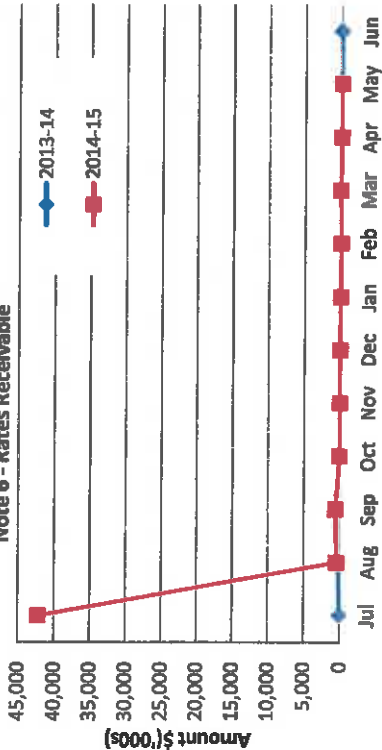
Receivables - Rates Receivable

Opening Arrears Previous Years
 Levied this year
 Less Collections to date
 Equals Current Outstanding

Net Rates Collectable
 % Collected

YTD 31 May 2015	30 June 2014
\$ 22,660	\$ 18,152
1,657,864	1,473,879
(1,640,594)	(1,469,371)
39,930	22,660
39,930	22,660
97.52%	98.48%

Note 6 - Rates Receivable



Comments/Notes - Receivables Rates

Receivables - General

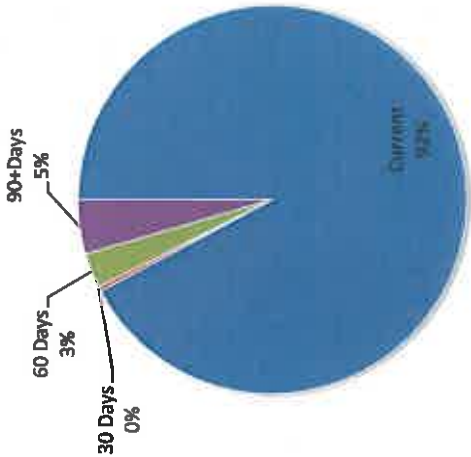
Receivables - General

Total Receivables General Outstanding

	Current	30 Days	60 Days	90+Days
\$	\$ 47,408	\$ 192	\$ 1,503	\$ 2,346
				51,450

Amounts shown above include GST (where applicable)

Note 6 - Accounts Receivable (non-rates)



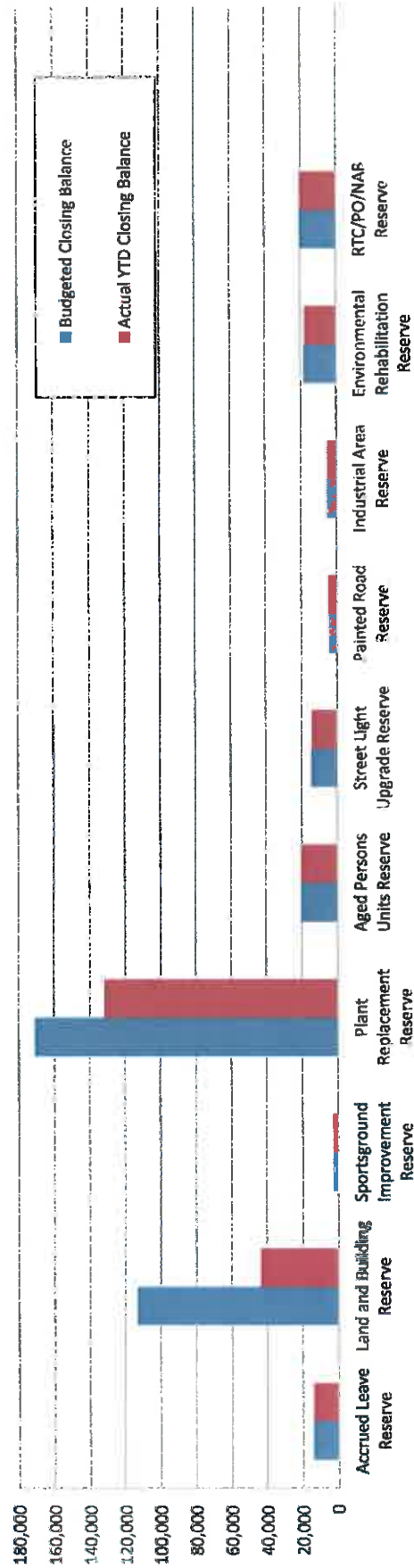
Comments/Notes - Receivables General

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 7: Cash Backed Reserve

Name	Opening Balance	YTD Budget Interest Earned	Actual Interest Earned	YTD Budget Transfers In (+)	YTD Actual Transfers In (+)	YTD Budget Transfers Out (-)	YTD Actual Transfers Out (-)	Transfer out Reference	Budgeted Closing Balance	Actual YTD Closing Balance
Accrued Leave Reserve	\$ 13,455	253	250	236	0	0	0		\$ 13,944	\$ 13,705
Land and Building Reserve	68,999	1,606	1,602	42,322	0	0	(27,319)		112,927	43,282
Sportsground Improvement Reserve	2,604	55	51	65	0	0	0		2,724	2,655
Plant Replacement Reserve	115,239	2,629	2,783	52,875	20,000	0	(6,578)		170,743	131,443
Aged Persons Units Reserve	19,330	440	381	482	0	0	0		20,252	19,712
Street Light Upgrade Reserve	13,826	308	273	345	0	0	0		14,479	14,099
Painted Road Reserve	4,056	88	84	101	0	0	0		4,245	4,141
Industrial Area Reserve	5,056	110	96	126	0	0	0		5,292	5,152
Environmental Rehabilitation Reserve	17,201	385	339	429	0	0	0		18,015	17,541
RTC/PO/NAB Reserve	19,476	440	384	486	0	0	0		20,402	19,860
	279,243	6,314	6,243	97,467	20,000	0	(33,897)		383,024	271,589

Note 7 - Year To Date Reserve Balance to End of Year Estimate



SHIRE OF MINGENSHIRE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal				Amended Current Budget YTD 31.05.2015			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)	2014/15 Budget Profit/(Loss)	2014/15 Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	\$	\$	\$	
41,020	(10,249)	34,091	3,320	3,989	0	(3,989)	
47,191	(11,791)	34,182	(1,218)	204	3,320	3,116	
116,038	(89,375)	19,500	(7,163)	(3,771)	(1,218)	2,553	
				(7,689)	(7,163)	526	
204,249	(111,415)	87,773	(5,061)	(7,267)	(5,061)	2,206	
Comments - Capital Disposal/Replacements							

CEO Vehicle disposal/changeover has been postponed to 2015/16.

SHIRE OF MINGENSHIRE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 9: RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2014/15 Budget Rate Revenue \$	2014/15 Budget Interim Rate \$	2014/15 Budget Back Rate \$	2014/15 Budget Total Revenue \$
Differential General Rate											
GRV - Mingenew - Residential	12.3858	133	1,301,144	161,157	2,790	82	164,029	161,157	0	0	161,157
GRV - Mingenew - Commercial	12.3858	18	396,860	49,154	0	0	49,154	49,154	0	0	49,154
GRV - Yandanooka	6.1988	2	14,716	912	115	0	1,027	912	0	0	912
UV - Rural	1.3510	127	97,543,500	1,317,812	206	0	1,318,018	1,317,812	0	0	1,317,812
UV - Mining	30.0000	9	63,470	19,041	6,148	15	25,204	19,041	0	0	19,041
Sub-Totals		289	99,319,690	1,548,076	9,259	97	1,557,432	1,548,076	0	0	1,548,076
Minimum Payment											
GRV - Mingenew - Residential	600	77	65,822	46,200	(1,402)	0	44,798	46,200	0	0	46,200
GRV - Mingenew - Commercial	600	14	26,269	8,400	0	0	8,400	8,400	0	0	8,400
GRV - Yandanooka	320	1	840	320	0	0	320	320	0	0	320
UV - Rural	600	18	473,600	10,800	(320)	0	10,480	10,800	0	0	10,800
UV - Mining	750	6	7,198	4,500	333	0	4,833	4,500	0	0	4,500
Sub-Totals		116	573,729	70,220	(1,389)	0	68,831	70,220	0	0	70,220
Discounts											
Amount from General Rates							1,626,263				1,618,296
Ex-Gratia Rates							1,626,263				1,618,296
Specified Area Rates							31,601				0
Totals							1,657,864				1,618,296

Comments - Rating Information

SHIRE OF MINGENSHIRE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

10. INFORMATION ON BORROWINGS
(a) Debenture Repayments

Particulars	Principal 1-Jul-14	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			YTD Actual \$	YTD Budget \$	YTD Actual \$	YTD Budget \$	YTD Actual \$	YTD Budget \$
Education & Welfare								
Loan 137 - Senior Citizens Buildings	106,030		4,517	4,517	101,513	101,513	6,392	6,392
Housing								
Loan 133 - Triplex	93,708		9,941	9,941	83,767	83,767	6,233	6,233
Loan 134 - SC Housing	62,443		4,999	4,999	57,444	57,444	3,801	3,801
Loan 136 - Staff Housing	132,539		9,019	6,819	123,520	125,720	8,414	8,414
Loan 142 - Staff Housing	83,751		8,748	8,748	75,003	75,003	4,144	4,145
Recreation & Culture								
Loan 138 - Pavilion Fitout	101,788		2,136	4,336	99,652	97,452	6,136	6,137
Transport								
Loan 139 - Roller	66,256		13,107	13,107	53,149	53,149	4,207	4,207
Loan 141 - Grader	150,860		21,506	21,506	129,354	129,354	9,052	9,052
Loan 143 - 2 x Trucks	156,936		49,891	49,891	107,045	107,045	6,968	6,968
Loan 144 - Side Tipping Trailer	83,751		8,748	8,748	75,003	75,003	4,144	4,144
Loan 145 - Drum Roller		170,000	15,808	15,808	154,192	154,192	2,776	2,776
	1,038,062	170,000	148,419	148,420	1,059,643	1,059,642	62,270	62,269

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

Loan 145 for the new rollwer was funded in November 2014 for \$170,000.

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2014-15 Forecast Budget	2014-15 Original Budget	Variations Additions (Deletions)	Operating 2014/15 Budget	Capital 2014/15 Budget	2014-15 YTD Actual	Recoup Status 2014-15 YTD Budget
		{Y/N}	\$	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING									
Financial Assistance Grant - Roads	Grants Commission	Y	308,000	305,961	2,039	305,961	0	308,062	305,960
Financial Assistance Grant - General LAW, ORDER, PUBLIC SAFETY	Grants Commission	Y	272,000	270,671	1,329	270,671	0	272,450	270,671
ESL Administration Grant	Department of Fire & Emergency Services	Y	4,400	4,000	400	4,000	0	10,120	4,000
ESL Annual Grant	Department of Fire & Emergency Services	Y	17,160	20,600	(3,440)	20,600	0	16,640	20,600
EDUCATION & WELFARE									
Mens Shed	Lotterywest	Y	64,000	0	64,000	0	0	64,000	0
Community Cricket Match	Mens Health	Y	273	0	273	0	0	273	0
HOUSING									
N/A									
COMMUNITY AMENITIES									
N/A									
RECREATION AND CULTURE									
Museum Conservation Grant	Lotterywest	N	0	17,000	(17,000)	0	17,000	0	17,000
Museum Kitchen	Mid West Development Commission	Y	6,780	5,000	1,780	0	5,000	5,202	4,576
Railway Station	Lotterywest	Y	36,598	35,000	1,598	35,000	0	36,598	35,000
TRANSPORT									
Direct Grant	Main Roads WA	Y	60,500	60,500	0	0	60,500	60,500	60,500
Regional Road Group	Main Roads WA	Y	695,096	765,596	(70,500)	0	765,596	322,971	765,596
Roads To Recovery	Department of Infrastructure	Y	325,189	346,590	(21,401)	0	346,590	325,189	346,590
2012/13 CLGS - Individual	Department of Regional Development	Y	283,000	283,000	0	0	283,000	283,823	283,000
Street Lighting	Department of Regional Development	Y	5,500	5,500	0	5,500	0	0	5,038
ECONOMIC SERVICES									
N/A									
TOTALS			2,078,496	2,119,418	(40,922)	641,732	1,477,686	1,705,828	2,118,531
Operating	Operating		643,931	646,732				649,345	641,269
Non-Operating	Non-Operating		1,434,565	1,472,686				1,056,483	1,477,262
			2,078,496	2,119,418				1,705,828	2,118,531

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 12: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 14	Amount Received	Amount Paid	Closing Balance 31-May-15
	\$	\$	\$	\$
BCITF Levy	241	2,147	(684)	1,705
BRB Levy	376	1,455	(800)	1,031
Centenary/Autumn Committee	1,734	0	0	1,734
Community Bus	2,060	900	(600)	2,360
ANZAC Day Breakfast Donation	795	0	0	795
Industrial Land Bonds	1,000	0	0	1,000
Mid West Industry Road Safety Alliance	41,371	70,950	(64,979)	47,342
Mingenew Cemetery Group	366	0	0	366
Other Bonds	3,633	513	(300)	3,846
Rates Incentive Prizes	0	100	0	100
Rec Centre Kitchen Upgrade	2,000	0	0	2,000
Sinosteel Community Trust Fund	63,415	0	0	63,415
Tree Planter - LCDC	288	0	0	288
Weary Dunlop Memorial	1,906	0	0	1,906
Mingenew P & C - NBN Rental	0	5,836	0	5,836
Joan Trust	0	8,600	0	8,600
Youth Advisory Council	1,811	0	0	1,811
	120,996	90,500	(67,362)	144,134

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Approved Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over/Under)	Comment
○	Land Held for Resale						
○	Community Amenities						
○	Other Property & Services						
○	Industrial Area Development Costs	4644	0	0	0	0	0
○	Industrial Area Development	4924	0	0	0	0	0
○	Other Property & Services Total	0	0	0	0	0	0
○	Land Held for Resale Total						
○	Land & Buildings						
○	Housing						
○	Construction - Staff Housing	9010	120,000	104,500	114,000	92,830	27,170
○	Refurbish - Lot 5 Field Street (Works Manager) - Capital	9005	0	12,000	0	6,600	6,600
○	Refurbish - Triplex Unit 1 - Capital	9007	0	10,000	0	0	0
○	Housing Total		120,000	126,500	114,000	99,430	33,770
○	Education & Welfare						
○	Mens Shed	1664	31,319	0	91,319	90,309	1,010
○	Education & Welfare Total		31,319	0	91,319	90,309	1,010
○	Recreation And Culture						
○	Recreation Facilities Upgrade	1123	0	33,200	0	0	0
○	Recreation Facilities Upgrade	1125	33,200	0	33,200	28,937	4,263
○	Museum Upgrades	3054	45,128	17,000	45,128	43,015	2,113
○	Recreation And Culture Total		78,328	50,200	78,328	71,952	6,376
○	Transport Total						
○	Depot	3274	2,064	0	2,064	2,064	0
○	Transport Total		2,064	0	2,064	2,064	0
○	Land & Buildings Total		154,711	126,719	116,711	111,756	42,955
●	Infrastructure - Drainage/Culverts						
●	Transport						
●	Mingenew / Mullewa Rd - Culverts - RRG	RC63	112,333	0	112,333	140,085	(27,752)
●	Mingenew / Mullewa Rd - Culverts - RRG Matching	CL04	56,167	56,167	56,166	0	56,167
●	Transport Total		168,500	56,167	168,499	140,085	28,415
●	Infrastructure - Drainage/Culverts Total		168,500	56,167	168,499	140,085	28,415
○	Infrastructure - Footpaths						
○	Transport						
○	Nil						
○	Transport Total		0	0	0	0	0
○	Infrastructure - Footpaths Total		0	0	0	0	0
●	Furniture & Office Equip.						
●	Governance						
●	Nil	0584	1,818	0	1,818	1,818	(0)
●	Governance Total		1,818	0	1,818	1,818	(0)
○	Housing						
○	Nil	1714	4,636	0	4,246	4,636	0
○	Housing Total		4,636	0	4,246	4,636	0
○	Transport						
○	Nil						
○	Transport Total		0	0	0	0	0
○	Furniture & Office Equip. Total		0	0	0	0	0
○	Furniture & Office Equip. Total		0	0	0	0	0

SHIRE OF MINGENEW
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2015

Note 13: CAPITAL ACQUISITIONS

Level of Completion Indicator	Infrastructure Assets	Amended Annual Budget	Original Full Year Budget	YTD Budget	YTD Actual	Variance (Over)/Under	Comment
	Infrastructure - Aerodromes						
○ ○ ○	Transport						
	All	0	0	0	0	0	
	Transport Total	0	0	0	0	0	
	Infrastructure - Aerodromes Total	0	0	0	0	0	
	Plant, Equip. & Vehicles						
	Governance						
	CEO & Manager Admin & Finance Vehicle Replacement	40,669	97,500	40,669	40,669	(0)	
	Governance Total	40,669	97,500	40,669	40,669	(0)	
	Law, Order And Public Safety						
	Fire Tender						
	Law, Order And Public Safety Total	0	0	0	0	0	
	Transport						
	Boom Spray	4,053	4,000	4,053	4,053	(0)	
	Works Manager Vehicle & Drum Roller	207,577	216,200	207,577	207,577	(0)	
	Transport Total	211,630	220,200	211,630	211,630	(0)	
	Plant, Equip. & Vehicles Total	211,630	216,200	211,630	211,630	(0)	
○ ○ ○	Roads & Bridges						
	Transport						
	Roadworks Const - Own Resources						
	Nameline Road (RRG)	120,000	75,910	104,000	85,752	34,248	
	Coalseam Road - Widen & Re-Align	189,722	217,852	61,000	129,369	60,353	
	Yandarnooka Ne Reconstruct (R2R)	302,041	141,000	302,041	386,540	(84,499)	
	Depot Hill Road - Hot Mix Overlay On Crossing	205,189	346,590	205,189	105,189	100,000	
	Depot Hill Road - Information Bay Upgrade	72,250	72,250	48,166	70,377	1,873	
	Depot Hill Road - Reseal - Rrg Matching	44,100	44,100	29,400	25,340	18,760	
	Nameline Road - Widen & Seal	70,500	70,500	74,346	0	70,500	
	Coalseam Road - Widen & Seal	111,518	111,518	70,908	0	111,518	
	Depot Hill Road - Reseal	106,363	106,363	141,000	207,104	106,363	
	Coalseam Road - Widen & Seal	141,000	325,962	0	0	(66,104)	
	Moore St - Reconstruction	56,510	56,020	56,510	56,509	1	
	Coalseam Road Bridge	0	0	0	0	0	
	Coalseam Road Bridge	0	66,520	0	0	0	
	Coalseam Road Bridge	200,000	0	200,000	9,932	190,068	
	Transport Total	1,619,193	1,746,918	1,339,560	1,076,111	548,087	
	Roads (Non-Totals) Total	1,619,193	1,746,918	1,339,560	1,076,111	548,087	
○	Capital Expenditure Total	2,381,157	2,197,400	2,051,193	1,781,704	629,453	

9.2.2 REVIEW OF DELEGATIONS REGISTER

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0342
Date: 15th June 2015
Author: Nita Jane, Manager Finance & Administration
Senior Officer: Martin Whitely, Chief Executive Officer

Summary

Council is requested to adopt the Revised Delegations Register as presented.

Attachment

Delegations Register 2015.

Local Government Operational Guideline 17 - Delegations

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. These delegations include those from Council to the Chief Executive Officer and Committees, and the Chief Executive Officer to other staff. Council has not yet reviewed the Register this financial year. Council last reviewed the Delegations Register in June 2014.

Comment

The last review of the Delegations Register was conducted in June 2014 and minor changes made in August 2014.

Below are the recommended changes made to Council's Delegation Register:

Addition of an introduction to the document
 Addition of a Summary by Officer

The following guidance is provided by the Department of Local Government and Communities and has been referred to in the preparation of this Delegations Register:

Local Government Operational Guidelines – Number 17 – Delegations

19 Determining What Should Be Delegated

A local government council is unable to deal with all of the numerous issues and duties concerning its local government. As far as is possible and reasonable, councils should be predominantly concerned with dealing with higher level policy matters for their local governments.

Duties and powers which are operational in nature, but exercise discretion should be delegated to the CEO.

Powers and duties can be delegated to CEOs with comprehensive conditions attached. The conditions limit the exercise of powers or discharge of duties to circumstances prescribed by the council. For example, a permit application which does not satisfy the conditions attached to a delegation must be referred to the council for determination.

The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.

Consultation

Martin Whitely

DLG – LG Operational Guideline 17

Statutory Environment

Section 5.18, 5.46 of the Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.2.2

That the Council:

Review and Adopt the amended Delegations Register as presented.

COUNCIL RESOLUTION – ITEM 9.2.2

Moved: Cr Newton

Seconded: Cr Pearce

That the Council:

Review and Adopt the amended Delegations Register as presented.

CARRIED: 7/0



Register Of Delegations

June 2015

Previously reviewed by Shire of Mingenew – June 2014
Updates as per October 2014 Council Meeting – November 2014

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

*Shire of Mingenew**Register of Delegations***Contents****INTRODUCTION**

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SUMMARY OF DELEGATIONS BY OFFICER

INTRODUCTION**1. General**

The Local Government Act 1995 allows for a local government to delegate to the Chief Executive Officer (sections 5.42 and 5.43) the exercise of any of its powers or the discharge of any of its duties under the Act.

The Act allows for the Chief Executive Officer to delegate any of his powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if he desires. The powers cannot, however, be further sub-delegated.

The purpose of this document is to detail which authorities have been delegated by Council to the Chief Executive Officer, and which the Chief Executive Officer has further delegated to respective staff.

The manual details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council. This enables easier cross referencing.

2. Limits on Delegations to the CEO

The following are decisions that can not be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government;
- Appointing an auditor
- Acquiring or disposing of any property valued at an amount determined by the local government;
- Any of the local government's powers under Section 5.98, 5.99 and 5.100 of the Act;
- Borrowing money on behalf of the local government;
- Hearing or determining an objection of a kind referred to in Section 9.5;
- Any power or duty that requires the approval of the Minister or Governor; or
- Such other duties or powers that may be prescribed by the Act.

3. Register of, and Records Relevant to, Delegations

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

*Shire of Mingenew**Register of Delegations*

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- How the person exercised the power or discharges the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes or persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

All employees with delegated authority will be issued with a register where a record of each occasion the persons exercises their delegated authority is recorded. The onus is on the person exercising delegated authority to ensure that a record is made.

4. Transfer of Authority Due to Absence

Where an Officer not named has been appointed by Council or by an Officer authorised to make the appointment to act in a position to which the named Officer is appointed, the authority shall transfer to the Officer acting as appointed, for the duration of Council authorisation.

FINANCE**01 PAYMENTS FROM TRUST AND MUNICIPAL FUNDS**

Function to be performed: To make payments from the Municipal Fund Bank Accounts and the Trust Fund Bank Accounts for payment of creditors and payroll.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the following Officers.

Payments made by Cheque require two authorisations being from the following:

- Chief Executive Officer and Manager Finance & Administration
- Chief Executive Officer and a Councillor
- Manager Finance & Administration and a Councillor.

Electronic Transfer or Direct Deposits require one authorisation (subject to National Australia Bank's online banking security protocols) being:

- Chief Executive Officer.
- Manager Finance & Administration.

Conditions: Compliance with Regulations 12 and 13 of the Local Government (Financial Management) Regulations 1996 and Council policies.

Each payment from the Municipal Fund Bank Accounts and the Trust Fund Bank Accounts is to be noted on a list compiled each month showing:

- 1) The payee's name
- 2) The amount of the payment
- 3) The date of the payment
- 4) Sufficient information to identify the transaction

Record of Use: The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

MINGENEWSHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

*Shire of Mingenew**Register of Delegations*

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

<i>Reference:</i>	s5.42 & s5.44 – Local Government Act 1995 Local Government (Financial Management) Regs 1996
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

02 PURCHASE ORDER AUTHORISATION

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to sign Purchase Orders for items contained within the current budget.

This delegation includes authorisation for the CEO to accept a tender for purchase up to an amount of \$100,000 (Local Government Act 1995 section 5.43 (b)).

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the following Officers:

- Level 1 - Chief Executive Officer*
- Level 2 - Manager Finance & Administration*
- Level 2 - Works Manager*
- Level 3 - Community Development Officer*

Conditions: Limits on amounts:

- a) Level 1 - \$100,000 excluding the purchase of freehold land and real estate.
- b) Level 2 - up to \$60,000 excluding the purchase of freehold land and real estate.
- c) Level 3 - Within area of responsibility up to a maximum of \$1,000 excluding Capital items.

Record of Use:

- Duplicate of Purchase Order to be handed to Senior Finance Officer.
- Triplicate stored in original Purchase Order Book. Completed Order Books to be returned to Senior Finance Officer for archiving.
- Register to be kept of Purchase Order Books issued and returned.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference:

S5.42 Local Government Act 1995

MINGENEWSHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

<i>Shire of Mingenew</i>	<i>Register of Delegations</i>
<i>Council Policy:</i>	Policy 3007 – Purchasing Policy
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

03 INVESTMENTS

- Function to be performed:*** Council delegates its authority and power to the Chief Executive Officer to
1. Invest money held in the Municipal or Trust Funds that is not required for the time being for any purpose in accordance with Part III of the Trustees Act 1962 or in an investment approved by the Minister.
 2. To establish and document internal control procedures to be followed to ensure control over the investments.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power and power to the Manager Finance & Administration for renewals and reinvestments in the same type of investments already approved by the Chief Executive Officer.

- Conditions:***
- 1) The establishing of documental internal control procedures to be followed to ensure control over the investments.
 - 2) Compliance with Clause 19(2) Local Government (Financial Management) Regulations 1996
 - 3) Council Policy 3002 - Investments.

Record of Use: Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: S5.42, S5.44 & S6.14 Local Government 1995
Financial Management Regulations 1996
Trustees Act 1962
Council Policy 3002 - Investments

Council Policy: 3002 - Investments

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

04 POWER TO WAIVE OR WRITE OFF DEBTS

Function to be performed: Function to be performed for the purposes of section 6.12 (1) (b) & (c) of the Local Government Act 1995, the Chief Executive Officer is delegated the power to approve the waiver or write off of an amount of money not exceeding \$100.00 which, in the Chief Executive Officer's opinion, is unrecoverable subject to all such waivers and write offs being subsequently notified to Council.

Delegated to: Chief Executive Officer

On delegated to

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the Manager Finance & Administration with written approval from the Chief Executive Officer.

Conditions: Report to Council at the next Concept Forum Meeting.

Record of Use:

- Concept Forum Notes.
- Retention of file copy of relevant correspondence.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: S5.42 & 5.44 Local Government Act 1995

Council Policy: 3006 – Debt Collection

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

05 RATE BOOK

Function to be performed: Council delegates its authority and power to the Chief Executive Officer for the performance of the following functions of Council:-

1. The discharge of the obligations specified in Section 6.39(1) of the Local Government Act 1995.
2. The service of Notices of Valuation and Rates referred to in Section 6.41(1) of the Local Government Act 1995.
3. The time allowed for the payment of the rate before it becomes in arrears 6.50(2) of the Local Government Act 1995.
4. The powers conferred in Section 6.40 of the Local Government Act 1995.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the Local Government Act 1995.
6. The recovery of rates by complaint or action pursuant to the provisions of 6.56 and 6.64 of the Local Government Act 1995.
7. Entering into an agreement in accordance with 6.49 of the Local Government Act 1995.
8. Requiring a lessee to pay rent to the Council in satisfaction of rates and service charges due and payable in accordance with 6.60(2) of the Local Government Act 1995.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.42/5.44 of the Local Government Act, 1995, has delegated this power/duty to the Manager Finance & Administration.

Conditions: Nil.

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

<i>Shire of Mingenew</i>	<i>Register of Delegations</i>
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	S5.42 & S5.42 Local Government Act 1995
<i>Council Policy:</i>	3006.1 – Debt Collection - Rates
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

06 MINOR DONATIONS – MONETARY

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to approve minor donations of \$100 or less.

Delegated to: Chief Executive Officer

On delegated to: N/A.

Conditions:

- Subject to Council Policy 3004 – Donations.
- Report to Council at the next Concept Forum Meeting.
- All donations to be by cheque or bank transfer only.

Record of Use:

- Concept Forum Notes.
- Record to be kept on appropriate file and payment voucher.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: S5.42 Local Government Act 1995.

Council Policy: 3004 - Donations

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

42 DEBT RECOVERY ACTION

Function to be performed: To collect all monies owing to the Shire of Mingenew in a timely and cost effective manner.

Delegated to: Chief Executive Officer

On delegated to: N/A.

Conditions: - Compliance with the Local Government Act 1995, s5.46(3)

Record of Use: - In line with requirements of the Local Government Act 1995, s.5.46(3)

Reference: S5.42, s5.44 & s5.45 - Local Government Act 1995.
Local Government (Financial Management) Regs 1996

Council Policy: 3006

Date Adopted: 15 October 2014

Date Reviewed:

Date Reviewed and Amended:

STAFF**07 STAFF HOUSING**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to make all arrangements in regard to occupancy and maintenance of all staff accommodation provided by Council in accordance with Council Policy.

For the purpose of S5.43 (d) of the Local Government Act 1995 the amount determined by the local Government for the purpose of this delegation is a maximum of \$300 per week rental exclusive of utilities and subject always to council policy.

Delegated to: Chief Executive Officer

On delegated to: N/A

Conditions:

- 1) In exercising this delegation, the Chief Executive Officer shall have regard to Council Policy Manual, Section 5000 – Housing.
- 2) This delegation not to be on delegated

Record of Use: In accordance with Shire of Mingenew's Rental Agreement – Agreements to be kept on Personnel files.

Reference: S5.42 Local Government Act 1995.

Council Policy:

- 5001 – Allocation of Staff Housing
- 5002 – Residential Rentals / Leases
- 5003 – Telephones in Council and Staff Houses
- 5004 – Water Charges in Staff Housing (Council Owned)
- 5005 – Water Charges for Staff (Occupying Non - Council Property)
- 5006 – Water Charges for Non - Staff Persons Occupying Council Property

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

08 CONFERENCES, SEMINARS AND TRAINING COURSES

<i>Function to be performed:</i>	Section 5.41 (g) of the Local Government Act 1995 provides that it is a CEO's function to "be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees)." Council acknowledges that this function includes the authority and power to approve the attendance of Council staff at conferences, seminars and training courses. Attendance is to enhance the professional or occupational development of the officer, provide benefits to the individual or the Council and be relevant to the duties and responsibilities of the officer.
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	1) In exercising this function, the Chief Executive Officer shall have regard to Council Policy 4006 – Professional Development. 2) This function is not to be on delegated
<i>Record of Use:</i>	Conference, Seminar or Training outcome documentation to be kept on Personnel Files
<i>Reference:</i>	S5.42 Local Government 1995.
<i>Council Policy:</i>	4006 – Professional Development 4006.1 – Payment of Expenses
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

ADMINISTRATION**09 LIQUOR – SALE AND CONSUMPTION (COUNCIL PROPERTY)**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to approve applications for the sale of liquor from property under the care, control and management of Council and to approve applications to consume liquor on property under the care, control and management of Council.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power to the Manager Finance & Administration.

Conditions: In exercising this delegation, the Chief Executive Officer shall have regard to the provisions of the appropriate State Legislation regarding consumption and sale of liquor and shall, when appropriate, consult with local Police.

Record of Use: Applications and approvals to be kept in Filing System.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: S5.42 Local Government 1995

Council Policy: 6002 – Hall & Recreation Centre Hire

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

10 CONTRACT VARIATIONS

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to approve minor variations to contracts entered into by Council.

Delegated to: Chief Executive Officer

On delegated to: N/A.

Conditions:

- Monetary variations to contracts are not to exceed the amount set aside in the budget adopted by Council.
- Report to Council at the next Concept Forum Meeting

Record of Use:

- Record to be kept on appropriate file and Contract Register.
- Concept Forum Notes.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42 & S5.44 Local Government 1995

Council Policy: N/A.

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

11 LEGAL ADVICE

Function to be performed: Council acknowledges that section 5.41(d) provides that it is a CEO's function to "manage the day to day operations of the local government". This function includes seeking legal advice when required or deemed necessary or appropriate. The CEO therefore has the authority and power to obtain from an appropriate solicitor or lawyer, such legal advice and opinions as is deemed necessary in the exercise of the proper and prudent management of the Municipality.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.41 of the Local Government Act, 1995, has delegated this power to the Manager Finance & Administration subject to a limit of \$2,000 expenditure (Exc GST) on each particular issue and after consultation with the CEO.

Conditions: Subject to provisions being made in the adopted Budget and Council Resolutions.

Record of Use: Retention of Confidential File copy of relevant correspondence in safe or where confidentiality is not an issue, filing of all relevant documents in the Council filing system.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: S5.41, 5.42 & S5.44 Local Government Act 1995

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

12 ENFORCEMENTS AND LEGAL PROCEEDINGS

<i>Function to be performed:</i>	<ol style="list-style-type: none"> 1) To appoint persons or classes of person to be authorized for the purposes of performing particular functions in regard to the enforcement of laws. 2) To issue to each person authorised to enforce laws a certificate stating that the person is so authorized and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorized person. 3) To extend the time period within which infringement notices may be paid (S9.19 of the Act) 4) Use discretion to withdraw any infringement notice issued by an Authorised Office under the Act, following consideration of any submissions of special circumstances relating to it received from the Authorised Office, the notice recipient or other persons (S9.20 of the Act)
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Compliance with: Local Government Act 1995, S9.23 Dog Act 1976 Bush Fire Act 1954 Health Act 1911 Miscellaneous Provisions Act 1960
<i>Record of Use:</i>	Retention of File copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<ul style="list-style-type: none"> - S5.42, S5.44, S9.10, S9.19, S9.20 and S9.23 Local Government Act 1995 - Section 44.9 Miscellaneous Provisions Act 1960
<i>Council Policy:</i>	N/A.
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

13 EXPENDITURE PRIOR TO ADOPTION OF BUDGET

Function to be performed: The Chief Executive Officer is delegated authority to authorise operating expenditure and appropriate capital expenditure that is:

- is of a routine nature and/or;
- was a budgeted expense in the previous financial year and is likely to be carried forward.

from the Municipal Fund prior to the adoption of the annual budget.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Manager Finance & Administration and Works Manager subject in both cases to a limit of \$5,000 on any one supply/purchase and excluding capital items.

Conditions: Nil.

Record of Use: Retention of documentation involved

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: S5.42 Local Government Act 1995

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

14 CERTAIN THINGS TO BE DONE IN RESPECT OF LAND

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to issue notices pursuant to Section 3.25 of the Local Government Act 1995.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	<ol style="list-style-type: none"> 1. Subject to the express provisions contained in the applicable Act, Council's Resolutions and Policies. 2. Applicant being advised of objections and/or appeal rights.
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	S3.25 Local Government Act 1995
<i>Council Policy:</i>	N/A.
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

15 IMPOUNDING GOODS – AUTHORISED EMPLOYEE

- Function to be performed:** The Chief Executive Officer is delegated authority to:
1. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding;
 2. Take appropriate action in respect to impounded non perishable goods in accordance with Section 3.42;
 3. Give notice in accordance with Section 3.44 to collect goods;
 4. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46;
 5. Take action to recover expenses in accordance with Section 3.48

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Environmental Health Officer and Ranger.

Conditions: Subject to the express provisions contained in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996, Pt 6.

Record of Use: Report to Council.

Reference: Local Government 1995 Act (As Amended) – S5.42
Local Government 1995 Act – Sections 3.39, 3.42, 3.44, 3.46 and 3.48

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

16 SALE OF IMPOUNDED/SEIZED/CONFISCATED VEHICLES, ANIMALS OR GOODS

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to dispose of any vehicles, animals or goods that have been impounded/seized/confiscated under the provisions of Section 3.47 and 3.58 of the Local Government Act 1995.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	<ol style="list-style-type: none"> 1. The Chief Executive Officer may dispose of the above only after calling public tenders in accordance with Part 4 of the Local Government (Functions and General) Regulations. 2. The Chief Executive Officer is authorised pursuant to Section 5.43(B) of the Local Government Act 1995 to accept any tender up to the value of \$5000. 3. Tenders for amounts exceeding \$5000 shall be referred to the Council for consideration.
<i>Record of Use:</i>	Report to Council at the next Concept Forum Meeting.
<i>Reference:</i>	Local Government Act 1995 – S3.47, S3.58, S5.42 & S5.43. Local Government (Functions and General) Regulations, Pt 4.
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

17 PROCEEDINGS UNDER DOG ACT

Function to be performed: In accordance with Section 44 of the Dog Act 1976, the Chief Executive Officer is delegated authority to institute and carry on proceedings in the name of the Shire of Mingenew in respect to offences alleged to have been committed within the district of the Shire of Mingenew against the Dog Act.

This delegation also enables the Chief Executive Officer to issue infringement notices pursuant to the provisions of Section 29 of the Dog Act 1976.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the Ranger.

This delegation not to be on delegated.

Conditions: Nil.

Record of Use: Report to Council at the next Concept Forum Meeting.

Reference: Dog Act 1976 – S.44 & S.29

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

18 OPENING FENCES AND GATES

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to approve the opening of fences and the erection of gates on road surveys on both boundary and internal fencing of properties.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	<ul style="list-style-type: none"> - In any circumstances considered controversial, the applications are to be referred to Council. - All requirements of Section 3.36 to be applied
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<ul style="list-style-type: none"> - Local Government Act 1995, S3.36 - Provisions of the Local Government Act 1995, Schedule 3.2
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

19 OFFENCES – BUSH FIRES ACT

Function to be performed: The Chief Executive Officer is delegated authority to consider allegations of offences alleged to have been committed against the Bush Fires Acts within the district of the Shire of Mingenew and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of Mingenew Shire Council against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Bush Fires Act 1954.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority, under Section 5.44 of the Local Government Act, 1995, has delegated this power/duty to the Community Emergency Services Manager.

Conditions: Report to Council at the next Concept Forum Meeting.

Record of Use: Retention of file copy of relevant correspondence and / or infringement notice.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Bush Fires Act 1954 – S.59(3)

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

20 BURNING – VARIATION TO RESTRICTED AND PROHIBITED BURNING

<i>Function to be performed:</i>	That pursuant to Section 17 (10) and 18 (5) of the Bush Fires Act, the Shire President and Chief Executive Officer, in consultation with the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officers are delegated authority jointly, the Council's powers and duties under the Bush Fires Act 1954 in respect to varying the prohibited burning times and the restricted burning times.
<i>Delegated to:</i>	Chief Executive Officer and Shire President
<i>On delegated to:</i>	N/A.
<i>Conditions:</i>	Nil
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Bush Fires Act 1954 – S.17(10) & S.18(5)
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

ENGINEERING**21 TRAFFIC REGULATORY SIGNS**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to install appropriate traffic regulatory signs at such places as the Chief Executive Officer considers necessary.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Works Manager.

Conditions:

- Approval of Main Roads and other Statutory bodies to be gained where relevant.
- All signs to be in accordance with relevant legislation, guidelines and standards.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 (As Amended) – S5.42

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

22 EVENTS ON ROADS – CLOSING OF THOROUGHFARE

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Works Manager.

Conditions: The Officer shall have regard to Section 3.50 of the Local Government Act 1995.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government Act 1995 – S3.50 & S5.42
Road Traffic (Events on Roads) Regulations 1991

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

23 CERTAIN THINGS TO BE DONE BY OWNERS OR OCCUPIERS OF LAND

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer, to take what action is deemed necessary in achieving the purpose for which a notice was given pursuant to Section 3.25 and 3.26 of the Local Government Act from persons who failed to comply with the said notice and for the recovery of costs.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Nil.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government Act 1995 S5.42 & S3.25 Local Government Act 1995, Schedule 3.1 - Division 1 Local Government Act 1995, Schedule 3.1 - Division 2
<i>Council Policy:</i>	Nil
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

24 NOTIFICATION TO AFFECTED OWNERS ABOUT PROPOSALS

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to ensure the requirements of Section 3.51 of the Local Government Act 1995, are observed relating to affected land owners of land works being notified of proposals and allowed a reasonable time to make submissions in order that such may be considered.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Compliance the Local Government (Functions and General) Regulations 1996.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government Act 1995, S5.42 & S3.51(3) Local Government (Functions & General) Regulations 1996
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

25 ENSURING PUBLIC ACCESS MAINTAINED

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to ensure that when works are carried out associated with the fixing or altering the level of or alignment of a public thoroughfare to ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Works Manager.

Conditions: Compliance the Local Government (Functions and General) Regulations 1996 and all other relevant legislation.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S5.42, S3.49, S3.50 & S3.51
Local Government (Functions & General) Regulations 1996

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

26 POWERS OF ENTRY ONTO LAND

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to undertake the functions and duties required under Part 3 - Subdivision 3 - (Power of Entry) of the Local Government Act 1995 in respect of Section 3.39 - Appointment of Authorised Persons for the purpose of removing and impounding goods that are involved in the contravention which can lead to impounding. Section 3.40 - Removal of Vehicle and impounding of goods by an authorised person. Section 3.42 - Action required in respect to impounding of non-perishable goods. Section 3.44 - The Issue of Notices regarding collection of goods if not confiscated. Section 3.46 - Withholding of goods pending payment of costs. Section 3.47 - The Disposal of confiscated goods. Section 3.48 - Recovery of Costs incurred in the impounding exercise.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Compliance with the Local Government (Functions and General) Regulations 1996.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Local Government Act 1995 (As Amended) – S5.42, S3.39, S3.40, S3.44, S3.46 & S3.47 Local Government (Function & General) Regulations 1996
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

27 ROAD CLOSURES - TEMPORARY

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to temporarily close a street or a portion of a street for a period not exceeding 60 days to vehicles in cases of emergency in connection with Council works or by reason of heavy rain, if a street is likely to be damaged by the passage of traffic of any particular class.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Works Manager.

Conditions: Compliance with the Local Government (Functions and General) Regulations 1996.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S5.42, S3.50 & S3.51
Local Government (Function & General) Regulations 1996

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

28 DISPOSAL OF SURPLUS EQUIPMENT, MATERIALS, TOOLS ETC

<i>Function to be performed:</i>	Council delegates its authority and power to the Chief Executive Officer to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's depot, or any other fair means, items of surplus equipment, materials, tools etc which are no longer required, or are deemed outmoded or are no longer serviceable.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	This delegation applies only to items with a written down value of less than \$5000. Any sale organised by the Chief Executive Officer under this delegated authority shall be advertised by placing notices on appropriate notice boards within the Mingenew Township.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. <u>Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.</u>
<i>Reference:</i>	Local Government (Miscellaneous Provisions) Act 1960
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

29 ROAD TRAINS AND EXTRA MASS PERMITS

Function to be performed: The Chief Executive Officer is delegated authority to determine any application recommending approval or refusal, with or without conditions, for referral to Main Roads WA to use road trains and for extra mass permits on any local road within the district. The Chief Executive Officer shall have regard to any Council policy on the issue that may be established from time to time.

Delegated to: Chief Executive Officer

On delegated to

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Works Manager.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government Act 1995 - S5.42

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

TOWN PLANNING & BUILDING**30 BUILDING NOTICES**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to issue notices pursuant to the provisions of Part 15 of the Local Government (Miscellaneous Provisions) Act 1960.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power to the Building Surveyor.

Conditions:

1. Subject to the express provisions contained in the Act, Council's Policies and Resolutions.
2. Applicant being advised of objection and/or appeal rights.

Record of Use: File copies of notices issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government (Misc Provisions) Act 1960
Local Government (Misc Provisions) Act 1960 Part 15

Council Policy: Policy Manual – Section 9000 – Building Approvals

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

31 BUILDING LICENCES

Function to be performed: Council delegates its authority and power to the “Building Surveyor” in accordance with S374 (1b) of the Local Government (Miscellaneous Provisions) Act 1960 in respect of:-

1. Approval or refusal of plans and specifications relating to applications for building licences and the authority to issue or refuse building licences, including the authority to impose conditions as appropriate.
2. The authority to extend, for a period not exceeding twelve months, time for an applicant who has been issued a licence, to complete construction.
3. The authority to approve or refuse amended plans and/or specifications including the authority to impose conditions as appropriate.

Delegated to: Building Surveyor

On delegated to: N/A

- Conditions:***
1. Subject to the provisions of Section 3.74 of the Local Government (Miscellaneous Provisions) Act 1960 and subject to the relevant building codes, Local Laws, Council’s Policies and specific Resolutions of Council.
 2. Prior to issuing a building licence in respect of an outbuilding which exceeds 75m² in area or 3m in height, the application shall be submitted to Council for consideration.
 3. Applicant being advised of objection and/or appeal rights.

Record of Use: Licences and correspondence issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

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<i>Shire of Mingenew</i>	<i>Register of Delegations</i>
<i>Reference:</i>	Local Government (Miscellaneous Provisions) Act 1960 Part 15
<i>Council Policy:</i>	Policy Manual – Section 9000 – Building Approvals
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

32 DEMOLITION LICENCES

Function to be performed: The Chief Executive Officer is delegated authority to approve the issue of a demolition licence (Section 374A) of the Local Government (Miscellaneous Provisions) Act 1960 to take down a building or a part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions: Nil.

Record of Use: Licences and correspondence issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995 – S5.42

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

33 BUILDING – EXTENSIONS OF TIME TO COMPLETE

Function to be performed: Council delegates its authority and power to the Building Surveyor in accordance with S374 (1b) of the Local Government (Miscellaneous Provisions) Act 1960 to approve of an extension of time where it was not possible to complete the building within the period specified in the Building Licence.

Delegated to: Building Surveyor

On delegated to: N/A.

Conditions: Subject to the payment of an additional Building Licence fee calculated in the following manner:-

The fee payable is to be in proportion to the extent of the building to be completed for example:

- if 25% of the building is completed, then 75% of the fee is charged
- if 50% of the building is completed, then 50% of the fee is charged
- if 75% of the building is completed, then 25% of the fee is charged

Record of Use: Licences and correspondence issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995 – S5.42

Council Policy:

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

34 WORKS – UNLAWFUL

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to issue stop work notices pursuant to Section 401A of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.

The Chief Executive Officer is to withdraw stop work notices pursuant to Section 401A of the Local Government (Miscellaneous Provisions) Act 1960 where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

- Conditions:**
1. Before exercising the authority contained in this delegations, the Chief Executive Officer shall liaise with Council's Building Surveyor.
 2. Subject to the express provisions contained in the Local Government Act 1995, Council's Resolutions and Policies.
 3. Applicant being advised of objections and/or appeal rights.

Record of Use: Notices and correspondence issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 – Pt 15

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

35 BUILDINGS - DANGEROUS

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to carry out the following functions as provided in Section 403 of the Local Government (Miscellaneous Provisions) Act 1960:-

1. Shore up or otherwise secure the building as well as providing a hoarding or fence around the building to protect the public from danger.
2. Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions:

1. Before exercising the authority contained in this delegation the Chief Executive Officer shall liaise with Council's Building Surveyor.
2. Subject to the express provisions contained in the Local Government Act 1995 and Council's Policies and Resolutions.
3. Applicant being advised of objections and/or appeal rights.

Record of Use: Certificates, notices and correspondence issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960 – S4.03

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

36 CERTIFICATES OF CLASSIFICATION

Function to be performed: The Chief Executive Officer is delegated authority to issue Certificates of Classification of Buildings in accordance with Section 374C of the Local Government (Miscellaneous Provisions) Act 1960.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Building Surveyor.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government (Miscellaneous Provisions) Act 1960

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

37 DANGEROUS EXCAVATION IN OR NEAR PUBLIC THOROUGHFARES

Function to be performed: The Chief Executive Officer is delegated authority to take all appropriate action in accordance with Local Government (Uniform Local Provisions) Regulation No. 11 to remove, or have removed, any dangerous excavation in a public thoroughfare or land adjoining a public thoroughfare

Delegated to: Chief Executive Officer

On delegated to: N/A.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Local Government Act 1995 – S5.42

Council Policy: N/A

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

38 DEVELOPMENT APPLICATIONS - ADVERTISING

Function to be performed: The Chief Executive Officer is delegated authority to advertise development applications for public comment where the Chief Executive Officer considers such applications should have public comment prior to consideration by Council and to make available from Council's files information regarding the development application so as the public are in a position to make a proper assessment.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Planning Officer.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Local Government Act 1995 – S3.36
Town Planning Scheme No3

Council Policy: Nil

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

HEALTH**39 HEALTH ACT – NOTICES AND ORDERS**

Function to be performed: Council delegates its authority and power to the Chief Executive Officer to exercise and discharge all of the following powers and functions under the Health Act 1911 (as amended):-

1. The forming of opinions and making of declarations.
2. The grant and issue of licences, permits, certificates and approvals.
3. The issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions.
4. The ordering and authorisation of legal proceedings for breaches of the Act and all Regulations, Local Laws and Orders made thereunder.

Delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Environmental Health Officer.

On delegated to: No on delegation permitted.

- Conditions:***
1. Subject to the provisions of the Health Act, Local Laws and Council Policies.
 2. Applicant being advised of objections and/or appeal rights.
 4. Detailed report to Council monthly.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: Health Act 1911

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<i>Shire of Mingenew</i>	<i>Register of Delegations</i>
<i>Council Policy:</i>	Nil.
<i>Date Adopted:</i>	18 June 2014
<i>Date Reviewed:</i>	18 June 2014
<i>Date Reviewed and Amended:</i>	18 June 2014

40 TREATMENT OF SEWERAGE AND DISPOSAL OF LIQUID WASTE

Function to be performed: Pursuant to the provisions of Section 26 of the Health Act 1911 Chief Executive Officer is hereby appointed and authorised to exercise and discharge powers and functions conferred on local government for the purpose of Regulations 4 of the Health (Treatment of Sewage & Disposal of Liquid Waste) Regulations 1974.

Delegated to: Chief Executive Officer

On delegated to:

The Chief Executive Officer in exercising authority under section 5.44 of the Local Government Act 1995, has delegated this power and duty to the Environmental Health Officer.

Conditions: Nil.

Record of Use: Retention of file copy of relevant correspondence.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Health Act 1911- S26

Council Policy: N/A.

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

41 AUTHORISED PERSONS

Function to be performed: Council appoints the Chief Executive Officer and the Environmental Health Officer under Section 17(1) of the Caravan Parks & Camping Grounds Act 1995 to be an authorised person for the purpose of the Act.

Council appoints the Chief Executive Officer and the Environmental Health Officer to issue infringement notices and appoints the Chief Executive Officer to withdraw notices under Section 23(1) of the Caravan Parks and Camping Grounds Act 1995

Delegated to: Chief Executive Officer and Environmental Health Officer

On delegated to: N/A.

Conditions: Nil.

Record of Use: Notices and correspondence issued.

Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: Caravan Parks and Camping Regulations 1997

Council Policy: N/A.

Date Adopted: 18 June 2014

Date Reviewed: 18 June 2014

Date Reviewed and Amended: 18 June 2014

Delegation 41 - End of Register

SUMMARY OF DELEGATIONS – By Officer**Chief Executive Officer**

Section	No.	Delegation Title
Finance	01	Payments from Trust and Municipal Funds
Finance	02	Purchase Order Authorisation
Finance	03	Investments
Finance	04	Power to Waive or Write Off Debts
Finance	05	Rate Book
Finance	06	Minor Donations
Finance	42	Debt Recovery Action
Staff	07	Staff Housing
Staff	08	Conferences, Seminars and Training Courses
Administration	09	Liquor – Sale and Consumption (Council Property)
Administration	10	Contract Variations
Administration	11	Legal Advice
Administration	12	Enforcements and Legal Proceedings
Administration	13	Expenditure Prior to Adoption of Budget
Administration	14	Certain things to be done in Respect of Land
Administration	15	Impounding Goods – Authorised Employee
Administration	16	Sale of Impounded/Seized/Confiscated Vehicles, Animals or Goods
Administration	17	Proceedings under Dog Act
Administration	18	Opening Fences and Gates
Administration	19	Offences – Bush Fires Act
Administration	20	Burning – Variation to Restricted and Prohibited Burning
Engineering	21	Traffic Regulatory Signs
Engineering	22	Events on Roads – Closing of Thoroughfare
Engineering	23	Certain things to be done by Owners or Occupiers of Land
Engineering	24	Notification to Affected Owners About Proposals
Engineering	25	Ensure Public Access Maintained
Engineering	26	Powers of Entry onto Land
Engineering	27	Road Closures – Temporary
Engineering	28	Disposal of Surplus Equipment, Materials, Tools etc
Engineering	29	Road Trains and Extra Mass Permits
Town Planning & Building	30	Building Notices
Town Planning & Building	32	Demolition Licences
Town Planning & Building	34	Works – Unlawful
Town Planning & Building	35	Buildings – Dangerous

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

*Shire of Mingenew**Register of Delegations*

Town Planning & Building	36	Certificates of Classification
Town Planning & Building	37	Dangerous Excavation in or near Public Thoroughfares
Town Planning & Building	38	Development Applications – Advertising
Health	39	Health Act – Notices & Orders
Health	40	Treatment of Sewerage and Disposal of Liquid Waste
Health	41	Authorised Persons

Works Manager

Section	No.	Delegation Title
Finance	02	Purchase Order Authorisation
Administration	13	Expenditure Prior to Adoption of Budget
Engineering	21	Traffic Regulatory Signs
Engineering	22	Events on Roads – Closing of Thoroughfare
Engineering	25	Ensure Public Access Maintained
Engineering	27	Road Closures – Temporary
Engineering	29	Road Trains and Extra Mass Permits

Manager of Finance and Administration

Section	No.	Delegation Title
Finance	01	Payments from Trust and Municipal Funds
Finance	02	Purchase Order Authorisation
Finance	03	Investments
Finance	04	Power to Waive or Write Off Debts
Finance	05	Rate Book
Administration	09	Liquor – Sale and Consumption (Council Property)
Administration	11	Legal Advice
Administration	13	Expenditure Prior to Adoption of Budget

Community Development Officer

Section	No.	Delegation Title
Finance	02	Purchase Order Authorisation

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

*Shire of Mingenew**Register of Delegations***Environmental Health Officer**

Section	No.	Delegation Title
Administration	15	Impounding Goods – Authorised Employee
Health	39	Health Act – Notices & Orders
Health	40	Treatment of Sewerage and Disposal of Liquid Waste
Health	41	Authorised Persons

Ranger

Section	No.	Delegation Title
Administration	15	Impounding Goods – Authorised Employee
Administration	17	Proceedings under Dog Act

Community Emergency Services Manager

Section	No.	Delegation Title
Administration	19	Offences – Bush Fires Act

Building Surveyor

Section	No.	Delegation Title
Town Planning & Building	30	Building Notices
Town Planning & Building	31	Building Licences
Town Planning & Building	32	Demolition Licences
Town Planning & Building	33	Building – Extensions of Time to Complete
Town Planning & Building	34	Works – Unlawful
Town Planning & Building	35	Buildings – Dangerous
Town Planning & Building	36	Certificates of Classification



Government of **Western Australia**
Department of **Local Government and Communities**

Local Government Operational Guidelines

Number 17 – January 2007

Delegations

1. Introduction

This guideline has been developed in response to enquiries from local governments regarding the nature of delegations, how to go about determining whether to use delegations and other related matters.

Within the context of government administration and administrative law, this guideline:

- explains the concept of delegation;
- explains how delegations relate to or are derived from legislation;
- explains and illustrates the associated concept of 'acting through';
- provides guidance on determining which powers and duties should be delegated;
- explains the procedure for making delegations; and
- provides examples of delegations from selected powers and duties set out in the *Local Government Act 1995*.

This guideline also contains a listing of various powers and duties in the *Local Government Act 1995* and its associated regulations, and identifies powers and duties capable of delegation and to whom.

2. Definition of 'Delegate'

The *Macquarie Dictionary Second Edition* (1991), The Macquarie Library Pty Ltd, Macquarie University, New South Wales (Australia), p. 469, defines 'delegate' as follows:

- to send or appoint (a person) as deputy or representative;
- to commit (powers, duties, etc.) to another as agent or deputy; and
- to commit powers or duties to others.

The *Oxford Shorter English Dictionary Third Edition* (1978), Oxford University Press, Oxford (England), p. 511, defines 'delegate' as follows:

- a person sent or deputed to act for or represent another or others; a deputy, commissioner;
- to send or commission (a person) as a deputy
- or representative, with power to act for another; and
- to entrust or commit (authority, etc.) to another as an agent or deputy.

Justice Wills in *Huth v Clarke* (1890) 25 QBD 391, at 395 stated:

'Delegation, as the word is generally used, does not imply a parting with powers by the person who grants the delegation, but points rather to a conferring of an authority to do things which otherwise the person would have to do himself... [It] is never used by legal writers...as implying that the delegating person parts with his power in such a manner as to denude himself of his rights...[The] word 'delegate' means little more than an agent."

The definitions and judicial commentary above illustrate that:

- to delegate is to appoint another person to exercise a power or discharge a duty; and
- a delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty.

3. The Nature of Delegation – Decision Making

Delegations are most commonly used in organisations where:

- A particular person has authority to exercise a discretion to enforce a right or discharge a duty on behalf of the organisation;
- That person or officer has either:
 - (i) a multitude of authorities to exercise a discretion to enforce rights or discharge powers; or
 - (ii) many circumstances in which they have authority to exercise a discretion to enforce rights or discharge duties;
- The business of the organisation could not be efficiently carried on if that person were to personally exercise their discretion to enforce all the rights or discharge all the duties; and
- Through practical administration, that person needs to appoint other persons to exercise their discretion to exercise powers or discharge duties on behalf of the organisation.

Whilst there is a requirement for local government delegations to be authorised by statute (as is explained in section 6 of these guidelines), there is no limitation (unless expressly stated to the contrary

by statute) on **appointing** a person to act on **behalf** of the local government or the CEO, provided that appointment does not include the power of delegation (see section 15 of these guidelines for details).

There is a legal distinction between:

- the delegation to a person to exercise a right or discharge a duty on behalf of an organisation; and
- appointing a person to act on behalf of an organisation or another employee of that organisation.

In most circumstances, where a person:

- Is appointed only to carry out the express instructions of an employee or the governing body of an organisation; and
- Is provided with only limited discretion in carrying out those instructions,

that appointment does not constitute a delegation and does not need to be formally delegated. Please see section 4 of these guidelines which explain the concept of 'acting through'. Section 3 of this guideline has illustrated that when determining whether an appointment is a delegation or simply an appointment to act on behalf of another person, it is critical to consider whether or not the person is appointed to exercise a broad discretion to exercise a power or discharge a duty.

4. The Concept of 'Acting Through'

In addition to covering delegations, the *Local Government Act 1995* introduces the concept of 'acting through'. Section 5.45 of the Act states that in relation to delegations, nothing prevents a 'local government from performing any of its functions by acting through a person other than the CEO' or 'a CEO from performing any of his or her functions by acting through another person'. The Act does not specifically define the meaning of the term 'acting through'. However, the key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the 'acting through' concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For administrative purposes, a person may sign a letter in his or her name on behalf of the CEO while, with delegated powers, the person would sign a letter in his or her own name, in accordance with the delegated authority.

An appropriate method for a council of a local government to make a decision which will be implemented by its officers, is for it to make a policy about particular functions that it performs. In that case there is no need for a delegation as it will be the role of the organisation to implement those policy decisions.

It is critical in understanding the types of functions that are appropriate for 'acting through' another person in preference to delegation. This can be demonstrated through the following example. In this case, the Council gives the CEO the power to call tenders subject to certain cost parameters. If that power is delegated, the CEO could call tenders if the CEO believed the cost parameters had been satisfied (even if the Council's opinion was different to the CEO's opinion). However, under an 'acting through' arrangement, the CEO could only call tenders if the Council was satisfied about the cost parameters.

There are several advantages in using 'acting through' rather than delegation which include:

- it will better suit particular operational processes;
- it may decrease bureaucratic arrangements;
- it will reduce additional recording; and
- it will reduce reporting requirements placed on employees who are given delegated authority.

5. Legislative Powers for Delegations in Local Government

The legislation authorising the delegation of certain local government powers or duties and requiring records to be maintained in respect of such delegations, includes the:

- *Local Government Act 1995*;
- *Local Government (Miscellaneous Provisions) Act 1960*; (*Strata Titles Act 1985*);
- *Bush Fires Act 1954*; and
- *Planning and Development Act 2005*.

6. Local Government Act 1995

The provisions of the *Local Government Act 1995* which provide for delegations by a local government or its CEO are as follows:

- Section 5.16(1), states:
'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.'
- Section 5.42(1), states:
'A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.'
- Section 5.44(1), states:
'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.'

The Act has been framed in a way that determines whether powers and duties can be delegated or not. If the term 'council' is used then it is the council itself which must carry out that function. If the term 'local government' is used then it may be possible to use delegation, subject to any other express powers against delegation or the desirability in using 'acting through' where it may be a better way of carrying out the power or duty.

7. Local Government (Miscellaneous Provisions) Act 1960; Strata Titles Act 1995

Section 2 of the *Local Government (Miscellaneous Provisions) Act 1960* effectively incorporates the provisions of that Act into the *Local Government Act 1995*, and therefore the delegation provisions of the *Local Government Act 1995* apply to the *Local Government (Miscellaneous Provisions) Act 1960*.

Section 2 states that:

'The Local Government Act 1995 applies as if the provisions of this Act were in that Act but in construing the provisions of this Act account is to be taken of the meanings they had before the Local Government Act 1995 commenced.'

In addition to the delegation powers of the *Local Government Act 1995* which apply to the *Local Government (Miscellaneous Provisions) Act 1960*, section 374(1b) of the *Local Government (Miscellaneous Provisions) Act 1960* provides for a local government to delegate the authority to approve certain plans to its building surveyor, stating that:

'The authority to approve or refuse to approve plans and specifications submitted under [section 374] may be delegated by a local government to a person appointed to the office of building surveyor...'

Reference also needs to be made to section 23 of the *Strata Titles Act 1985* which provides for particular delegations to employees.

8. *Bush Fires Act 1954*

Section 48 of the *Bush Fires Act 1954* provides for a local government to delegate powers to its CEO, stating that:

'A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.'

9. *Planning and Development Act 2005*

The *Planning and Development Act 2005* provides for a system through the Model Scheme Text as a set of general provisions for carrying out the general objects of town planning schemes.

Item 11.3.1 of the Model Scheme Text provides for a local government to delegate powers to a committee or its CEO, stating that:

'The local government may...delegate to a committee or the CEO...the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.'

Item 11.3.2 of the Model Scheme Text provides for a local government CEO to delegate their powers and duties to another employee, stating that:

'The 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 clause 11.3.1.'

10. Legislative Powers to Delegate Relate Only to the Act in which they are Contained

Some local governments have mistakenly attempted to use the legislative powers of delegation contained in one Act to delegate a power or duty contained in another Act.

Unless expressly stated to the contrary, a legislative power to delegate only relates to the powers or duties under the Act in which the delegation power is located.

It is not possible to, for example, rely on section 5.42(1) of the *Local Government Act 1995* to delegate any of a local government's powers under the *Bush Fires Act 1954* to a CEO. Any delegation by a local government of its powers under the *Bush Fires Act 1954* can only be delegated by the delegation provisions of that Act.

11. The Rule Against Sub-delegation

Notwithstanding that only some of the relevant legislation expressly prohibits sub-delegation, the common law prohibits sub-delegation unless it is expressly provided for by legislation.

For the avoidance of doubt, an example of sub-delegation is where person A is delegated to exercise a power and they attempt to delegate to person B to exercise the power which was originally delegated to person A.

Another example is the *Bush Fires Act 1954*. Unlike the *Local Government Act 1995*, the *Bush Fires Act 1954* does not provide for a CEO to delegate to another employee to exercise the powers

delegated by council to the CEO under section 48 of that Act. Therefore, only the CEO may exercise the powers delegated by council to the CEO under that Act.

12. Statutory Limitations on Delegations

There are limitations on all of the above legislative provisions which provide for the delegation of powers and duties.

Many of the limitations relate to sub-delegation. Other limitations include whether the delegation must be in writing, what types of powers and duties can be delegated and what type of majority decision is required to delegate a power or duty.

Not all of the limitations can be addressed in this operational guideline, due to their number and detail. However, the majority of the limitation provisions are located close to the provisions which provide for the delegations.

As the *Local Government Act 1995* is the Act under which most delegations will be made by local government, this guideline will discuss the limitations on delegations contained within that Act.

13. Delegations to Committees

Section 5.17 of the *Local Government Act 1995* provides limitations on what powers and duties a local government can delegate to its committees. Section 5.17(1) limits the powers and duties which can be delegated to committees, according to the types of members which constitute the committees eg:

- Council members only;
- Council members and employees only;
- Council members, employees and other persons; or
- Employees and other persons only.

Section 5.17(2) prohibits absolutely the delegation of any powers or duties to committees comprised of only persons other than local government council members or employees.

14. Delegations to the CEO

Sections 5.43(a) to 5.43(h) of the *Local Government Act 1995* provide limitations on what powers and duties a local government can delegate to its CEO, stating that:

'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 or a 75% majority of the local government;
- (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 in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.'

Section 5.43(i) of the Act provides for regulations to prescribe further powers or duties which cannot be delegated to the CEO.

The following regulations prescribe powers and duties which cannot be delegated to a CEO:

- (a) Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under:
 - (i) Sections 7.12A(2), 7.12A(3)(a) and 7.12A(4) of the *Local Government Act 1995* (relating to meetings with auditors); and
 - (ii) Regulations 18C and 18D (relating to the selection and appointment of CEOs and reviews of their performance).
- (b) Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

15. Delegations to Other Local Government Employees

Section 5.44(1) of the *Local Government Act 1995* provides for the CEO to make delegations to other employees.

The obvious main limitation of section 5.44(1) is that it expressly prohibits any sub-delegation of the power to delegate. This means that once the CEO has delegated a power or duty to an employee or employees, that power or duty cannot be on-delegated to other employees.

Just as a delegation to a CEO by a council may be done with conditions attached, when delegating to another employee a CEO may attach conditions to the delegation, provided that the CEO does not purport to delegate more powers or duties to the other employee than were delegated to the CEO.

16. Powers Under the Interpretation Act 1984

Section 59 of the *Interpretation Act 1984* explains the particular elements of the power to delegate when it appears in various Acts. It states:

'Construction of Power to Delegate

- (1) Where a written law confers power upon a person to delegate the exercise of any power or the performance of any duty conferred or imposed upon him under a written law –
 - (a) such a delegation shall not preclude a person so delegating from exercising or performing at any time a power or duty so delegated;

- (b) such a delegation may be made subject to such conditions, qualifications, limitations or exceptions as the person so delegating may specify;
 - (c) if the delegation may be made only with the approval of some person, such delegation, and any amendment of the delegation, may be made subject to such conditions, qualifications, limitations or exceptions as the person whose approval is required may specify;
 - (d) such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office;
 - (e) such a delegation may be amended or revoked by instrument in writing signed by the person so delegating;
 - (f) in the case of a power conferred upon a person by reference to the term designating an office, such a delegation shall not cease to have effect by reason only of a change in the person lawfully acting in or performing the functions of that office.
- (2) The delegation of a power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of a duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.
- (3) Where under a written law an act or thing may or is required to be done to, by reference to or in relation to, a person and that person has under a written law delegated a relevant

function conferred or imposed on him with respect to or in consequence of the doing of that act or thing, the act or thing shall be regarded as effectually done if done to, by reference to or in relation to the person to whom the function has been delegated.'

It is important to be aware that under these provisions, the delegator retains the power to make decisions if need be, despite the fact that a delegation has occurred.

Also, in situations when a number of people occupy a particular office throughout either the day or week (eg ranger officers), a delegation by office enables an employee who occupies that office for the time being, to exercise the powers and duties delegated to that office.

A delegation by office will also enable an employee who temporarily occupies an office, say in an acting role whilst the normal occupier of the office is sick, to efficiently exercise the powers and duties delegated to that office, without the need to go through the delegation process again. Care needs to be taken in ensuring that the person has the appropriate qualifications where required.

When delegating by office, it is essential to ensure that the office described is a distinctly identifiable office (eg Manager, Corporate Services).

17. Records of Delegations

The major requirements to keep records of delegations to committees, CEOs and other employees are contained in sections 5.18 and 5.46 of the *Local Government Act 1995*.

In relation to delegations to committees, section 5.18 states that:

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

In relation to delegations to CEOs and other employees, section 5.46 states that:

- '(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.'

The registers of delegations to committees and CEOs should include a copy of the minutes which record the delegation (and any conditions) and can be kept in an electronic or paper format. In the case of a delegation from the CEO to an officer the register should also contain a copy of the memorandum of delegation.

Obligations are imposed on the recipients of delegated powers and duties. Under section 5.46 of the *Local Government Act 1995*, regulation 19 of the *Local Government (Administration) Regulations 1996* requires delegates to keep a record

of each occasion on which they exercise the powers or discharge the duties delegated to them, stating that:

'Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of:

- (a) how the person exercised the power or discharged the duty;
- (b) when the person exercised the power or discharged the duty; and
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.'

This provision does not necessarily require the keeping of a register and other efficient record keeping practices would be sufficient. However, it is recommended that such systems provide for accessible accountability of the performance of these tasks.

18. Delegates to Disclose Interests and Lodge Returns

Part 5 Division 6 of the *Local Government Act 1995* (disclosure of financial interests) also applies to delegates of powers and duties.

Section 5.71 states that:

'If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and
- (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.

Penalty: \$10,000 or imprisonment for 2 years.'

In circumstances where the employee is carrying out a delegated function and the matter relates to his or her own projects, then another officer will need to have the authority to deal with the matter. In addition to the prohibition on delegates exercising the powers or performing the duties delegated to them, sections 5.75 and 5.76 of the *Local Government Act 1995* require employees who have been delegated powers or duties to lodge primary and annual returns. Sections 5.75 and 5.76 state:

5.75 Primary Returns

- (1) A relevant person other than the CEO must lodge with the CEO a primary return in the prescribed form within 3 months of the start day.
- (2) A CEO must lodge with the mayor or president a primary return in the prescribed form within 3 months of the start day.
- (3) This section does not apply to a person who:
 - (a) has lodged a return within the previous year; or
 - (b) has, within 3 months of the start day, ceased to be a relevant person.

Penalty: \$10,000 or imprisonment for 2 years.

5.76 Annual returns

- (1) Each year, a relevant person other than the CEO must lodge with the CEO an annual return in the prescribed form by 31 August of that year.
- (2) Each year, a CEO must lodge with the mayor or president an annual return in the prescribed form by 31 August of that year.

Penalty applicable to subsections (1) and (2): \$10,000 or imprisonment for 2 years.'

'Relevant person' includes a 'designated employee' who has been delegated a power or duty.

Section 5.78 of the *Local Government Act 1995* prescribes the information which must be included in the primary and annual returns.

Where an officer acts temporarily in a position with delegated power, that person will need to complete a financial interest return unless they have only acted in that position for less than 3 months.

19. Determining What Should Be Delegated

A decision to delegate a power or duty should be made by local governments only after thorough consideration of whether the delegation will facilitate the effective operation of the local government. This will therefore depend on the particular circumstances of each local government.

A local government council is unable to deal with all of the numerous issues and duties concerning its local government. As far as is possible and reasonable, councils should be predominantly concerned with dealing with higher level policy matters for their local governments.

Duties and powers which are operational in nature, but exercise a discretion should be delegated to the CEO.

Powers and duties can be delegated to CEOs with comprehensive conditions attached. The conditions limit the exercise of powers or discharge of duties to circumstances prescribed by the council. For example, a permit application which does not satisfy the conditions attached to a delegation, must be referred to the council for determination.

The Local Laws Manual (2005), Local Laws WA, Western Australian Local Government Association, Western Australia (Australia) at Section 2, page 10, provides a useful example of a recommendation to council for the delegation of certain powers with conditions attached, as follows:

'That the administration of this Local Law including any enforcement action and collection of the annual licence fee be delegated to the CEO, but that the exercise of the following powers be reserved to the Council:

- (a) issue or refusal of a licence under clause...;
- (b) determination of a licence period under clause...;
- (c) cancellation of a licence under clause...;
- (d) renewal or refusal to renew a licence under clause...; and
- (e) determination of any security under clause...'

Delegations with conditions are also frequently made in relation to employees other than the CEO for acquiring assets on behalf of a local government. An example is where the CEO delegates an employee with the power to purchase goods and services to a value of \$10,000 - any proposed purchases which would exceed this limit would need to be referred to the CEO for approval.

Many local laws provide for the appointment of employees as 'authorised persons' for the purpose of the relevant local law. Once an employee is appointed as an 'authorised person', it is not necessary for the CEO or council to delegate any powers to that employee in order for that employee to, say, enforce the relevant local law.

It is important to again note the difference between a delegation of a power or duty and the implementation of a council or CEO decision – see section 4 of this guideline in relation to 'acting through'.

An example of carrying out a council decision (compared to exercising a delegated power or duty) is where a council approves an annual budget which includes the expenditure of \$40,000 for particular road maintenance to be carried out by employees. Employees do not need to be delegated the power to carry out their operational functions.

In the example above, if the relevant employees believe it is necessary to spend more funds than approved in the budget, they must refer that matter to the council for its approval – the adoption of an annual budget can only be done by an absolute majority of council, which under section 5.43(a) of the *Local Government Act 1995* cannot be delegated to the CEO or any other employee.

The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented. See the attached schedule which lists those items where acting through would be a suitable mechanism for achieving that efficiency. Local governments also need to consider the content of their local laws and whether delegation may be necessary, in some circumstances. However, 'authorised persons' can normally carry out the 'policing' powers in local laws.

20. Procedure for Delegations by Council

Section 19 of this guideline considers how a local government can determine whether it should delegate particular powers and duties. This part considers the procedure for council to make a delegation.

When CEOs identify a duty or power of the local government which can be delegated and they believe that if it is delegated it will provide better efficiency, they should put the proposed delegation to their council, for approval.

As the earlier example from the Local Laws Manual (in section 19) demonstrates, a recommendation to council for a delegation is relatively straightforward. The essential elements of a delegation recommendation are:

- (a) correct and accurate identification of the power or duty to be delegated;
- (b) correct and accurate identification of the person or office to whom or which the power or duty is to be delegated;
- (c) correct and accurate definition of the circumstances (if any) in which the power or duty can be exercised or discharged; and
- (d) conditions on the exercise of the power or discharge of the duty.

It is important to note again that all delegations by council require an absolute majority decision.

Once a delegation has been made by council, the delegation must be recorded in the delegation register.

Under regulation 19 of the *Local Government (Administration) Regulations 1996*, the delegate must keep written records of when and how they exercise the delegated power or discharge the delegated duty, and the persons or classes of persons affected by the exercise of the power or discharge of the duty.

21. Procedure for Delegations by CEO

Similarly to delegations by councils, delegations by CEOs must accurately and correctly identify all elements of the delegation.

Employee proposals for delegations (for themselves or for other employees) should be provided to the CEO. The recommendations should be in a format similar to the recommendations for delegations by councils.

As with delegations by council, written records of delegations by the CEO must be kept in the delegations register and delegates must keep records of their exercise of delegated powers or discharge of delegated duties.

22. Schedule of Powers and Duties

The attached schedule lists the powers and duties under the *Local Government Act 1995* (with associated regulations) which cannot be delegated, those that can be delegated, and to whom the powers and duties can be delegated. It also lists those matters where 'acting through' may be the most practical way of carrying out those functions.

It is not suggested that all of the powers and duties which can be delegated should be delegated – the schedule is provided only as an indication of what can be delegated if it is appropriate for a particular local government.

Examples of Delegations

23. Issuing Notices to Owners or Occupiers of Land

Section 3.25(1) of the *Local Government Act 1995* provides for a local government to provide notice to a person requiring that person to do certain things in relation to land, stating that:

'A local government may give a person who is the owner ... of land a notice in writing relating to the land requiring the person to do anything specified in the notice that:

- (a) is prescribed in Schedule 3.1, Division 1; or
- (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.'

If a council determines that the efficiency of its local government operations will be improved if its CEO is delegated to exercise the powers under section 3.25(1), the council may so delegate to the CEO either with or without any conditions.

The following is an example of a recommendation for such a delegation:

'That, under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer be delegated to exercise the powers under section 3.25(1) of the *Local Government Act 1995*.'

As with all delegations by council:

- (a) any delegation to a CEO to exercise the powers under section 3.25 must be:
 - (i) by way of absolute majority decision;
 - (ii) recorded in the delegations register; and
- (b) the CEO must keep records of the exercise of the delegated power or discharge of the delegated duty.

For reasons of policy and/or to maintain uniformity, it may be inappropriate for a CEO to delegate to other employees to exercise any section 3.25(1) powers which have been delegated to the CEO. However, other employees can be appointed to carry out a CEO's exercise of powers delegated to the CEO, without those other employees needing to be delegated.

By way of example, in times when a cyclone is approaching a district, if the CEO is delegated to exercise section 3.25(1) powers, the CEO may decide that certain items must be tied down to prevent them from causing a hazard when the cyclone hits the district, and that section 3.25(1) notices must be issued in relation to those items. Once the CEO has decided this, the CEO may then appoint any number of employees to survey the district and, when they identify items which the CEO has decided must be tied down, complete the section 3.25(1) notices and issue them to the relevant person, on behalf of the CEO.

24. Calling for and Accepting Tenders

Section 3.57(1) of the *Local Government Act 1995* states that:

'A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.'

Section 5.43 of that Act states that:

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

- (a) ...
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.'

Part 4 of the *Local Government (Functions and General) Regulations 1996* regulates and provides the procedures for local government tenders for providing goods or services.

A council may delegate to its CEO to invite tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, without the necessity of setting a maximum limit on the tenders which the CEO may invite.

However, the effect of section 5.43(b) is that if a council wishes to delegate to its CEO to accept tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, it may attach a condition to the delegation that specifies the maximum limit of the tenders which the CEO may accept.

Following is an example of a recommendation to council to delegate to its CEO to invite any tenders (in accordance with council's selection criteria) and accept tenders up to a limit of \$200,000 under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*:

'That, under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer be delegated to:

- (a) Invite any tenders; and
- (b) Accept tenders up to an amount of \$200,000 in total value, under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.'

Local Government Act 1995

Relevant Exercisable Powers and Dischargeable Duties of a Local Government

(Refer to each section of the Act or Regulations for the full details of each power or duty to be exercised by the local government)

- This table sets out the Powers and Duties relevant to delegation and also identifies when 'acting through' the staff of the organisation may be appropriate.
- The table also indicates where delegation is not permitted and the Council is to perform that power or duty.
- See a ✓ where applicable.
- The decision to delegate will be a policy matter for each local government.
- The column headed 'Suitable for Acting Through' covers the situations where either the council has made a policy about the matter and the staff of the organisation implement that particular function or where the organisation may carry out the function administratively.

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
2.11(2)	A local government may change the method of filling the office of mayor or president		✓				
2.12A(1)(b)	Council, by motion passed by it, proposes to change method of filling office of mayor or president		✓				
2.12A(1)(c)	Local government to give public notice (of proposal to change method of filling office of mayor or president)	✓					
2.17(3)	A council with 15 councillors may retain those 15 even if a decision is made to elect the mayor/president by the electors		✓				
2.25(1)	A council may by resolution grant leave of absence to a member		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
Part 3 – Functions of Local Government						
3.5	A local government may make local laws to perform any of its functions under the Act		✓			
3.6(1)	With the Governor's approval, a local government can apply a local law to an area that is not in a district		✓			
3.12(3)	Local government must give Statewide public notice (in relation to proposed local laws)	✓				
3.12(4)	Local government may adopt a local law		✓			
3.12(5)	Local government must publish (adopted local law in the Government Gazette)	✓				
3.12(6)	Local government must give local public notice (that a local law has been adopted)	✓				
3.15	A local government must ensure that people of its district are informed (of the purpose and effect of all its local laws)	✓				
3.16(1)	Within 8 years from the day a local law commences, a local government must review the operation of each local law following the process set out in section 3.16	✓				
3.16(2)	Local government must give Statewide public notice (in relation to the review of its local laws)	✓				
3.16(3)	After the last day for submissions in relation to the review of its local laws, a local government must consider submissions and cause a report to be submitted to council	✓				
3.16(4)	Local government may determine whether or not it considers that any of its local laws should be repealed or amended		✓			

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 3 – Functions of Local Government							
3.21	In performing its executive function, the local government must ensure that the obligations set out in section 3.21 are complied with	✓					
3.22(1)	A local government that causes damage through the performance of its function must pay compensation to the owner or occupier						✓
3.25(1)	A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner						✓
3.26(2)	In order to make a person comply with a notice, a local government may do anything it considers necessary to achieve the purpose for which the notice was given	✓					✓
3.26(3)	A local government may continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt	✓					✓
3.27(1)	A local government may go onto private land in the circumstances prescribed in Schedule 3.2 and carry out works, even if it does not have the consent of the owner	✓					✓
3.31(2)	After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry	✓					✓
3.34(1)	A local government may enter land in an emergency without notice or consent	✓					✓
3.34(5)	A local government must give notice (to the owner or occupier of an intended entry in an emergency whenever it is practical)	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5 9(2) (a) Ctte	To a 5 9(2) (b) Ctte	To a 5 9(2) (c) - (e) Ctte	To the CEO
Part 3 – Functions of Local Government							
3 36(3)	A local government may make an opening in a fence to do works on property subject to providing the owner or occupier with 3 days written notice	✓					✓
3 39	Local government may authorise an employee to remove and impound any goods	✓					✓
3 40(2)	If a local government impounds a vehicle to remove and impound goods, it must allow the offender to resume control of the vehicle as soon as practicable after the goods have been removed	✓					
3 40(3)	If the person entitled to resume control of the vehicle is not present, the local government must give notice (to the holder of a licence in respect of the vehicle, stating from where and when the vehicle may be collected)	✓					
3 40A(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck	✓					✓
3 40A(2)	Local government to provide notice (to the owner of a removed abandoned vehicle wreck, advising that the vehicle may be collected	✓					
3 40A(4)	Local government may declare that a vehicle is an abandoned vehicle wreck	✓					✓
3 42(1)	If a local government impounds non-perishable goods, it must either begin a prosecution against the offender or give them a notice stating from where and when the goods may be collected	✓					
3.44	Where non-perishable goods have been removed and impounded and a prosecution instituted, if the offender is not convicted or is convicted but it is not ordered that the goods be confiscated, the local government must give the alleged offender notice stating from where and when the goods may be collected	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
	Part 3 – Functions of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
3.46(1)	A local government may refuse to allow goods impounded under sections 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid	✓					
3.46(2)	A local government may refuse to allow goods removed under sections 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid	✓					
3.47(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	✓					✓
3.47(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck	✓					✓
3.47(2a)	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1) (b) or 3.44	✓					✓
3.47A(1)	If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass	✓					✓
3.48	If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods	✓					✓
3.50(1)	A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks	✓					✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
		Suitable for Acting Through	Delegation Prohibited	To a 5 9(2) (a) Ctte	To a 5 9(2) (b) Ctte	To a 5 9(2) (c) - (e) Ctte
Part 3 – Functions of Local Government						
3 50(1a) and 3 50(4)	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks					✓
3 50(6)	An order to close a thoroughfare may be revoked by the local government	✓				✓
3 50(8)	If a thoroughfare is closed without local public notice, the local government must give such notice as soon as practicable after its closure	✓				
3 50A	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare	✓				✓
Functions & General Reg 6(3)	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive	✓				✓
3 51(3)	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	✓				✓
3 52(2)	Except if they are closed or have restricted use, local governments are to ensure that public thoroughfares are kept open for public use	✓				
3 52(3)	When fixing, altering or realigning a public thoroughfare, the local government must ensure vehicle access to adjoining land is provided	✓				
3 53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management			✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctce	To the CEO
	Part 3 – Functions of Local Government						
3.54(1)	A local government may do anything it could do under the <i>Parks and Reserves Act 1895</i> if it were a Board appointed under that Act, to control and manage any land reserved under the <i>Land Act 1933</i> and vested in or placed under the control and management of the local government	✓		✓	✓	✓	✓
3.57(1)	A local government must invite tenders before it enters into a contract for goods or services with a value of \$100,000 or more (Functions and General Reg 11)			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 14(2a)	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepted tenders			✓	✓		✓
Functions & General Reg 11(2)(d)	Tenders do not have to be publicly invited if the contract is to be entered into by auction after being expressly authorised by a resolution of the council		✓				
Functions & General Reg 14(4)(a)	Such information as a local government decides should be disclosed to those interested in submitting a tender		✓				
Functions & General Reg 18(4) & (5)	A local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 19	The local government must give each tenderer written notice stating the successful tender or advising that no tender was accepted	✓					
Functions & General Reg 20	A local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters the contract with the successful tenderer	✓	Limited	✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Cttee	To a 5.9(2) (b) Cttee	To a 5.9(2) (c) - (e) Cttee	To the CEO
Part 3 – Functions of Local Government							
Functions & General Reg 20 (2)	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 21 (1)	A local government may seek expressions of interest before entering the tender process			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 21(3)	A local government must give statewide public notice (that it seeks expressions of interest before entering the tender process)	✓					
Functions & General Reg 23(3)	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 24	A local government must give each person who submitted an expression of interest written notice (of the outcome of its decision)	✓					
Functions & General Reg 24E(1)	Where local government intends to give a regional price preference the local government is to prepare a regional price preference policy	✓		✓	✓		✓
Functions & General Reg 24(E)(4)	A local government cannot adopt a regional price policy until the local government has considered submissions received	✓		✓	✓		✓
3.58(2)	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender			✓ Limited	✓ Limited		✓ Limited

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctce	Applicable Delegation
	Part 3 – Functions of Local Government						
3.58(3)	A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3)			✓ Limited	✓ Limited	✓ Limited	✓ Limited
Functions & Gen Reg 30(2)(a)(ii)	A disposition of land is an exempt of disposition of the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee	✓					✓
3.59(2)	A local government must prepare a business plan before it enters into a major trading undertaking, a major land transaction or a land transaction that is preparatory to a major land transaction	✓					
3.59(4)	A local government must give Statewide public notice (stating its proposal to enter into a major trading undertaking, a major land transaction or a land transaction that is preparatory to a major land transaction, where the plan may be inspected or obtained, and call for submissions on the plan within 6 weeks)	✓					
3.59(5)	The local government must consider submissions and then decide whether to proceed with the major trading undertaking, major land transaction or land transaction that is preparatory to a major land transaction		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Cttee	To a 5.9(2) (b) Cttee	To a 5.9(2) (c) - (e) Cttee To the CEO
Part 4 – Elections and Other Polls						
4.9(1)	if the mayor or president has not already done so, the council must fix the day on which a poll is held for an extraordinary election		✓			
4.16(4)	The council may decide, with the Electoral Commissioner's approval, that the election day for a vacancy that has occurred under section 2.32 before the first Saturday in August in the year prior to an ordinary election but after the first Saturday in February in an ordinary election year, is to be on the ordinary election day for that year		✓			
4.17(2)	The council may decide, with the Electoral Commissioner's approval, that a vacancy may remain unfilled if it occurred under section 2.32 before the first Saturday in August in the year prior to the election year in which the term would have ended under the Table to section 2.28, but after the first Saturday in February in that election year		✓			
4.20(2)	A local government may, with the approval of the person concerned and the Electoral Commissioner, appoint a person as the returning officer instead of the CEO		✓			
4.20(4)	A local government may, with the Electoral Commissioner's agreement, declare the Electoral Commission to be responsible for the conduct of an election		✓			
4.57(3)	A local government may appoint an eligible person (who is willing to accept the appointment) to any unfilled office if, at the close of nominations for an extraordinary election, under section 4.57(1) or (2), the number of candidates is less than the number of offices		✓			

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctce	Applicable Delegation To the CEO
Part 4 – Elections and Other Polls							
4.61(2)	Local government may decide to use postal voting for an election		✓				
Elections Reg 9(1)	The fees to be paid to an electoral officer for conducting an election are those agreed between the local government and the electoral officer	✓					
Elections Reg 28(1b) (b)	If a candidate's deposit has not been refunded within 28 days after notice is given of the result of the election, the local government is to credit that amount to a fund of the local government	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Cttee	To a 5.9(2) (b) Cttee	To a 5.9(2) (c) - (e) Cttee	To the CEO
Part 5 – Administration							
5.2	The council of a local government must ensure there is an appropriate structure for administering the local government		✓				
5.3(1)	The council must hold ordinary meetings and may hold special meetings		✓				
5.4	The council may decide to hold an ordinary or special meeting		✓				
5.8	A local government may establish committees of 3 or more people to assist the council in exercising its powers and duties		✓				
5.15	A local government may reduce the quorum for a committee meeting		✓				
5.16(1)	A local government may delegate to a committee, under and subject to section 5.17, any of its powers and duties other than this power of delegation		✓				
5.18	A local government must keep a register of all delegations made to a committee (at least once each financial year)	✓					
5.18	A local government must review all delegations made to a committee	✓		✓	✓		✓
Admin Reg 12(1)	At least once every year a local government must give local public notice (of the date, time and place of all its ordinary council meetings and any committee meetings that must or are proposed to be open to the public, that are to be held in the next 12 months)	✓					
Admin Reg 12(2)	A local government must give local public notice (if any of the dates, times or places in the notice under regulation 12(1) change)	✓					
Admin Reg 12(3)	A local government must give local public notice (of the date, time and place of a special meetings of council that must be open to the public)	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 5 – Administration							
Admin Reg 14(1)	A local government is to ensure that notice papers and agenda relating to any council or committee meeting and reports and other documents tabled at the meeting or which have been produced for presentation at the meeting are made available to the public at the same time as they are available to council and committee members	✓					
Admin Reg 14A(1)(c)	A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if the council has approved of the arrangement by absolute majority		✓				
5.27(2)	General meeting of electors to be held on a day selected by a local government but not more than 56 days after the local government accepts the annual report for the previous financial year	✓					✓
5.36(1)	A local government must employ a CEO		✓				
5.36(4)	If the position of CEO becomes vacant, a local government must advertise the position in the manner and containing such information as prescribed	✓					
5.37(1)	A local government may designate any employee to be a senior employee			✓	✓		✓
5.37(2)	The council may reject or accept a recommendation by the CEO to employ or dismiss a senior employee. If it rejects a recommendation it must provide the CEO with its reasons		✓				
5.37(3)	If the position of a senior employee becomes vacant, a local government must advertise the position in the manner and containing such information as prescribed	✓					✓
5.38	The performance of each employee employed more than 1 year, needs to be reviewed	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte
Part 5 – Administration						
Admin Reg 18C	A local government is to approve a process for selection and appointment of the CEO			✓	✓	
Admin Reg 18D	A local government is to consider, accept or reject a review of the CEO's performance			✓	✓	
5.42(1) & 5.43	A local government may delegate to the CEO any of its powers and duties under this Act except those in section 5.43 and this power of delegation		✓			
5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy			✓	✓	✓
5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given			✓	✓	✓
5.53(1)	A local government must prepare an annual report for each financial year	✓				
5.54(1)	A local government must accept the annual report by 31 August after that financial year		✓			
5.56	A local government is to prepare a Plan for the Future	✓		✓	✓	✓
Admin Reg 19C(4)	A local government is to review its current plan for the future every 2 years			✓	✓	
Admin Reg 19C(7)	A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future and when preparing any modifications of a plan	✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 5 – Administration						
Admin Reg 19D(1)	After a plan for the future, or modifications to a plan, are adopted a local government is to give local public notice	✓					
Admin Reg 19D(5)	A Council is to adopt the plan for the future		✓				
Admin Reg 29A(2)	Information prescribed as confidential but that, under 5.95(7), may be available for inspection if a local government so resolves			✓	✓		✓
5.98(1)(b)	A local government may set a fee, within the prescribed range, to be paid to a council member who attends a council or committee meeting		✓				
5.98(2)(b)	A local government may approve expenses which are to be reimbursed to its councillors, provided that the expenses are of the kind prescribed as those which the local government can approve for reimbursement [subject to section 5.98(3)]			✓	✓		✓
5.98(4)	A local government may approve the reimbursement to a council member of an approved expense, either generally or in a particular case			✓	✓		✓
5.98A	A local government may decide to pay its deputy mayor or deputy president an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5)		✓				
5.99	The local government may decide to pay council members attending council and committee meetings an annual meeting fee instead of an individual meeting fee		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
Part 5 – Administration							
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Cttee	To a 5.9(2) (b) Cttee	To a 5.9(2) (c) - (e) Cttee	To the CEO
5.99A	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 council members an allowance for that type of expense		✓				
5.100(2)	A local government may decide to reimburse expenses to committee members who are not council members or employees			✓	✓		✓
5.101(2)	A local government may reimburse an employee for an expense that was incurred in relation to a matter affecting the local government			✓	✓		✓
5.102	A local government may make a cash advance to a person for an expense which can be reimbursed			✓	✓		✓
5.103(1)	A local government must prepare or adopt a code of conduct to be observed by council members, committee members and employees			✓	✓		✓
5.103(2)	A local government must review its code of conduct within 12 months of every ordinary elections day			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	Part 6 – Financial Management						
Financial M'gnt Reg 8(1)	A local government must maintain separate accounts for monies required to be held in the municipal fund, the trust fund, the reserve accounts, or monies relating to major land or major trading undertakings that will or are expected to span more than 2 financial years	✓					
Financial M'gnt Reg 11(1)	A local government must develop procedures for cheques, credit cards, computer encryption devices and passwords, purchasing cards and petty cash systems	✓					
Financial M'gnt Reg 11(2)	A local government must develop procedures for the approval of accounts	✓					
Financial M'gnt Reg 13(2)	A list of accounts for approval to be paid must be prepared for each month, including the date of the meeting of council to which the list is to be presented	✓					
Financial M'gnt Reg 19(1)	A local government must establish and document internal control procedures to ensure control over investments	✓		✓	✓		✓
6.2(1)	A local government must prepare by 31 August in each financial year, an annual budget for its municipal fund for the next financial year	✓					
6.2(1)	A local government must adopt the budget prepared		✓				
6.3	A local government must prepare a budget if a general valuation or a rate or service charge is quashed by a court or the State Administrative Tribunal, or if it intends to impose supplementary general rate or specified area rate for the remainder of a financial year	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
Part 6 – Financial Management						
6.3	A local government must adopt the budget prepared (Budget for other circumstances)		✓	To a 5.9(2) (a) Cttee	To a 5.9(2) (b) Cttee	To the CEO
6.4(1)	A local government must prepare an annual financial report for the preceding financial year and such other reports as are required	✓				
6.4(3)	By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor the accounts of the local government and the annual financial report	✓				
Financial M'gmt Reg 33A(3)	A council is to consider a budget review submitted to it and is to determine by absolute majority whether or not to adopt the review, any parts of the review on any recommendations made in the review		✓			
Financial M'gmt Reg 34(2)(c)	Each statement of financial activity is to be accompanied by documents containing such other supporting information as is considered relevant by the local government	✓				
Financial M'gmt Reg 34(1)	A local government must prepare monthly financial reports	✓				
6.9(3)	A local government must pay or deliver to the person entitled to it any money and its interest and any property	✓				
6.9(4)	A local government may transfer money held in trust for 10 years to its municipal fund, but must repay it to a person who establishes a right to the repayment, together with any interest earned on the investment	✓				✓
6.11(1)	A local government must establish and maintain a reserve account for each purpose for which it wishes to set aside money	✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
	Part 6 – Financial Management			To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
6.11(2)	A local government may change the purpose of a reserve account or use money held in a reserve account for another purpose		✓				
6.11(2)	A local government must give one month local public notice of a proposal to change the purpose of a reserve account or use money held in a reserve account for another purpose	✓					
6.12(1)(a)	A local government may, when adopting the annual budget, grant a discount or incentive for early payment of any money [subject to section 6.12(2)]		✓				
6.12(1)(b)	A local government may waive or grant concessions in relation to any amount of money or write off any amount of money that is owed to the local government [subject to section 6.12(2)]			✓	✓		✓
6.12(3)	The local government may determine what conditions apply to the granting of a concession			✓	✓		✓
6.13(1)	A local government may resolve to apply interest to any money that it has been owed [subject to section 6.13(6)], other than for rates and service charges		✓				
6.14(1)	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the <i>Trustees Act 1962</i>	✓		✓	✓		✓
6.16(1)	A local government may impose a fee or charge for any goods or services it provides, except for a service for which a service charge has been imposed		✓				
6.16(3)	As well as imposing fees and charges when adopting the annual budget, a local government may impose fees and charges during the year or amend, from time to time, fees and charges throughout the year		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte To the CEO
Part 6 – Financial Management						
6.19	If a local government wishes to impose a fee or charge under Part 6 Division 5 Subdivision 2 after the annual budget has been adopted, it must provide local public notice of its intention to do so and the date from which the amended fees or charges will be imposed	✓				
6.20(1)	A local government may borrow or re-borrow money, obtain credit or extend its financial accommodation in other ways		✓			
6.20(2)	If a local government proposes to exercise its power to borrow but it is not budgeted for, unless the proposal is of a prescribed kind, it must give one month public notice of the proposal	✓				
6.20(2)	If a local government proposes to exercise its power to borrow but it is not budgeted for, it must make the resolution to do so by absolute majority		✓			
6.20(3)(a)	If a local government exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, after giving one month local public notice it may resolve to use it for another purpose		✓			
6.20(3)(b)	If a local government exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, it may resolve to use it for another purpose		✓			
6.20(3)	One months public notice must be given	✓				
6.26(3)	If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement, under section 6.26(2)(i), the local government may refer the matter to the Minister for determination			✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 6 – Financial Management							
6.29(2)	A local government must impose a rate on the basis of unimproved value to any tenement, licence or permit that is located in a district for which only rates on the basis of gross rental value apply		✓				
6.32(1)	When adopting the annual budget, a local government may, in order to make up a budget deficiency, impose a general rate on rateable land within its district, and may impose a specified area rate or a minimum payment on rateable land within its district, and may impose a service charge on land within its district		✓				
6.32(3)	A local government may, in an emergency after rates in a financial year have been imposed, impose a supplementary general rate or specified area rate for the unexpired portion of the current financial year, and is to impose a new general rate, specified area rate or services charge if a court or the State Administrative Tribunal quashes a general valuation, rate or service charge		✓				
6.33(1)	Local government may impose differential general rates		✓				
6.35(1)	Local government may impose on any rateable land in its district a minimum payment		✓				
6.36(1)	A local government must give local public notice (of its intention to impose any differential general rates or minimum payment applying to a differential rate category under section 6.35(6)(c))	✓					
6.37(1)	Local government may impose a specified area rate on rateable land		✓				
6.38(1) Financial M'gment Reg 54	A local government may impose a service charge on owners or occupiers to meet the cost of providing television and radio rebroadcasting, volunteer bush fire brigades, underground electricity etc		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 6 – Financial Management							
6.39(1)	As soon as practicable after a local government resolves to impose rates, it must compile a record of all rateable land in the district and all land which has a service charge imposed	✓					
6.39(2)	A local government must, from time to time, amend the current rate record to ensure it is accurate and correct and may amend the rate record for the 5 years preceding the current financial year	✓					
6.40(1)	If the rateable value, rateability or the rate imposed on any land is amended in the rate record, under section 6.39(2), the local government must reassess the rates payable and give notice to the owner of the land of any change in the amount of rates payable	✓					
6.40(2)	If a service charge on any land is amended in the rate record, under section 6.39(2), the local government must reassess the service charge and give notice to the owner of the land of any change of the amount of service charge payable	✓					
6.40(3)	If rates are reduced, under section 6.40(1), a local government must refund the owner of the land on request or credit the amount for rates or service charges	✓					
6.40(4)	If a service charge is reduced, under section 6.40(2), and the service charge had already been paid by the owner, the owner may request and then the local government must pay the overpaid amount to the owner or, alternatively, the overpaid portion is credited against any future amounts payable. If the service charge was paid by the occupier, the local government must pay the overcharged portion to the person who paid it	✓					
6.41(1)	A local government must give a rate notice to the owner of rateable land and the owner or occupier (as the case requires) of land on which a service charge is imposed, containing the particulars required	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 6 – Financial Management							
6.45(1) Financial M'gment Reg 64(2)	When adopting its annual budget, a local government must determine the due date for payment of instalments after the first instalment		✓				
6.45(3) & Financial M'gment Reg 67	A local government may impose an additional charge (including by way of interest) where payment of a rate or service is by instalments and that additional charge is taken to be a rate or service charge		✓				
6.46	A local government may, when imposing a rate or service charge, resolve to grant a discount or incentive for its early payment		✓				
6.47	A local government may, at the time of imposing rates and service charges, resolve to waive a rate or service charge or grant a concession	✓					
6.49	A local government may make an agreement with a person to pay their rates and service charges	✓					✓
Financial M'gment Reg 66(2)	If an instalment remains unpaid after the day on which the next instalment becomes due the local government may revoke the ratepayer's right to pay by instalments	✓					
Financial M'gment Reg 66(3)(b)	The local government must in writing immediately notify the ratepayer of the revocation	✓					
6.50(1) and 6.50(2)	A local government may determine the due date that rates and charges become due, but which date cannot be sooner than 35 days after the date noted on the rate notice	✓					✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 6 – Financial Management							
6.51(1) & Financial M'g'ment Reg 70	A local government may resolve to impose interest (not to exceed 13%) on a rate, service charge and any costs of recovery that remains unpaid		✓				
6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	✓					✓
6.60(2)	A local government may give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the local government in satisfaction of the rate or service charge	✓					✓
6.60(3)	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	✓					✓
6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	✓					✓
6.61(1)	A local government may request an occupier, an agent or the person who receives the rent of a property, to give the name and address of the owner to the local government	✓					
6.64(1)	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or transfer it to the Crown or itself			✓	✓		✓ subject to 5.43(d)
6.64(2)	A local government that takes possession of land, under section 6.64(1), must give the owner such notice as prescribed and then affix the notice to a conspicuous part of the land in the form prescribed	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctce	To the CEO
Part 6 – Financial Management							
6.64(3)	A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding	✓					✓
6.69(2)	A local government may accept payment of any outstanding rates or service charges on such terms and conditions as are agreed between the parties, up to the time of actual sale of the relevant land but not more than 7 days prior to same	✓					
6.69(3)	If a local government accepts payment of outstanding rates or service charges, under sections 6.69(1) or 6.69(2), the local government is required to make such notifications and take such measures as are prescribed to cancel the proposed sale	✓					✓
6.71(1)	If a local government is unable to sell land under Part 6 Division 6 Subdivision 6 within 12 months, it may transfer the land to the Crown or itself			✓	✓		✓ subject to 5.43(d)
6.71(3)	If a local government transfers land to itself, under section 6.71(1) (b), it must pay any sum owed under a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency or instrumentality of the Crown	✓					
6.74(1)	A local government may apply in the prescribed form to the Minister to have land reverted in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years			✓	✓		✓
Financial M'gnt Reg 77(1)	Before applying to have land reverted under section 6.74, a local government must give notice to the owner of the land and any other interested persons and publish the notice in the Gazette	✓					
Financial M'gnt Reg 77(3)	A local government must consider any objections it receives in relation to a reversion under regulation 77			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
	Part 6 – Financial Management	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
6.76(4)	A local government may extend the time for a person to make an objection in relation to the rate record	✓		✓	✓		✓
6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part			✓	✓		✓
6.76(6)	The local government is to provide the person with notice of its decision	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Delegation Prohibited	Suitable for Acting Through	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 7 – Audit							
7.1A(1) & 7.1A(2)	Local government to establish an audit committee, appoint members to the committee with a minimum of 3 members and a majority of which are council members	✓					
7.1B	Despite section 5.16, a local government can delegate to an audit committee only those powers and duties contained in Part 7	✓					
7.3(1) & (2)	A local government must appoint one or more persons, on the recommendation of the audit committee, to be its auditor	✓					
7.6(2)(f)	A local government may terminate the appointment of an auditor by written notice			✓ Audit Ctte			
Audit Reg 8(1)	Where a local government has terminated an agreement with its auditor, it must give notice and reasons for the termination to the Executive Director within 30 days		✓				
7.6(3)	If the auditor's registration as a company auditor is suspended or the auditor is unable or unwilling to carry out their duties, a local government must appoint a person to conduct or complete its audit	✓					
7.12A(2)	A local government must meet with its auditor at least once a year			✓ Audit Ctte			
7.12A(3)	A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken			✓ Audit Ctte			

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
Part 7 – Audit							
712A(4)	A local government must prepare a report on any action taken in response to an auditor's or section 79(3) report, and provide it to the Minister	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Audit Reg 14(1)	A local government must carry out a compliance audit for the period 1 January to 31 December in each year	✓		✓ Audit Ctte			
Audit Reg 14(3)	A compliance audit return must be presented to the council at a meeting of the council, adopted by the council and recorded in the minutes of the meeting at which it is adopted		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Delegation Prohibited	Surtable for Acting Through	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 8 – Scrutiny of the Affairs of Local Governments							
8.2(2)	Upon receiving a request from the Minister for information, a local government must provide the information to the Minister within the specified time of the notice		✓				✓
8.14(3)	A local government must give the Minister advice of what things it has done or will do to comply with an enquiry report from the Minister or a person authorised by the Minister, within 35 days of receiving the report			✓	✓		✓
8.23(4)	A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel's report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the council			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
Part 9 – Miscellaneous Provisions							
9.6(1)	An objection under Part 9 is to be dealt with by the council or a committee authorised by council to deal with it		✓	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
9.6(5)	The local government must give the person who made the objection notice of how it was disposed of and reasons why	✓					✓
9.9(3)	As soon as a decision under section 9.9(1)(b) is made, the local government must give the affected person written notice stating the reasons for the decision	✓					✓
9.10(1) & (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised	✓		✓	✓		✓
9.60(4)	A local government is to administer any regulation made under section 9.60 as if it were a local law	✓					
9.63(1)	If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve			✓	✓		✓
9.68(5)	A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68	✓					✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
11(2)	<p>Schedule 2.1 – Provisions about Creating, Changing the Boundaries of, and Abolishing Districts</p> <p>Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities</p>			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Schedule 2.2 – Provisions about Wards and Representation							
4(1)	A local government must consider any submissions made under clause 3			✓	✓		✓
4(2)	If a council believes that a submission is of a minor nature or one which would not require public submissions, it may either propose to the Advisory Board that a submission be rejected or itself deal with it under clause 5(b)		✓				
4(3)	If it is a council's opinion that a submission is substantially similar to a submission in respect of which the local government made a decision in the last 2 years, or the majority of affected electors who made the submission no longer support it, the local government may reject the submission		✓				
4(4)	Unless a local government decides to deal with a submission under clause 5(b) or rejects it or proposes to reject it under clauses 4(1) or 4(2), the local government must carry out a review as to whether or not the order sought should, in the council's opinion, be made		✓				
5	Whether or not it has received a submission, a local government may carry out a review as to whether or not an order under clauses 2.2, 2.3(3) or 2.18, should, in the council's opinion, be made, or propose to the Advisory Board the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3), if, in the opinion of the council, the proposal is of a minor nature or one which would not require public submissions, or propose to the Minister the making of an order changing the name of a district		✓				
6	A local government must carry out a review of its ward boundaries and the number of councillors per ward every 8 years or as directed by the Advisory Board	✓		✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
	Schedule 2.2 – Provisions about Wards and Representation	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
7	A local government is to provide local public notice (advising that it is about to review its wards and inviting submissions)	✓					
8	The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards			✓			
9	When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3)			✓			

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
	Schedule 6.1 – Provisions Relating to the Phasing-In of Valuation	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
1(1)	When imposing general rates, a local government may resolve that a general valuation, which results in an increase, can be phased in over 3 years		✓				
1(5)	If a local government makes a resolution, under clause 1(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required	✓					
2(1)	When imposing general rates, a local government may resolve that gross rental valuations can be phased in over 3 years		✓				
2(5)	If a local government makes a resolution under clause 2(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
1(1)	<p>Schedule 6.2 – Provisions Relating to Lease of Land where Rates or Service Charges Unpaid</p> <p>A local government may lease the land with any conditions for a term that does not exceed 7 years</p>	✓		✓	✓		✓ subject to 5.43(d)

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation				
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte To the CEO
	Schedule 6.3 – Provisions Relating to the Sale or Transfer of Land where Rates or Service Charges Unpaid					
1(1)	Before exercising its power of sale, a local government must give the owner, or any other person who has a recorded interest in the land, opportunity to pay the rates or service charges. It must send them notice by certified mail and place a notice (with the contents prescribed in clause 1(2)) on its notice board for a minimum of 35 days	✓				
1(3)	A local government must give local public notice (if the owner or other interested parties do not have a recorded address)	✓				
1(4)	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2)			✓	✓	✓
2(1)	The local government must give (Statewide public notice of the sale)	✓				
2(3)	The local government must give the Registrar of Titles or the Registrar of Deeds a memorial of the Statewide notice	✓				
4(1)	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple			✓	✓	✓ subject to 5.43(d)
7(2)	If the land has not been sold within 12 months, the local government may begin the process again in accordance with this Schedule	✓				

These guidelines are also available on the Department's website at www.dlgc.wa.gov.au



Government of Western Australia
Department of Local Government and Communities



Local Government Advisory Hotline
1300 762 511

Email: lghotline@dlgc.wa.gov.au
8.30am–5.00pm, Monday to Friday

About the Guideline series

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.

For more information about this and other guidelines, contact the Local Government Regulation and Support Branch at:

Department of Local Government and Communities

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Translating and Interpreting Service (TIS) – Tel: 13 14 50

9.2.3 INVESTMENT POLICY - AMENDMENT

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0??
Date: 15th June 2015
Author: Nita Jane, Manager Finance & Administration
Senior Officer: Martin Whitely, Chief Executive Officer

Summary

Council is requested to amend the Investment Policy.

Attachment

Previous Investment Policy
 Amended Investment Policy
 Local Government Operational Guideline 17 – Delegations
 Department of Local Government – Circular No 08-2012

Background

The Local Government Amendment Act 2012 received Royal Assent on 4 April 2012.

This included a new regulation prescribing restrictions on local government investment practices.

The Local Government Amendment Act 2012 inserts a new head of power under section 6.14 of the Act which allows regulations to prescribe limitations on the institutions that local governments can invest with and the types of investment products that can be utilised by local government.

Comment

The new regulation limits local governments to investing money referred to in section 6.14(1) of the Act in:

- (a) Authorised deposit taking institutions and the Western Australian Treasury Corporation for a term not exceeding 12 months;
- (b) Bonds that are guaranteed by the Commonwealth Government or a State or Territory for a term not exceeding three years; and
- (c) Australian currency.

This will take effect as existing investments mature or new investments are made.

In line with the change in the regulations, the shire investment policy is amended to bring it into compliance.

Consultation

Martin Whitely
 Department of Local Government Circular No 08-2012

Statutory Environment

Section 6.14 of the Local Government Act 1995

Policy Implications

Amendment to Investment Policy

Financial Implications

Nil

Strategic Implications

Outcome 4.5 Achieve a high level of compliance

4.5.2 – Maintain, review and ensure relevance of Council policies and local laws

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.3
--

That the Council:

Review and Adopt the amended Investment Policy as presented.

COUNCIL RESOLUTION – ITEM 9.2.3
--

Moved: Cr Gledhill

Seconded: Cr Cosgrove

That the Council:

Review and Adopt the amended Investment Policy as presented.

CARRIED: 7/0

3002 INVESTMENT POLICY**OVERVIEW**

The purpose of this document is to ensure:

- Council conforms with its responsibilities under: -
 - *Local Government Act 1995* – Section 6.14;
 - *The Trustees Act 1962* – Part III Investments;
 - *Local Government (Financial Management) Regulations 1996* – Regulations 19, 28 and 49
 - Australian Accounting Standards
- That Council has in place a current set of policies and delegations for its Officer's responsible for the investment of Council held funds.
- Adherence to the guidelines and procedures outlined in this document by all officers with delegated authority to invest/control Council funds.

OBJECTIVE

- Preservation of Capital.
- To take a conservative approach to investments, but with a focus to add value through a prudent investment of funds.
- To achieve an adequate level of diversification to spread risk.
- To achieve a high level of security.
- To have ready access to funds for day-to-day requirements.

DELEGATED AUTHORITY

- Officers authorised to make investment decisions and sign investment lodgments, withdrawals etc, are outlined below and must be named in Council's Delegated Authority Register.
- In case of annual leave or absence, the Chief Executive Officer may approve delegations for relieving persons, under advice to Council.
- Any investments made under delegated authority are to comply with the Authorised investments List.
- Decisions in excess of \$750,000 unauthorized investments or for terms > 12 months should be referred to Council.

Limit	Activity	Delegated Authority To Open and Operate Account
Investment decision (within Limit) <\$750,000	Investment Decision	Chief Executive Officer (Investment Advisor may be consulted)

	Place Investments	Chief Executive Officer Joint with Senior Finance Officer
	Transfer Investments to the Municipal Account	Chief Executive Officer Joint with Senior Finance Officer
Investment decision (exceeding Limit) > \$750,000	Investment Decision	Council Resolution by Absolute Majority (Investment Advisor may be consulted)
	Place Investments	Shire President and Chief Executive Officer
	Transfer Investments to the Municipal Account	Shire President and Chief Executive Officer

PRUDENT PERSON STANDARD

The Council and delegated investment officer have fiduciary responsibilities under Section 6.14 of the Local Government Act and therefore risks must be kept to a minimum and the investment managed with the care, diligence and skill that a prudent person would exercise. In this respect, the schedule of Authorised Investments and limits applying are to be adhered to. Officer shall disclose any conflict of interest to the CEO.

AUTHORISED INVESTMENTS

Without approval from Council, investments are limited to: -

- (a) State/Commonwealth Government Bonds;
- (b) Interest Bearing Deposits;
- (c) Bank accepted/endorsed bank bills;
- (d) Bank negotiable Certificate of Deposits; and
- (e) Investments fixed for greater than 12 months are to be approved by Council, reviewed on a regular basis and invested for no longer than 3 years.

PROHIBITED INVESTMENTS

- (a) Derivative based instruments;
- (b) Principal only investments or securities that provide potentially nil or negative cash flow;
- (c) Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind; and
- (d) Investments into listed Australian shares, listed Property Trusts and Unlisted property without Council's specific approval.
- (e) This policy also prohibits the use of leveraging (borrowing to invest).

RISK MANAGEMENT CONTROLS

Risk Management Controls include:-

- Delegated Authority to invest;
- Documented investment procedures;
- Investment Register to be maintained;
- Maturity of investments to be monitored at least monthly;
- Monthly statements to be received from counterparties;
- Monthly bank reconciliations to be prepared for each account;
- Monthly report to Council; and
- Investments obtained are to comply with the following three key criteria: -

a) **Portfolio Credit Framework** - limits overall credit exposure of the portfolio.

The following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%

b) Counterparty Credit Framework - limits exposure to individual counterparties/institutions.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

c) Term to Maturity Framework - limits based upon maturity of securities.

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100% Max. And 40% Min.
Portfolio % > 1 year	60%
Portfolio % > 3 years	35%
Portfolio % > 5 years	25%

INVESTMENT ADVISOR

It may be appropriate to seek external advice from an investment advisor and if so this person must be: -

- An independent person who has no conflict of interest in relation to investment products recommended,
- Approved by Council, and
- Licensed by the Australian Securities and Investment Commission.

REPORTING AND REVIEW

- (a) Documentary evidence must be held on file for each investment and an investment register maintained by filing the monthly investment report to council in the Register.
- (b) The investment policy will be reviewed annually or as required in the event of legislative changes.
- (c) A monthly report must be provided to council detailing the investment portfolio. The monthly report shall include information about the term and the rate of return of each investment.
- (d) The annual financial report is to include information on earnings from investments as specified by Financial Management Regulation (FMR) 49.

LIQUIDITY

- (a) Liquidity ratio – at least 70% of total investment portfolio must be liquefiable within ten (10) days.
- (b) Maturity and Cash flow to be monitored to ensure cash funds are available to meet commitments.

SEPARATE AND COMMON ACCOUNTS

- (a) Separate accounts must be established the following purposes: —
 - Money required to be held in the municipal fund;
 - Money required to be held in the trust fund; and
 - Money required to be held in reserve accounts.
- (b) Money from different accounts may be placed in a common account for investment purposes.
- (c) Interest earned on each individual "Reserves/Restricted Assets" will be applied to that particular account

3002 INVESTMENT POLICY

OVERVIEW

The purpose of this policy is to ensure:

- Council conforms with its responsibilities under: -
 - *Local Government Act 1995* – Section 6.14;
 - *The Trustees Act 1962* – Part III Investments;
 - *Local Government (Financial Management) Regulations 1996* – Regulations 19, 28 and 49
 - Australian Accounting Standards
- That Council has in place a current set of policies and delegations for its Officer's responsible for the investment of Council held funds.
- Adherence to the guidelines and procedures outlined in this document by all officers with delegated authority to invest/control Council funds.

OBJECTIVE

- Preservation of Capital.
- To take a conservative approach to investments, but with a focus to add value through a prudent investment of funds.
- To achieve an adequate level of diversification to spread risk.
- To achieve a high level of security.
- To have ready access to funds for day-to-day requirements.
- To ensure that surplus funds are invested appropriately and that appropriate records are kept.

POLICY

Whilst exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return on investment.

Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes management of credit and interest risk within identified thresholds and parameters.

The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash-flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

LEGISLATIVE REQUIREMENTS

All investments are to comply with the following:

- Local Government Act 1995 (as amended) – Section 6.14;
- Trustees Act, 1962 – Part III Investments

- Local Government (Financial Management) Regulations 1996 – Regulation 19, Regulation 19C, Regulation 28 and Regulation 49; and
- Australian Accounting Standards.

DELEGATED AUTHORITY

- Officers authorised to make investment decisions and sign investment lodgments, withdrawals etc, are outlined below and must be named in Council's Delegated Authority Register.
- In case of annual leave or absence, the Chief Executive Officer may approve delegations for relieving persons, under advice to Council.
- Any investments made under delegated authority are to comply with the Authorised Investments List.
- Decisions in excess of \$750,000 unauthorized investments or for terms > 12 months should be referred to Council.

PRUDENT PERSON STANDARD

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy and not for speculative purposes.

ETHICS and CONFLICTS OF INTEREST

Officers shall refrain from personal activities that would conflict with the proper execution and the management of the Shire's investment portfolio. This policy requires Officers to disclose any conflict of interest to the CEO.

APPROVED INVESTMENTS

Without approval from Council, investments are limited to:

- State/Commonwealth Government Bonds with a term of maturity not exceeding three years;
- Fixed term deposits placed with an authorized institution* for a term not exceeding 12 months; and
- Interest-bearing deposits placed with an authorized institution

PROHIBITED INVESTMENTS

This Investment Policy prohibits any investment carried out for speculative purposes including:

- Derivative-based instruments;
- Principal-only investments or securities that provide potentially nil or negative cash flow; and
- Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

In accordance with the Local Government (Financial Management) Regulations 1996 Reg 19C, this policy also prohibits the following:

- Deposits with any institution other than an authorized institution*;

- Deposits for a fixed term of more than 12 months;
- Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- Investment in bonds with a term to maturity of more than three years; and
- Investment in a foreign currency.

*Authorised Institution as defined in the Bank Act 1959 (Commonwealth) section 5.

RISK MANAGEMENT CONTROLS

Risk Management Controls include:-

- Delegated Authority to invest;
- Documented investment procedures;
- Investment Register to be maintained;
- Maturity of investments to be monitored at least monthly;
- Monthly statements to be received from counterparties;
- Monthly bank reconciliations to be prepared for each account;
- Monthly report to Council.

RISK MANAGEMENT GUIDELINES

Investments obtained are to comply with three key criteria relating to:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio;
- Counterparty Credit Framework: limit exposure to individual counterparties/institutions; and
- Term to maturity Framework: limits based upon maturity of securities.

- Portfolio Credit Framework** - limits overall credit exposure of the portfolio.

The following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %
AAA	A-1+	100%
AA	A-1	100%
A	A-2	60%

b) Counterparty Credit Framework - limits exposure to individual counterparties/institutions.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %
AAA	A-1+	45%
AA	A-1	35%
A	A-2	20%

c) Term to Maturity Framework - limits based upon maturity of securities.

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100% Max. And 40% Min.
Portfolio % 1-3 years	60%

INVESTMENT ADVISOR

It may be appropriate to seek external advice from an investment advisor and if so this person must be: -

- An independent person who has no conflict of interest in relation to investment products recommended,
- Approved by Council, and
- Licensed by the Australian Securities and Investment Commission.

REPORTING AND REVIEW

- (a) Documentary evidence must be held on file for each investment and an investment register maintained by filing the monthly investment report to council in the Register.
- (b) The investment policy will be reviewed annually or as required in the event of legislative changes.
- (c) A monthly report must be provided to council detailing the investment portfolio. The monthly report shall include information about the term and the rate of return of each investment.
- (d) The annual financial report is to include information on earnings from investments as specified by Financial Management Regulation (FMR) 49.

LIQUIDITY

- (a) Liquidity ratio - at least 70% of total investment portfolio must be liquefiable within ten (10) days.
- (b) Maturity and Cash flow to be monitored to ensure cash funds are available to meet commitments.

SEPARATE AND COMMON ACCOUNTS

- (a) Separate accounts must be established the following purposes: —
 - Money required to be held in the municipal fund;
 - Money required to be held in the trust fund; and
 - Money required to be held in reserve accounts.
- (b) Money from different accounts may be placed in a common account for investment purposes.
- (c) Interest earned on each individual "Reserves/Restricted Assets" will be applied to that particular account

9.2.4 ACCOUNTS FOR PAYMENT – MONTH ENDING 31st MAY 2015

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0042
Disclosure of Interest:	Nil
Date:	12 th June 2015
Author:	Julie Borrett, Senior Finance Officer
Senior Officer:	Nita Jane, Manager of Administration and Finance

Summary

Council to confirm the payment of creditors for the month of May 2015 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Attachment

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

Background

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

Comment

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.4

That Council confirm the accounts as presented for February 2015 from the Municipal Fund totalling \$632,997.10 represented by Electronic Funds Transfers of EFT 8947 to EFT8998, Direct Deduction DD7146.1, 2 and 3, DD7168.1 2 and 3, Trust Cheque numbers 451 & 452 and Cheque numbers 7967-7972.

COUNCIL RESOLUTION – ITEM 9.2.4**Moved: Cr Newton****Seconded: Cr Sobey**

That Council confirm the accounts as presented for February 2015 from the Municipal Fund totalling \$632,997.10 represented by Electronic Funds Transfers of EFT 8947 to EFT8998, Direct Deduction DD7146.1, 2 and 3, DD7168.1 2 and 3, Trust Cheque numbers 451 &452 and Cheque numbers 7967-7972.

CARRIED: 7/0

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES -- 17 June 2015

Date: 02/06/2015
Time: 9:40:24AM

Shire of MINGENEW
List of accounts for May 2015

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Cheque / EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
451	12/05/2015	MINGENEW SHIRE COUNCIL	MWIRSA REFUND CP85	T		2,972.20
452	25/05/2015	PRESBYTERIAN LADIES' COLLEGE	REFUND OF JOAN TRUST FOR COLLEGE FEES	T		3,688.50
7967	12/05/2015	MINGENEW SHIRE COUNCIL	Payroll deductions	M		310.00
7968	12/05/2015	SYNERGY	SYNERGY	M		6,788.50
7969	12/05/2015	TELSTRA	CHARGES	M		1,852.93
7970	18/05/2015	PALM ROADHOUSE	CATERING	M		145.20
7971	25/05/2015	MINGENEW SHIRE COUNCIL	Payroll deductions	M		310.00
7972	25/05/2015	SYNERGY	CHARGES	M		2,421.70
EFT8947	06/05/2015	Shire of Mingenew - Payroll	PAYROLL	M		27,073.25
EFT8948	06/05/2015	Australian Services Union	Payroll deductions	M		25.10
EFT8949	06/05/2015	CHILD SUPPORT AGENCY	Payroll deductions	M		262.21
EFT8950	11/05/2015	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	LEASE	M		421.30
EFT8951	12/05/2015	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	CHARGES	M		543.99
EFT8952	12/05/2015	Courier Australia	FREIGHT	M		12.23
EFT8953	12/05/2015	CATWEST	CHARGES	M		105,864.88
EFT8954	12/05/2015	COUNTRY CABINETS AND TILING	CHARGES	M		6,600.00
EFT8955	12/05/2015	DONGARA QUALITY MEATS	GOODS	M		130.00
EFT8956	12/05/2015	Reliance Petroleum	FUEL	M		9,080.59

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

Shire of MINGENEW

List of accounts for May 2015

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8957	12/05/2015	MINGENEW SPRING CARAVAN PARK	CHARGES	M		127.00
EFT8958	12/05/2015	MINGENEW BAKERY	CATERING	M		175.45
EFT8959	12/05/2015	Shire Of Three Springs	CHARGES	M		3,378.54
EFT8960	12/05/2015	TRUCKLINE	CHARGES	M		87.38
EFT8961	18/05/2015	NAB BUSINESS VISA	CREDIT CARD	M		6,004.52
EFT8962	18/05/2015	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	CHARGES	M		77.00
EFT8963	18/05/2015	Australian Taxation Office	BAS	M		1,098.00
EFT8964	18/05/2015	AMPAC	CORRECTION	M		85.25
EFT8965	18/05/2015	Courier Australia	FREIGHT	M		9.50
EFT8966	18/05/2015	STAPLES AUSTRALIA PTY LIMITED	STATIONERY	M		103.42
EFT8967	18/05/2015	COUNTRY CABINETS AND TILING	CHARGES	M		5,439.50
EFT8968	18/05/2015	SHIRE OF IRWIN	FEES	M		228.43
EFT8969	18/05/2015	CANINE CONTROL	FEES	M		1,972.34
EFT8970	18/05/2015	Reliance Petroleum	FUEL	M		2,664.12
EFT8971	18/05/2015	MINGENEW IGA	GROCERIES	M		523.03
EFT8972	18/05/2015	GERALDTON TOYOTA	CHARGES	M		763.73
EFT8973	18/05/2015	MINGENEW SPRING CARAVAN PARK	CHARGES	M		2,132.00
EFT8974	18/05/2015	MINGENEW BAKERY	CATERING	M		421.00

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

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Shire of MINGENEW
List of accounts for May 2015

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8975	18/05/2015	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN	M		18,584.37
EFT8976	18/05/2015	JENNY THOMAS	JOAN TRUST REIMBURSEMENT	T		450.90
EFT8977	20/05/2015	Shire of Mingenew - Payroll	PAYROLL	M		30,651.15
EFT8978	20/05/2015	Australian Services Union	Payroll deductions	M		25.10
EFT8979	20/05/2015	CHILD SUPPORT AGENCY	Payroll deductions	M		262.21
EFT8980	21/05/2015	Australian Taxation Office	FBT	M		14,468.09
EFT8981	25/05/2015	SGFLEET	LEASE	M		1,333.80
EFT8982	25/05/2015	BITUTEK PTY LTD	CHARGES	M		294,186.26
EFT8983	25/05/2015	LANDGATE	CHARGES	M		2,640.60
EFT8984	25/05/2015	DONGARA GLASS AND GLAZING	CHARGES	M		1,975.00
EFT8985	25/05/2015	DONGARA DRILLING & ELECTRICAL	CHARGES	M		487.39
EFT8986	25/05/2015	GREENFIELD TECHNICAL SERVICES	FEES	M		1,056.11
EFT8987	25/05/2015	IRWIN PLUMBING SERVICES	CHARGES	M		11,171.60
EFT8988	25/05/2015	Reliance Petroleum	FUEL	M		3,256.12
EFT8989	25/05/2015	STARICK TYRES	CHARGES	M		79.08
EFT8990	25/05/2015	MIDWEST MOBILE MECHANICS	CHARGES	M		553.85
EFT8991	25/05/2015	POOL & SPA MART	GOODS	M		35.10
EFT8992	25/05/2015	PRIME MEDIA GROUP PTY	CHARGES	M		2,527.80

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Shire of MINGENEW
List of accounts for May 2015

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT8993	25/05/2015	LANDMARK	CHARGES	M		38.83
EFT8994	25/05/2015	SLATER-GARTRELL SPORTS	GOODS	M		610.50
EFT8995	25/05/2015	TUDOR HOUSE	CHARGES	M		126.50
EFT8996	25/05/2015	WESTRAC PTY LTD	CHARGES	M		6,615.12
EFT8997	26/05/2015	Shire of Mingenew - Payroll	PAYROLL CORRECTION	M		0.01
EFT8998	26/05/2015	VEOLIA ENVIRONMENTAL SERVICES AUSTRALIA PTY LTD	RUBBISH	M		41,003.83
DD7146.1	06/05/2015	WA SUPER	Payroll deductions	M		6,263.08
DD7146.2	06/05/2015	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,051.20
DD7146.3	06/05/2015	PRIME SUPER	Superannuation contributions	M		195.88
DD7146.4	06/05/2015	AMP Corporate Superannuation	Superannuation contributions	M		178.94
DD7168.1	20/05/2015	WA SUPER	Payroll deductions	M		5,061.47
DD7168.2	20/05/2015	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	M		1,051.20
DD7168.3	20/05/2015	PRIME SUPER	Superannuation contributions	M		195.88
DD7168.4	20/05/2015	AMP Corporate Superannuation	Superannuation contributions	M		178.94

MINGENSHIRE COUNCIL ORDINARY MEETING MINUTES - 17 June 2015
 Shire of MINGENSHIRE
 List of accounts for May 2015

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
REPORT TOTALS						
		Bank Code	Bank Name	TOTAL		
	M		MUNI - NATIONAL AUST BANK		632,997.10	
	T		TRUST- NATIONAL AUST BANK		7,111.60	
	TOTAL					640,108.70

NATIONAL BUSINESS MASTERCARD

01 May to 31 May 2015

CEO - Martin Whitley

Fuel	\$	158.30
Licence for R Spice	\$	40.70
Adobe renewal	\$	19.99
Accommodation	\$	506.99
Bank Fees	\$	9.00
	\$	734.98

Work's Manager - Warren Borrett

Bank Fees	\$	9.00
	\$	9.00

Manager of Admin and Finance - Nita Jane

Title Search	\$	24.00
Internet	\$	179.90
Paint, etc for Musuem	\$	191.66
Bank Fees	\$	9.00
	\$	404.56

Total Direct Debit Payment made on 1st April 2015	\$	1,148.54
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POLICE LICENSING

Direbt Debits from Muni Account

01 May to 31 May 2015

Friday, 1 May 2015	\$	825.50
Tuesday, 5 May 2015	\$	791.35
Wednesday, 6 May 2015	\$	55.65
Thursday, 7 May 2015	\$	68.70
Friday, 8 May 2015	\$	5,195.20
Monday, 11 May 2015	\$	384.00
Tuesday, 12 May 2015	\$	2,029.25
Wednesday, 13 May 2015	\$	4,437.85
Thursday, 14 May 2015	\$	52.00
Friday, 15 May 2015	\$	128.70
Monday, 18 May 2015	\$	2,482.85
Tuesday, 19 May 2015	\$	716.15
Wednesday, 20 May 2015	\$	703.45

Thursday, 21 May 2015	\$ 142.30
Friday, 22 May 2015	\$ 71.40
Monday, 25 May 2015	\$ 135.00
Tuesday, 26 May 2015	\$ 778.30
Wednesday, 27 May 2015	\$ 52.00
Thursday, 28 May 2015	\$ 275.90
Friday, 29 May 2015	\$ 643.00
	\$ 19,968.55

BANK FEES

**Direct debits from Muni Account
01 May to 31 May 2015**

Total direct debited from Municipal Account	\$ 160.33
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PAYROLL

**Direct Payments from Muni Account
01 May to 31 May 2015**

Wednesday, 6th May 2015	\$ 40,832.87
Wednesday, 20th May 2015	\$ 43,458.02
	\$ 84,290.89

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 17 June 2015

10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING****11.1 ELECTED MEMBERS**

Nil

11.2 STAFF**11.2.1 SUBMISSIONS ON THE PROPOSED 2015/2016 DIFFERENTIAL RATES**

The reason for the urgency is that prior to imposing differential rates the local government is required to provide local public notice of such proposal and then consider any submissions received.

COUNCIL DECISION – ITEM 11.2.1

Moved: Cr Cosgrove

Seconded: Cr Pearce

That the meeting consider the late item.

CARRIED: 7/0

11.2.2 SUBMISSIONS ON THE PROPOSED 2015/2016 DIFFERENTIAL RATES

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0338
Disclosure of Interest:	Nil
Date:	17 th June 2015
Author:	Nita Jane – Manager Finance & Administration
Senior Officer:	Martin Whitely, Chief Executive Officer

SUMMARY

Council is requested to note that there were no submissions received relating the proposed 2015/2016 Differential Rates.

ATTACHMENT

Nil

BACKGROUND

Advertising of the proposed 2015/2016 Differential Rates and the "Objects and Reasons" in accordance with s6.36 of the Local Government Act 1995, was placed in the "Geraldton Guardian" Newspaper on the 27th May 2015 and on the Library & Community Notice Boards from 22nd May 2015. Additionally, correspondence was sent on 22nd May 2015 to all Mining Companies informing them directly of the proposed Differential Rates. The closing date for submissions was Wednesday 17th June 2015.

COMMENT

There were no submissions received in relation to the proposed 2015/2016 Differential Rates.

CONSULTATION

As per section 6.36 of the Local Government Act 1995, the 2014/2015 Differential Rates were advertised in the Geraldton Guardian, on Community and Library notice boards and directly, via mail, to all mining companies holding tenements in the district.

STATUTORY ENVIRONMENT

Section 6.36 (4) of the Local Government Act 1995 states that a Local Government is to consider any submissions received before imposing the proposed differential rate and minimum payment.

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency; and
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose; and
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;
 and
 - (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed Differential Rate will form part of the overall funding stream within Councils 2015/2016 Budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION – ITEM 11.2.2

That Council note that no submissions in relation to the proposal to apply Differential Rates in 2015/16 were received.

COUNCIL DECISION – ITEM 11.2.2

Moved: Cr Cosgrove

Seconded: Cr Pearce

That Council note that no submissions in relation to the proposal to apply Differential Rates in 2015/16 were received.

CARRIED: 7/0

12.0 CONFIDENTIAL ITEMS
Nil**13.0 TIME AND DATE OF NEXT MEETING**

That the next Ordinary Council Meeting be held on 15 July 2015 commencing at 4.00pm.

14.0 CLOSURE

The Shire President thanked all for attending and declared the meeting closed at 4.20pm

These minutes were confirmed at an Ordinary Council meeting on 15 July 2015

Signed M. A. Seery
Presiding Officer

Date: 15. 07. 15

