



AGENDA FOR THE ORDINARY COUNCIL MEETING

21 AUGUST 2019



Ordinary Council Meeting Notice Paper

21 August 2019

An Ordinary Meeting of Council is called for Wednesday, 21 August 2019, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.30 pm. Members of the public are most welcome to attend.

Nils Hay
Chief Executive Officer
15 August 2019

DISCLAIMER

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

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

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

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

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

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

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

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

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

A Deputation invited to attend a Council meeting:

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

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

PROCEDURE FOR PRESENTATION

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

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

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

PROCEDURE FOR PETITIONS

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

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

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

PROCEDURE FOR PUBLIC QUESTION TIME

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

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

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

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

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

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AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON
21 AUGUST 2019 COMMENCING AT 4.30PM

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
Nil.
- 4.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES
 - 7.1 ORDINARY COUNCIL MEETING HELD 17 JULY 2019

OFFICER RECOMMENDATION - ITEM 7.1

That Council:

- 1) Notes the correction to Item 14.1 Adoption of 2019/20 Budget: Part B – General and Minimum Rates and Instalment Payment Arrangements, Point 2 which is to show the 2nd quarterly instalment due date as '29 October 2019'; and
- 2) Subject to that correction being made, the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 17 July 2019 be confirmed as a true and accurate record of proceedings.

- 8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
- 9.0 DECLARATIONS OF INTEREST
- 10.0 RECOMMENDATIONS OF COMMITTEES
 - 10.1 EXECUTIVE MANAGEMENT COMMITTEE MEETING HELD 30 JULY 2019

OFFICER RECOMMENDATION - ITEM 10.1.1

That the minutes of the Executive Management Committee meeting held in the Council Chambers on 30 July 2019 be received.

EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDATION TO COUNCIL – ITEM 10.1.2

That Council:

1. Endorses the overall performance rating for Mr Hay as the Shire of Mingenew's Chief Executive Officer (CEO) for the review period July 2018 to January 2019 as 'Satisfactory (Meets Performance Requirements)';
2. Endorses the Focus Areas and Actions for July 2019 to June 2020;
3. Schedules the 2019 annual appraisal to be commenced by the July 2020 Ordinary Meeting of Council and completed by the August 2020 Ordinary Meeting of Council; and
4. Endorses an increase to the CEO's base salary of 1% to \$151,500 (TRP of \$183,712) effective 16 July 2019.

10.2 AUDIT & RISK COMMITTEE TO BE HELD 21 AUGUST 2019 (AT 3PM)

The Audit & Risk Committee meeting is scheduled to be held at 3pm, 21 August 2019 (prior to this scheduled Council meeting).

Note: The recommendations to Council from the Audit & Risk Committee enclosed in this Agenda are based on Officer Recommendations to the Committee and not Committee endorsed as the meeting is yet to be held, at the time of publishing this Agenda. The recommendations are subject to change dependent on meeting outcomes and any changes to those proposed will be recorded at this meeting before a decision is put to Council.

OFFICER RECOMMENDATION - ITEM 10.2.1

That the minutes of the Executive Management Committee meeting held in the Council Chambers on 30 July 2019 be received.

AUDIT & RISK COMMITTEE RECOMMENDATION TO COUNCIL – ITEM 10.2.2

That Council receives this report in regard to the significant issue raised in the Audit Report for 2017/18 – Operating Surplus Ratio below DLG standard.

AUDIT & RISK COMMITTEE RECOMMENDATION TO COUNCIL – ITEM 10.2.3

That Council receives the Draft Interim Management Letter prepared by Butler Settineri and the comments provided by the CEO

AUDIT & RISK COMMITTEE RECOMMENDATION TO COUNCIL – ITEM 10.2.4

That Council receives the Financial Management Review 2019 undertaken by Butler Setterini on behalf of the CEO, in accordance with Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 and acknowledge the result of this review.

AUDIT & RISK COMMITTEE RECOMMENDATION TO COUNCIL – ITEM 10.2.5

That Council:

- a) Revokes the Discrimination, Harassment and Bullying Policy adopted 21 November 2018 and removes it from Council's Policy Manual;
- b) Endorses the Human Resource (HR) Policies and Procedures Manual version 2019.1 (reference NHR191109) which is herein managed, amended and reviewed for continuous improvement by the Chief Executive Officer;
- c) Acknowledges the adoption of the HR Policies and Procedures Manual as satisfying the requirement to assess the effectiveness of the Shire's HR strategies and management processes including recruitment, staff retention, termination, disciplinary actions, performance management, training and development. within the 3-Year Internal Audit Plan.

11.0 REPORTS BY THE CHIEF EXECUTIVE OFFICER

11.1 PROPOSED OUTBUILDING

Location/Address:	Lot 18 corner Phillips & Bride Streets, Mingenew
Name of Applicant:	Shoreline Outdoor World for A. Smyth
Disclosure of Interest:	Nil
File Reference:	A426
Date:	9 August 2019
Author:	Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer:	Nils Hay, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

Council is in receipt of an application to extend an existing shed upon Lot 18 on the corner of Phillips & Bride Streets in the Mingenew townsite. The application has been advertised for comment and no objections were received. This report recommends that Council approve the application.

OFFICER RECOMMENDATION – ITEM 11.1

That Council grant formal planning approval for an outbuilding extension to be constructed upon Lot 18 corner Phillips & Bride Streets, Mingenew subject to the following:

Conditions

- 1 Development shall be in accordance with the attached approved plans dated 21 August 2019 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 All stormwater is to be disposed of on-site to the approval of the local government.
- 4 Any soils disturbed or deposited on-site shall be stabilised to the approval of the local government.
- 5 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

Notes:

- (a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- (b) If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

Attachment

Attachment 11.1 - Copy of submitted development application

Background

Lot 18 is a 1,396m² property containing a residence and outbuilding located on the north-west corner of the Phillips and Bride Street intersection.

Figure 11.1(a) – Location Plan for Lot 18 corner Phillips & Bride Streets, Mingenew



The applicant is proposing to construct a 54m² carport to the south of their existing 54m² shed, to create a total outbuilding area of 108m². The Shire of Mingenew Outbuildings Local Planning Policy sets a maximum outbuilding area of 80m² for Mingenew townsite lots that are less than 1,500m². As the application proposes variation to the policy it is unable to be determined by Shire staff under delegated authority and is presented to Council for its consideration.

The proposed shed extension would have a post/total height of 3.34m and would utilise colorbond to match the existing shed. The shed is proposed to be setback 4.5m from the front (Phillips Street) property boundary and 1.5m from the side (southern) property boundary. The applicant's submitted site, elevation and floor plans and supporting correspondence are provided as **Attachment 11.1**.

Figure 11.1(b) – Aerial Photograph of Lot 18 corner Phillips & Bride Streets, Mingenew



Figure 11.1(c) – View looking north-east at Lot 18 from Phillips Street



Comment

It is considered that conditional approval of the application is warranted in this instance, based upon the following:

- Lot 18, being 1,396m², is only marginally smaller than the 1,500m² lot area, at which point the Outbuildings Policy permits sheds of 200m²;
- whilst the proposed 108m² total outbuilding area exceeds the 80m² Outbuildings Policy requirement (for lot under 1,500m²) it is noted that half of this floor area would be an open sided carport and as such would have a lesser visual impact than an enclosed shed;
- the proposed outbuilding extension would not dominate the streetscape as it would be setback in-line with the residence and the floor level would be lower than the street level;
- the proposed shed would comply with the height requirements of the Outbuildings Policy;

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- the applicant is proposing to retain stormwater runoff from their outbuilding via downpipes to a rainwater tank upon their property;
- the carport would enable the landowner to park vehicles out of the weather;
- the acceptance of the proposed outbuilding extension as being within the character of the surrounding area has been demonstrated through no objections being received when the application was advertised for comment.

Consultation

The Shire wrote to the landowners of the 5 surrounding properties on 3 July 2019 providing details of the application and inviting comment upon the proposal prior to 31 July 2019, a sign was also erected on-site to advise of the received application and the opportunity for comment.

At the conclusion of the advertising period no submissions had been received.

Statutory Environment

Lot 18 corner Phillips & Bride Streets, Mingenew is zoned 'Residential R12.5' under the Shire of Mingenew Local Planning Scheme No.3 ('the Scheme'), upcoming Scheme No.4 proposes no change to this zoning.

Section 4.2 of the Scheme lists the objectives of the 'Residential' zone as being:

"The use of land in the Residential Zone shall be consistent with the following objectives:

- *the zone shall be predominantly residential in use.*
- *non-residential uses permitted under the provisions of the Scheme shall be of service to, compatible in character and of a scale and operation which is not detrimental to the predominant residential use.*
- *any non-residential use shall not detract from or adversely affect the residential amenity of the area."*

Schedule 1 Part 3 Clause 16 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the objectives of the 'Residential' zone as being:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development."*

Section 5.17.1 of the current Scheme No.3 (that will shortly be superseded by Scheme No.4 and the Outbuildings Policy) requires that:

"Within all Residential, Town Centre or Special Use zoned land, Planning Consent will be granted to outbuildings appurtenant to any dwelling, provided all boundary setbacks and building separation requirements have been complied with, the building is of single storey construction, located behind any dwelling on site and provided the proposed development complies with the following—

- (a) *In the Residential, Town Centre and Special Use Zone of the Shire where the lot size is 1,500m² or less in area.*
 - (i) *The area of an outbuilding of zincalume construction shall not exceed 55m²;*
 - (ii) *An outbuilding of other than zincalume construction shall not exceed 75m², and shall have no parapet wall longer than 8m;*

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- (iii) *The wall height of any outbuilding, including any parapet walls, shall not exceed 3m. The building height for gable roof construction shall not exceed 4m and the maximum wall height is 3.3m, providing adjacent landowners give written approval where the wall height exceeds 3m;*
- (iv) *A planning application will be required for parapet wall construction on any boundary. The applicant shall obtain written comments on the proposal from the adjacent landowners for the local government's consideration;*
- (v) *An outbuilding will not be approved by the local government on a lot containing no dwelling.*
- (vi) *Any development application which does not comply with the above, shall be referred to Council for consideration."*

As the application proposes a total outbuilding area of 108m² (this being greater than the Scheme requirement of 75m² and policy requirement of 80m²) it exceeds the delegated authority of Shire staff and is required to be presented to Council for determination.

Scheme Section 5.5 'Variations to site and development standards and requirements' states that:

"5.5.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

5.5.2 In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to—

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and*
- (b) have regard to any expressed views prior to making its determination to grant the variation.*

5.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that—

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and*
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality."*

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application:

- "(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;...*
- ...(g) any local planning policy for the Scheme area;...*

- ...(m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following —*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development;...*
- ...(x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;...*
- ...(zb) *any other planning consideration the local government considers appropriate."*

Policy Implications

Shire of Mingenew Local Planning Scheme No.4 was adopted for final approval by Council at its 17 April 2019 meeting and subsequently forwarded to the WAPC seeking Ministerial approval and gazettal. Scheme No.4 is therefore considered a 'seriously entertained document' that can be given regard by Council in the assessment of this application.

During the preparation of Scheme No.4 the current outbuilding area, height and boundary setback requirements were reviewed with regard to how they might be refined to better meet community demand and Council expectations. Council adopted, following advertising, the Shire of Mingenew 'Outbuildings' Local Planning Policy at its 17 April 2019 meeting.

The current 'Outbuildings' Local Planning Policy increases the area and height requirements for residential lots under 1,500m² (such as Lot 18) from 55m²(zincalume)/75m²(colorbond & masonry) to 80m² area.

A proposed update to the current 'Outbuildings' Local Planning Policy as contained in the 21 August 2019 Council Agenda recommends that the 3m wall height and 4m total height for lots less than 1,500m² (such as Lot 18) be increased to 4m and 5m respectively.

The new Outbuildings Policy also lists the following:

"Objectives

- 1 *To provide development standards for outbuildings specific to the Shire of Mingenew, as appropriate.*
- 2 *To provide a clear definition of what constitutes an "outbuilding".*
- 3 *To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.*
- 4 *To limit the visual impact of outbuildings.*
- 5 *To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.*
- 6 *To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property."*

"Policy Provisions

General

- 1 *Pre-fabricated garden sheds, "cubby houses", kennels and other animal enclosures (such as aviaries, stables) less than 9m² in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the house, and of a design and colour considered in keeping with the amenity of the area by the local government.*

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- 2 *Other than for general storage and/or agricultural purposes an outbuilding shall not be used for any commercial or industrial use without prior approval from Council.*
- 3 *The storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.*

Height, Size and Setbacks

Outbuildings within the Residential, Rural Townsite or Tourism zones shall;

- (a) be single storey;*
- (b) be located behind any dwelling on site;*
- (c) meet all setback requirements set out in the Local Planning Scheme and this policy;*
- (d) not be approved by the local government on a lot not containing a dwelling;*
- (e) be attached to, or setback 1.8m from any dwelling and 1.2m from any septic tank."*

A Local Planning Policy does not bind the local government in respect of any application for planning approval, but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

Financial Implications

The application would not have a budgetary impact to Council.

Strategic Implications

The Mingenew Townsite Local Planning Strategy notes in Section 4.26 'Architectural Style' that:

"In keeping with the rural nature of the community many homes have open style fencing, larger sheds and outbuildings, rain water tanks and other modern improvements."

Council adopted its Outbuildings Policy at its 17 April 2019 meeting as part of the Scheme Review process that recognised that the Outbuilding provisions as contained within Scheme No.3 were too onerous, as was recommended by the Strategy in Section 6.6:

"Urban Design P5.8

The development standards for outbuildings in Clause 5.17 of TPS3 should be relaxed to accommodate larger outbuildings."



To whom this concerns,

Regarding the proposed variations to the carport at 33 BRIDE STREET MINGENOW WA 6530

On behalf of Anthony Smyth of the above address Shoreline Outdoor world verify that the proposed variation to the carport at the above address will;

A – Still provide adequate direct sun due to there being enough and the same remaining open space to the surrounding yard.

B – The carport will not impact on ventilation as there are no walls to the carport and air freely flows through. This in turn will not affect the free-flowing air to adjoining properties.

C – There is no direct impact on the building bulk on the adjoining properties as this is a replacement for what is already there.

D - There are no extra overlooking issues present or will be caused by erecting a carport in this position, further there is no added height to the floor level of this patio that could cause an overlooking issue to adjoining properties. The owner requires this carport to house a horse float to protect it from the elements

Shoreline Outdoor world trust that these explanations will suffice in order to progress the planning application, however should you require further information please let us know.

Yours sincerely

Kitty Boyes

Kitty Boyes on behalf of Shoreline Outdoor World

Shoreline Out Door World 66 Flores Road , Geraldton . WA 6530 PO Box 3223 , Bluff Point , Geraldton WA Tel. 99644447 Fax 99217119 leon@shorelineodw.com.au	Owner - Anthony Smyth Address - 33 Bride Street , Mingenew Proposed - carport Scale 1: 200 Block area
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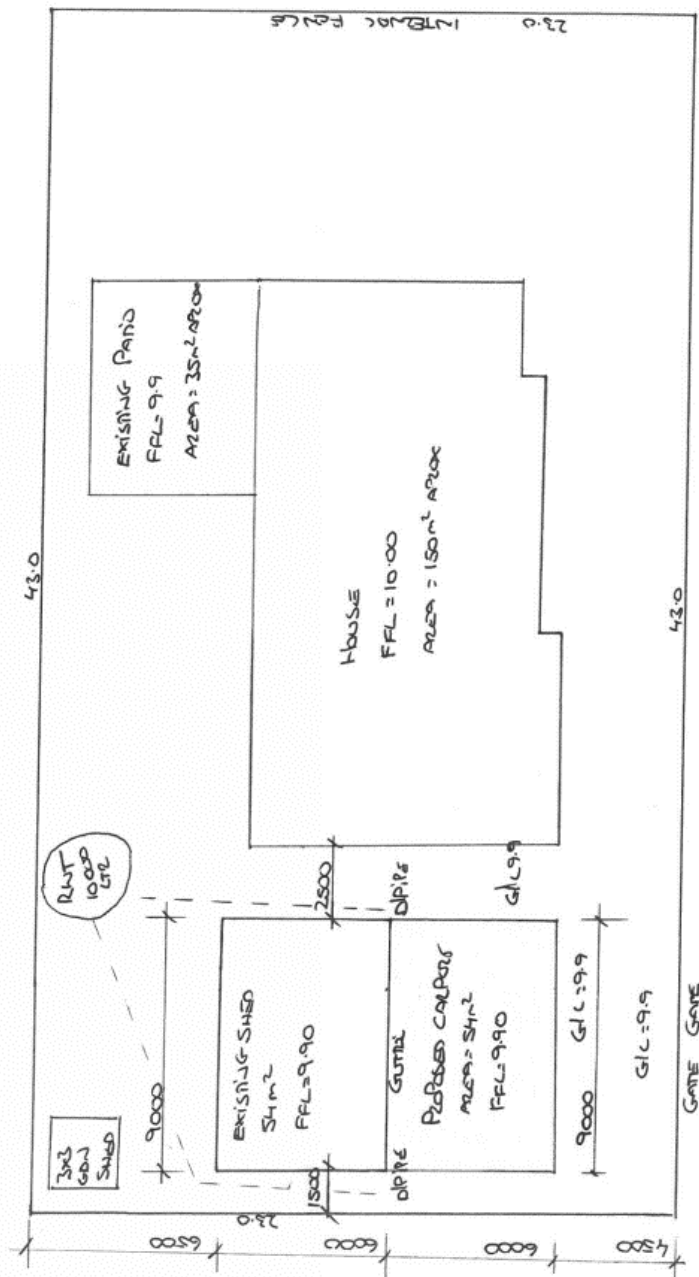
All storm water run off is to be directed away from footings and boundaries by the owner

ROD ST.



Drainage
 Total carport area = 54m²
 54 x 9 ÷ 60 = 0.81m²

Rain water tank in place
 is 10000 Ltr



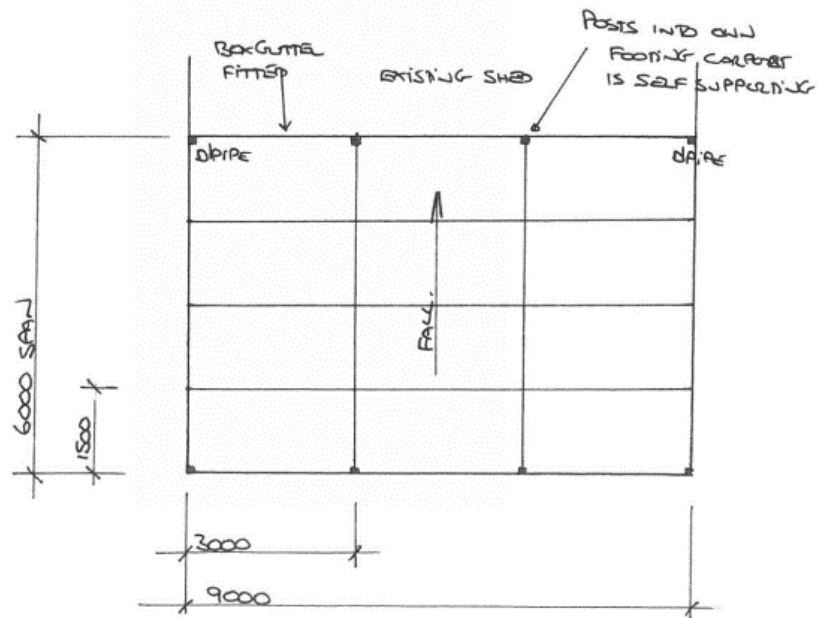
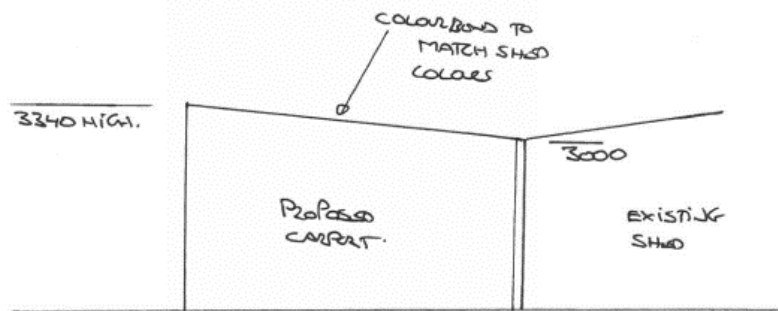
PHILLIP STREET

Shoreline Out Door World

66 Flores Road , Geraldton . WA 6530
PO Box 3223 , Bluff Point , Geraldton WA
Tel. 99644447 Fax 99217119
leon@shorelineodw.com.au

Owner - **Anthony Smyth**
Address - **33 Bride Street (cnr of phillip street)**
Proposed - **carport**
Scale 1: **100**
Block area

All storm water run off is to be directed away from footings and boundaries by the owner



11.2 GERALDTON ALTERNATIVE SETTLEMENT AGREEMENT

Location/Address: various lots
Name of Applicant: Department of Planning, Lands & Heritage
Disclosure of Interest: Nil
File Reference: ADM0491
Date: 9 August 2019
Author: Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer: Nils Hay, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

Council is in receipt of further correspondence from the Department of Planning, Lands & Heritage seeking comment in relation to 6 freehold lots within the Shire of Mingenew that have been identified as areas of interest for the native title claimants and are currently being considered for inclusion into the Indigenous Land Use Agreements.

OFFICER RECOMMENDATION – ITEM 11.2

That Council endorses and forwards the Shire response to the Department of Planning, Lands & Heritage as outlined in Attachment 11.2.

Attachment

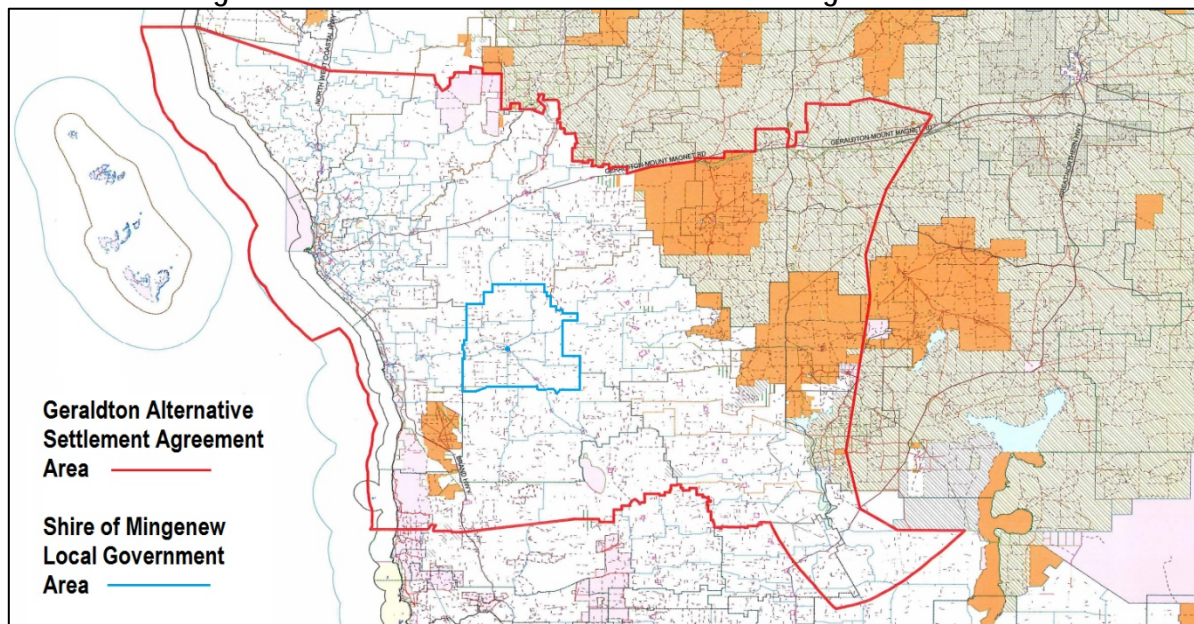
Attachment 11.2 - draft Shire response for Council discussion (provided as separate CONFIDENTIAL Attachment)

Background

The State of Western Australia is currently negotiating an alternative native title settlement in the greater Geraldton region with four native title claimant groups (Southern Yamatji, Hutt River, Widi Mob and Mullewa Wadjari).

The State's proposal, under the Geraldton Alternative Settlement Agreement ('GASA') is that a settlement package will be agreed in exchange for the surrender of all native title rights and interests within the external boundaries of the GASA.

Figure 11.2 – Geraldton Alternative Settlement Agreement Area



Negotiations may include the following matters:

- development of, and initial support for, appropriate governance structures to ensure successful implementation of a final agreement;
- a heritage regime based on the Government Standard Heritage Agreement;
- **provision by the State of a land base;**
- joint vesting and/or management of conservation areas, including areas not yet reserved for conservation purposes;
- development of a ranger program;
- financial assistance for business and economic development opportunities; &
- recognition of traditional ownership.

The State's offer under the GASA includes provision by the State of a land base to the claimant groups. The negotiation of this part of the agreement entails members of the groups' Traditional Owner Negotiation Team selecting various parcels of land within the agreement area which they seek to have transferred to them, or management thereof. The Department of Planning, Lands & Heritage is responsible for reviewing these parcels to identify which of them might be eligible for transfer, what is the appropriate tenure and under what conditions (e.g. freehold, leasing, sole management or joint management of reserves).

Comment

The Department of Planning, Lands & Heritage are seeking Council's comment upon 6 lots with respect to the following:

- "1 Are there any future proposals for the land identified? If so, in what time frame?"*
- 2 Are there any future proposals for any adjoining land which may impact on the proposed transfer of the land identified?"*
- 3 Are there any proposed planning scheme amendments which may affect the land identified? If so, in what time frame?"*
- 4 Are there any known land management issues with the land identified e.g. contamination etc?"*

Separate CONFIDENTIAL Attachment 11.2 provides maps and comments upon the 6 lots and it is suggested that this form the basis for Council's discussion and response to the Department of Planning, Lands & Heritage.

The Department of Planning, Lands & Heritage have advised that the parties to the proposed agreement are negotiating under tight timeframes imposed by the Federal Court and the Shire comment is required to be provided by 19 September 2019.

Consultation

The Department of Planning, Lands & Heritage advised the Shire on 21 December 2018:

"Please note that this process is being carried out in the context of a Federal Court mediation which is confidential. Accordingly, you are not permitted to share any of the matters pertaining to this referral to a third party."

In relation to Council's query arising from its 19 September 2018 meeting the Department of Planning, Lands & Heritage advised the Shire on 23 October 2018:

"Please note that the GASA team will not be referring to adjoining land owners, noting that this Agreement is mediated by the federal court. The GASA Team will be referring to Main Roads WA

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and the Department of Biodiversity, Conservation and Attractions, as well as a number of other agencies, for comments.”

The Department of Planning, Lands & Heritage have also advised that the Shire’s comments may be provided to the Traditional Owner Negotiation Team members for their consideration.

Statutory Environment

Section 14 of the *Land Administration Act 1997* requires that:

“Before exercising in relation to Crown land any power conferred by this Act, the Minister must, unless it is impracticable to do so, consult the local government within the district of which the Crown land is situated concerning that exercise.”

Policy Implications

Nil.

Financial Implications

The GASA is following a similar process to that previously undertaken for the South West Native Title Claim Area, which is at a more advanced stage, that also sought to identify Unallocated Crown Land that might be either transferred to the Noongar Boodja Trust as freehold title or leasehold or managed reserves. The South West Native Title Settlement Fact Sheet, previously prepared by the Department of Premier & Cabinet in 2015 for that process, provides some general guidance on frequently asked questions, noting that:

“What is the difference between Freehold land and Managed Reserve Land?”

Each form of land tenure has different benefits.

Freehold is land that the Noongar Boodja Trust will own like any other private land owner in the State. It allows for the land to be developed, used for commercial purposes, used as security against loans, or to be sold. Like all other freehold land, there are costs that must be met, including local government rates and charges, insurance, fire service levies and any land management cost.

Managed reserves are areas of Crown land that has been reserved for a particular purpose. The Trustee will consult with the Noongar community as to the use of any individual reserve – i.e. whether it is held for particular Noongar social, cultural, or economic benefit, whether it can be subdivided, and so on.”

“Will the Noongar Boodja Trust need to pay rates on the Freehold land allocated under the Settlement?”

As the owner of the freehold land, the Noongar Boodja Trust will be required to meet the normal costs, including rates or service charges, associated with owning freehold land. Freehold land can be exempted from rates under s.6.26(2)(g) of the Local Government Act 1995 (WA) where that land is used exclusively for charitable purposes. However, if the freehold land is used for a commercial purpose or leased for a commercial enterprise, it will not be exempt from rates.”

Strategic Implications

The Shire of Mingenew Strategic Plan notes the following:

- Objective 2 A sustainable natural and built environment that meets current and future community needs.
- Outcome 2.2 Our indigenous and cultural heritage is acknowledged.
 - 2.2.1 Continue to liaise with the local indigenous and cultural groups (Key Partners: Local community, DCA, DIA)

11.3 OUTBUILDINGS LOCAL PLANNING POLICY

Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0489
Date: 9 August 2019
Author: Simon Lancaster, DCEO / Planning Advisor, Shire of Chapman Valley
Senior Officer: Nils Hay, Chief Executive Officer
Voting requirements: Simple Majority

Summary

The Shire of Mingenew Outbuilding Local Planning Policy has been reviewed with regard to increasing the permitted shed height, and this report recommends that the revised Outbuildings Local Planning Policy be adopted.

OFFICER RECOMMENDATION – ITEM 11.3

That Council resolve, pursuant to Schedule 2 Part 2 Clause 5(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to adopt the Shire of Mingenew 'Outbuildings' Local Planning Policy as contained in Attachment 11.3 and proceed to give notice to this effect.

Attachment

Attachment 11.3 – draft Shire of Mingenew Outbuildings Local Planning Policy

Background

Council discussed at its July 2019 Forum whether the current maximum height requirements under its Outbuildings Policy met with the needs of its community, with consideration given to raising the maximum height by 500mm.

Comment

It is appropriate that the Outbuildings Policy be modified to allow for slightly higher sheds in the Mingenew townsite where residents may often own, and seek to store out of the elements, larger items such as 4WD's, trailers, horse-floats, caravans, campervans and boats.

A review of the policies for several neighbouring Midwest local governments confirms that increasing the Shire of Mingenew Outbuilding Policy height requirements would achieve a level of regional consistency, better reflect localised planning issues, and streamline the processing of applications.

Maximum standards	Shire of Mingenew	Shire of Three Springs*	Shire of Coorow	City of Greater Geraldton
Residential & Townsite (R10 and higher density) (i.e. lots generally < 1,500m²-2,000m²)				
Area (total aggregate)	80m ²	80m ²	120m ²	150m ² (120m ² enclosed/30m ² open)
Wall Height	3m	4m	4m	3.6m
Overall Height	4m	5m	4.5m	4.5m (with 5m permitted subject to conditions e.g. not being higher than dwelling)
Residential (R5 and lower density) (i.e. lots generally > 1,500m²-2,000m²)				
Area (total aggregate)	200m ²	80m ²	180m ²	270m ² (210m ² enclosed/60m ² open)
Wall Height	4m	4m	4.5	4.2m
Overall Height	5m	5m	5m	5m (5.5m permitted subject to conditions e.g. not being higher than dwelling)

* draft currently being advertised

On this basis a revised Outbuildings Local Planning Policy has been provided as **Attachment 11.3** for Council's consideration, the proposed modifications to the policy have been **displayed in red in the attachment** to be of assistance. The draft policy proposes to increase by 1m the outbuilding height requirements for Residential and Rural Townsite lots less than 1,500m², this would mean an increase in the maximum wall height from 3m to 4m, and the total (i.e. roof pitch) height from 4m to 5m.

The current and draft policy establish the procedure by which the Shire processes applications for outbuildings. Applications that comply with the policy provisions are approved by staff under delegated authority and applications that propose variation are advertised for comment and presented to Council for its determination.

Consultation

Schedule 2 Part Division 2 Clauses 4 & 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that Council advertise a proposed Local Planning Policy for a minimum period of 21 days with a notice being placed in a locally circulating newspaper. At the conclusion of the advertising period which Council can review any submission received and proceed with the policy with/without modification, or not proceed with the policy.

Council may therefore wish to advertise the proposed modification to its Outbuildings Policy and consider this matter again at a future meeting.

However, the Officer Recommendation does not suggest that consultation be undertaken, as the proposed modification is considered minor, given that it seeks to achieve height consistency within the Shire of Mingenew's Residential and Rural Residential zones, and also consistency with that of neighbouring Shires' policies.

The current and draft Outbuildings Policy requires that shed applications seeking variation to the requirements of the policy (i.e. 'overheight' or 'oversized') are advertised by the Shire for comment to surrounding landowners, prior to the application, and any received submissions, being placed before a meeting of Council for consideration.

Statutory Environment

Schedule 2 Part 2 Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations') provides Council with the ability to prepare Local Planning Policies.

"3 Local planning policies

- (1) The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
- (2) A local planning policy —*
 - (a) may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
 - (b) may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*
- (3) A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.*
- (4) The local government may amend or repeal a local planning policy.*
- (5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.*

4 Procedure for making local planning policy

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- (1) *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
 - (a) *publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —*
 - (i) *the subject and nature of the proposed policy; and*
 - (ii) *the objectives of the proposed policy; and*
 - (iii) *where the proposed policy may be inspected; and*
 - (iv) *to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
 - (b) *if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
 - (c) *give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
 - (2) *The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).*
 - (3) *After the expiry of the period within which submissions may be made, the local government must —*
 - (a) *review the proposed policy in the light of any submissions made;*
and
 - (b) *resolve to —*
 - (i) *proceed with the policy without modification; or*
 - (ii) *proceed with the policy with modification; or*
 - (iii) *not to proceed with the policy.*
 - (4) *If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.*
 - (5) *A policy has effect on publication of a notice under subclause (4).*
 - (6) *The local government —*
 - (a) *must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and*
 - (b) *may publish a copy of each of those local planning policies on the website of the local government.*
- 5 *Procedure for amending local planning policy*
 - (1) *Clause 4, with any necessary changes, applies to the amendment to a local planning policy.*
 - (2) *Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.*
- 6 *Revocation of local planning policy*

A local planning policy may be revoked —

 - (a) *by a subsequent local planning policy that —*
 - (i) *is prepared in accordance with this Part; and*
 - (ii) *expressly revokes the local planning policy;*
 - or
 - (b) *by a notice of revocation —*
 - (i) *prepared by the local government; and*
 - (ii) *published in a newspaper circulating in the Scheme area."*

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It is suggested that the proposed increase in policy delegation relevant to outbuilding height is minor in nature and could be considered under Schedule 2 Part 2 Clause 5(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (i.e. without advertising) however, should Council wish to advertise the draft policy for comment it has the ability to do so.

Policy Implications

Where Council wishes to establish its own development guidelines and assessment criteria a Local Planning Policy can be more suited than Scheme provisions and allow for more local planning considerations than the state-wide R-Codes. A Policy is still considered as reasonable basis for Council to make determinations, and is an instrument that must be given due regard in instances where a development decision is appealed to the State Administrative Tribunal, but a Policy also has an improved, more responsive ability to be modified by Council where it considers that a Policy is no longer in-line with its planning, or Council considers that an individual application should be supported based upon its displayed merits.

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of Local Planning Policies aid in guiding the type and standard of development the Council views as appropriate within particular areas of the Shire and provide a consistent approach to approving land use and development.

In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Financial Implications

The application would not have a budgetary impact to Council.

Strategic Implications

The Mingenew Townsite Local Planning Strategy notes in Section 4.26 'Architectural Style' that:

"In keeping with the rural nature of the community many homes have open style fencing, larger sheds and outbuildings, rain water tanks and other modern improvements."

Council adopted its Outbuildings Policy at its 17 April 2019 meeting as part of the Scheme Review process that recognised that the Outbuilding provisions as contained within the Scheme were too onerous, as was recommended by the Strategy in Section 6.6:

"Urban Design P5.8

The development standards for outbuildings in Clause 5.17 of TPS3 should be relaxed to accommodate larger outbuildings."



OUTBUILDINGS

LOCAL PLANNING POLICY

PURPOSE

Local Planning Policies assist the local government in making decisions under the Scheme.

It is not intended that a policy be applied rigidly, but each planning application be examined on its merits, with the objectives and intent of the policy the key for assessment. However, it should not be assumed that the local government, in exercising its planning discretion, will be limited to the policy provisions and that mere compliance will result in an approval.

The Shire encourages applicants to produce innovative ways of achieving the stated objectives and acknowledges that these may sit outside the more traditional planning and architectural approaches. In these instances, the local government is open to considering (and encourages) well-presented cases, during pre-application consultation, having due regard to the outcome of any public consultation undertaken and the orderly and proper planning of the locality.

SCOPE

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination. The Scheme prevails should there be any conflict between this Policy and the Scheme.

OBJECTIVES

1. To provide development standards for outbuildings specific to the Shire of Mingenew, as appropriate.
2. To provide a clear definition of what constitutes an "outbuilding".
3. To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.
4. To limit the visual impact of outbuildings.
5. To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.
6. To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property.

DEFINITIONS

'Outbuilding' means an enclosed non-habitable structure that is detached from any dwelling. For the purpose of this policy an open sided, roofed patio completely detached from the dwelling is also considered an outbuilding. For the purpose of this policy a non-enclosed addition to an existing outbuilding (e.g. veranda, patio, lean-to or carport etc.) shall constitute an extension to that outbuilding.

'Front Building Line' means the closest point of a house to the front boundary, drawn parallel to the that boundary. In the case of a corner lot, the front building line applies to both streets.

POLICY PROVISIONS

General

1. Pre-fabricated garden sheds, "cubby houses", kennels and other animal enclosures (such as aviaries, stables) less than 9m² in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the house, and of a design and colour considered in keeping with the amenity of the area by the local government.
2. Other than for general storage and/or agricultural purposes an outbuilding shall not be used for any commercial or industrial use without prior approval from Council.
3. The storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.

Height, Size and Setbacks

Outbuildings within the Residential, Rural Townsite or Tourism zones shall;

- (a) be single storey;
- (b) be located behind any dwelling on site;
- (c) meet all setback requirements set out in the Local Planning Scheme and this policy;
- (d) not be approved by the local government on a lot not containing a dwelling;
- (e) be attached to, or setback 1.8m from any dwelling and 1.2m from any septic tank.

The following maximum standards apply to outbuildings:

Zone / Lot Size	Maximum area (m ²)	Maximum wall length (m)	Maximum wall height (m) (to be measured at natural ground level)	Maximum roof height (m)
Rural, Rural Residential	Exempt from the area and height requirements of this policy			
All other zones - on lots under 1,500m ²	80	10	4	5
All other zones - on lots over 1,500m ²	200	N/A	4	5

(Table 1 – Site layout requirements)

Materials

The use of uncoated metal sheeting (i.e. zincalume or corrugated iron) is only permitted upon land zoned 'Rural Residential' or 'Rural'.

Consultation

Applications that propose variation to any part of the Policy may require consultation with effected owners and/or occupiers, by means of the Shire writing directly to the surrounding landowners inviting comment, and placement of an advisory sign on-site for a period of not less than 14 days, prior to the application and any received submissions being placed before a meeting of Council for consideration.

Note: The advertising of a received application that proposes variation to any part of the Policy is undertaken to make the proposal available for inspection in order to provide opportunity for public comment and it should not be construed that final approval will be granted.

The local government in determining the application will take into account the submissions received but is not obliged to support those views.

ADMINISTRATION

REFERENCES

Shire of Mingenew Local Planning Scheme No.4
Residential Design Codes Western Australia
Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015

ADOPTION

VERSION	STATUS	DATE	REFERENCE
DRAFT V1	Advertising	21/2/18	Minute Ref: 9.4.1
FINAL	Adoption	17/4/19	Minute Ref: 17041908
REVISION 1		21/8/19	

REVIEW

Review timeframe: Annually
Review responsibility: Chief Executive Officer

11.4 DISABILITY ACCESS AND INCLUSION PLAN 2019 - 2024

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0193
Disclosure of Interest: Nil
Date: 5 June 2019
Author: Erin Greaves, Governance Officer
Authorising Officer: Nils Hay, Chief Executive Officer
Voting Requirement: Simple Majority

Summary

An updated 5-year Disability Access and Inclusion Plan (DAIP) is presented for Council consideration in order to meet the Shire's commitment to ensuring that the community is an accessible community for people with a disability, their families and carers. The DAIP provides a framework for understanding local barriers, identifying areas of improvement, and establishing appropriate strategies to provide for people with a disability to have equal access to facilities, services, information and opportunities.

Key Points

- The Shire is required to develop, implement and review a DAIP at least every five years in accordance with the *Disability Services Act 1993*.
- Access refers to the physical ability to get to, into, and around facilities. This access is created by removing structural barriers and including mechanisms to enable structural access. Inclusion refers to the ability to participate as fully as possible in programs and services provided by organisations in an integrated and holistic manner that does not exclude, ostracise, embarrass or humiliate.
- The DAIP affects many operational areas of the Shire including; events, building maintenance and new infrastructure, website development, information provision, communication and recruitment.
- Feedback from the community consultation process considered to develop this Plan is summarised under Consultation within this report and further outlined within the DAIP (from page 6).
- The Implementation Plan can be found within the DAIP (from page 13) which includes the strategies and tasks that are proposed, an estimated timeline for achievement and the responsible officer for each task.

OFFICER RECOMMENDATION – ITEM 11.4

That Council:

1. Notes the submissions received from the community regarding disability access and inclusion, as documented within this report; and
2. Adopts the Shire of Mingenew Disability Access and Inclusion Plan 2019 – 2024 (reference NCR191122) as presented in Attachment 11.4.1.

Attachment

11.4.1 Shire of Mingenew Disability Access and Inclusion Plan 2019-2024

Background

The Shire of Mingenew has prepared a Disability Access and Inclusion Plan (DAIP) 2019-2024 in accordance with the *Disability Services Act 1993*, which outlines the Shire's commitment to improving Council facilities, activities and services for those with a disability. In developing the Plan, the Shire commits to meeting the seven outcomes required:

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1. People with disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.
2. People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.
3. People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.
4. People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.
5. People with disability have the same opportunities as other people to make complaints to a public authority.
6. People with disability have the same opportunities as other people to participate in any public consultation by a public authority.
7. People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

The DAIP is required to be reviewed at least every five years, and as the current DAIP was adopted in 2013 by the Shire, a review was undertaken during the first half of 2019. The new DAIP supersedes the Shire of Mingenew DAIP 2013 – 2019 and includes a progress summary on the strategies that have been progressed since the last DAIP.

Comment

In June 2019 local public notice was provided through the Mingenew Matters, Shire website, Facebook and the Geraldton Guardian, seeking feedback from the community on how to better provide for people with a disability living in and visiting our community. Feedback was encouraged from those with a disability, carers of those living with a disability, businesses and community groups that may be key stakeholders to affected parties.

The DAIP has been developed with the aim of implementing proactive and achievable initiatives that enables the Shire to cater to the access and inclusion needs of anyone with a disability.

Operationally, staff are progressing with a number of initiatives highlighted in the Plan, particularly with regard to improving communication on where and how to access alternative formatted documents and broader community consultation, to factor in access and inclusion needs.

Should Council decide to not accept the presented DAIP, Council risks not meeting its statutory obligations under the Disability Services Act 1993 (the Act) and potential reputational damage in not having consideration for diversity needs.

Consultation

Community consultation – via community survey or direct submissions.

Internal Review

The community consultation process did not identify any specific barriers to equitable access and inclusion. However, there were a number of individual matters raised through the online survey and direct consultation with the Mingenew Silver Chain Branch Committee. The below table summarises and paraphrases the feedback received:

Matter/theme raised	Action proposed to address concern
Councillors, staff and contractors were considered 'not very' friendly and welcoming when interacting with people with a disability (provided by a respondent that cares for or supports someone with a disability).	Update staff on any identified disability and access issues through internal means Develop a Customer Service Charter that establishes some guidelines on how to provide good service to people with a disability

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Lack of awareness of ACROD parking in town	Undertake an audit of dedicated ACROD parking areas and implement a program to rectify non-compliance. Ongoing planning of Phillip Street parking will address this matter in part also.
Desire to see improved access to toilets, the shop, Silver Chain, open spaces and Expo.	Legal requirements with regard to disability access are checked prior to approval of development and building applications. Ensure the needs of people with disability are planned for and provided at events by using the access resource kit as provided by DSC.
Lip of ramp (onto the road) in front of the Post Office/IGA is considered potentially harsh in height for wheelchair users and trolleys.	This specific matter isn't addressed within the Plan. However, the matter will be considered through an operational response.

Whilst these matters have been addressed, as appropriate, within the DAIP, given the limited feedback received, these views do necessarily represent those of the broader community.

Statutory Environment

Disability Services Act 1993

Policy Implications

The DAIP includes an Access and Inclusion Policy Statement:

"The Shire of Mingenew is committed to ensuring that the community is an accessible community for people with disability, their families and carers, via the following:

- The Shire of Mingenew believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice.*
- The Shire of Mingenew is committed to consulting with people with disability, their families and carers and, where required, disability organisations to ensure that barriers to access are addressed appropriately.*
- The Shire of Mingenew is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan."*

The DAIP proposes that the Shire updates its policy framework with the aim of improving information and services for people with a disability, as recommended by the Disability Services Commission. New or amended policies will be presented to Council in accordance with the proposed timeline for each specific task, outlined within the Implementation Plan.

Financial Implications

Whilst there are no direct financial implications for the Shire, there are resourcing implications for staff in reviewing, preparing and reporting on the DAIP. This includes annual Progress Reports to the Department of Communities and ensuring ongoing implementation of the strategies/tasks outlined within the Plan.

Strategic Implications

The DAIP suggests incorporating the objectives and strategies of DAIP into the Shire's existing planning processes, including the Strategic Community Plan. This should be considered when undertake the next SCP Review.

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The Shire's current Strategic Community Plan has a goal to "*Develop health care and recreation services for all the community to ensure the well-being and health of all age groups within the community.*" The DAIP progresses achievement of this goal in addressing diversity and inclusiveness that supports people living in Mingenew.

11.5 SELECT COMMITTEE INTO LOCAL GOVERNMENT

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0059
Disclosure of Interest: Nil
Date: 14 August 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirement: Simple Majority

Summary

Western Australia Local Government Association (WALGA) have prepared a submission to the Select Committee into Local Government, and Council have been afforded an opportunity to provide any feedback.

Key Points

The proposed Shire of Mingenew / WALGA submissions:

- call for differentiation of local governments (and associated compliance burden) on the basis of size and scale
- support existing calls to try to make the new regulatory framework less complex and 'cluttered'
- seek to prevent the State from imposing responsibilities on Local Government without provision of resources to meet those responsibilities
- call for a review into rating exemptions
- seek to access additional funding (through the State's Waste Avoidance and Resource Recovery Levy) to support Local Government in the ongoing improvement and modernisation of waste management practices
- highlight the fact that half of the spending on WA roads is borne by Local Government rates and other revenues
- note the gap between the amount spent on WA road maintenance (\$584m) is well short of the amount believed to be required to maintain it to a reasonable standard (\$717m)
- seek to outline – beyond the traditional 'roads, rates and rubbish' the many other functions that local government performs, including Tourism; Economic development; Community events; Parks and recreation; and Libraries, museums, cultural activities etc.
- raise the issue of a decline in the resourcing of the Department of Local Government and its ability to support and respond to issues within the sector
- seek to clarify the role/responsibilities of Councillors and CEO within the legislative framework
- note the importance of Financial Assistance Grants as a revenue source, and the desire to see them restored to 1% of Commonwealth Taxation Revenue (as they were in 1996 – currently at 0.55%)

OFFICER RECOMMENDATION – ITEM 11.5

That Council endorses the Shire of Mingenew - Select Committee into Local Government submission, prepared by the Chief Executive Officer as attached; to be submitted to the Select Committee.

Attachment

- 11.5.1 Proposed Shire of Mingenew submission to the Select Committee
11.5.2 WALGA Select Committee into Local Government submission

Background

Please refer to the attachments regarding WALGA's consultation conducted on behalf of the local government sector and note the submission prepared by the Chief Executive Officer.

Consultation

WALGA

Statutory Environment

Local Government Act 1995 and associated regulations.

Policy Implications

The Select Committee may make recommendations with respect to the Local Government Act Review process which could have further policy implications for local governments.

Financial Implications

There are various financial implications outlined within the submission that may impact local governments should there be any changes to the Local Government Act and associated Regulations resulting from the Select Committee's review.

Strategic Implications

Some of the proposed changes would significantly impact the Shire's strategic position, potentially reducing some of the financial, governance and resourcing burdens placed on the Shire of Mingenew, increasing revenue/funding opportunities and simplifying legislative requirements that will enable the Shire to better focus resources on community aspirations (as outlined within its Strategic Community Plan).

12.0 FINANCE

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JULY 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 14 August 2019
Author: Jeremy Clapham – Finance Manager

Summary

This report recommends that the Monthly Financial Report for the period ending 31 July 2019 as presented to the Council be received.

Key Points

- Format of monthly financial reports have changed slightly in line with amendments to standard template to reflect regulatory changes for FY19-20
- Variances at this point are generally timing-based

OFFICER RECOMMENDATION – ITEM 12.1

That the Monthly Financial Report for the period 1 July 2019 to 31 July 2019 be received.

Attachment

Monthly Financial Report for period ending 31 July 2019

Background

The Monthly Financial Report to 31 July 2019 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

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

Comment

Summary of Funds – Shire of Mingenew as at 31 July 2019	
Municipal Fund	\$692,769
Cash on Hand	\$100
Restricted Funds – 3 Month Term Deposit @ 2.50%	\$147,000
Trust Fund	\$15,365
Reserve fund (3 Month Term Deposit) @ 2.50%	\$308,490

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

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2019/20 financial year.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

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

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

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the local government.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 April 2019

- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

No financial implications are indicated in this report.

Strategic Implications

Nil

12.2 LIST OF PAYMENTS FOR THE PERIOD ENDING 31 JULY 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Attachment/s: List of Payments – July 2019
Disclosure of Interest: Nil
Date: 2 August 2019
Authorising Officer: Jeremy Clapham, Finance Manager
Voting Requirement: Simple Majority

Summary

This report recommends that Council receive the list of payments for period ending 31 July 2019 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Key Points

- Due to a system error Municipal EFT12609 to EFT12660 are cancelled payments.

OFFICER RECOMMENDATION

That Council receive the attached list of payments for the month of July 2019 as follows:

\$13,244.48	Municipal Cheques 8609 to 8612;
\$425,089.52	Municipal EFT12661 to EFT12759;
\$5,135.74	Trust EFT12756;
\$10,187.31	Municipal Direct Debit Superannuation payments;
\$49,252.47	Municipal Direct Debit Department of Transport (Licencing) Payments;
\$1,247.19	Municipal Direct Debit National Australia Bank Credit Card and Fees; and
\$21,256.70	Municipal Direct Debit Other.

Totalling \$525,413.41 as per attached list of payments.

Net Salaries not included in the attached list of payments - \$64,461.45

Total of all payments - \$589,874.86.

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.

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 April 2019

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

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

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

15.0 CONFIDENTIAL ITEMS

Nil.

16.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 18 September 2019 commencing at 4.30pm.

17.0 CLOSURE

These minutes were confirmed at an Ordinary Council meeting on 18 September 2019.

Signed _____
Presiding Officer

Date: _____



ATTACHMENT BOOKLET FOR ORDINARY COUNCIL MEETING

21 August 2019 at 4.30pm

ATTACHMENT 7.1.1

Original Minutes of the July 17 2019 Ordinary Council Meeting



MINUTES FOR THE ORDINARY COUNCIL MEETING

17 JULY 2019

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**MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON
17 JULY 2019 COMMENCING AT 4.30pm**

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President HM Newton declared the meeting open at 4:30pm and welcomed all in attendance.

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

HM Newton	President	Town Ward
RW Newton	Deputy President	Rural Ward
JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Rural Ward
KJ McGlinn	Councillor	Town Ward
AR Smyth	Councillor	Town Ward

APOLOGIES

LM Eardley	Councillor	Town Ward
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STAFF

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

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

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

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 DECLARATIONS OF INTEREST

Nil.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY MEETING HELD 19 JUNE 2019

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 7.1 - Resolution 19071701

Moved: Cr Bagley Seconded: Cr Newton

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 19 June 2019 be confirmed as a true and accurate record of proceedings.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil.

9.0 DECLARATIONS OF INTEREST

Nil.

10.0 REPORTS/MINUTES OF COMMITTEES

10.1 SHIRE OF MINGENEW AUDIT AND RISK COMMITTEE MEETING HELD 09 JULY 2019

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 10.1 - Resolution 19071702

Moved: Cr Newton Seconded: Cr Smyth

That the minutes of the Local Emergency Management Committee meeting of the Shire of Mingenew held in the Council Chambers on 9 July 2019 be received.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

11.0 REPORTS BY THE CHIEF EXECUTIVE OFFICER

11.1 NATIONAL REDRESS SCHEME

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0523
Date: 1 July 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To seek Council feedback with regard to their preference and capacity to join the National Redress Scheme.

Key Points

- The Royal Commission into Institutional Responses to Child Sexual Abuse prompted the establishment of the National Redress Scheme
- Scheme to provide opportunity for victims of institutional child sexual abuse, outside of the civil litigation process, to apply for a direct personal response from the responsible institution, access counselling and psychological care and be compensated up to \$150,000
- The Royal Commission also recommended Local Governments establish Child Safety Officer functions within their workforce to foster ongoing child safety messaging and support
- Support conditional upon joining the scheme not resulting in an increased cost or administrative burden to local government
- Position endorsed by WALGA Northern Country Zone
- Local governments are asked to consider their capacity to: source and provide records within prescribed timeframes (further information on page 8 of WALGA Discussion Paper); deliver a Direct Personal Response in the requested manner (page 9); and, financially compensate the claim (page 10)
- LGIS Liability covers a member for '*all sums which the member shall become legally liable to pay for compensation.... in respect of ... personal injury*' (further information available on page 5 of LGIS Update)
- It is believed that the risk of exposure for Shire of Mingenew is relatively low and, as a result, joining the Scheme and showing support for it is desirable from both a financial and reputational standpoint

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.1 - Resolution 19071703

Moved: Cr Smyth Seconded: Cr Newton

That Council endorses the position of the Northern Country Zone of WALGA, and advises the Western Australia Local Government Association (WALGA) that it agrees to join National Redress Scheme as a State Government entity under the following conditions:

- 1. Local Governments Child Safety Officer positions from existing staff profiles:**
 - a) This position must be fully funded by the State and/or Commonwealth government and cost is not an imposition on the local government (i.e. not another costs-shifting exercise);**
 - b) A regional approach could be considered by a group of local government authorities if this is considered appropriate and effective, rather than expecting every individual local government authority to establish a new position, or incorporate the tasks required of the position into existing staff profiles;**
 - c) There must be stringent legal processes and protections in place to ensure the reporting officer is not exposed for not reporting an incident or reporting something which is false or vexatious.**
- 2. Areas of the local government to establish the Child Support Officer designation in supporting the community to create child safe environments:**

- a) There is no specific position in small local government authorities which is best suited to undertaking the role as a Child Safety Officer and this should be determined by the individual local government authority;
 - b) All sporting and recreation institutions, including arts, culture and hobby groups, that engage with or provide services to children should implement and comply with the Child Safety Standards including Working with Children Check requirements;
3. Training, resources and support required by the local government to successfully implement designated Child Safety Officers:
- a) Initial and ongoing training, resources and support of the local government authority and the proposed Child Support Officer needs to be fully funded by the Commonwealth and/or State government and not be at the cost of the local government;
 - b) Any agency established for administering the reporting requirements of local government authorities must be there to support the process, not simply a regulatory body with a focus on compliance by a local government authority;
 - c) Help desk, legal support and advice needs to be provided and readily available to the Child Support Officer and the local government authority, with this being the predominant purpose of any such agency.
4. Supporting local government with the implementation of Child Safety Officers:
- a) Any agency established for accepting and determining outcomes of matters reported by the local government should provide legal representation on behalf of the local government and any staff in the event of legal action taken against the Child Support Officer and/or local government. Any legal costs must not be the local government authority's responsibility;
 - b) Legislation introduced for the proposed reportable conduct scheme must incorporate stringent processes and protections in place to ensure the reporting officer and local government authority are not legally exposed for not reporting an incident, or reporting something, which is proven to be false or vexatious;
 - c) There must be strong legal processes and procedures in place to deal with the vexatious complainants creating issues based on conspiracy theories, rumour and innuendo and for those proven to have submitted complaints without basis dealt with under any proposed legislation (e.g. prosecution, infringement).
5. Source and Provide Records:
- Agree to being responsible for sourcing and providing records within prescribed timeframes under the condition such responsibility will not result in any additional resources being required of the Shire;
6. Deliver and Provide Personal Response:
- Agree to being responsible for delivery of a Direct Personal Response in the requested manner timeframes under the condition such responsibility will not result in any additional resources being required of the Shire;
7. Financially Compensate the Claim:
- The State Government is responsible for financial compensation of all claims;

8. Insurance:

The Local Government's insurance policies and premiums are in no way adversely affected by its agreement to join National Redress Scheme as a State Government entity.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

- 11.1.1 WALGA National Redress Scheme Discussion Paper
- 11.1.2 LGIS National Redress Scheme Update
- 11.1.3 Northern Country Zone of WALGA Minutes of meeting held 26 June 2019

Background

Western Australian Local Government Association (WALGA) has provided the following background on the National Redress Scheme (NRS):

"The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions, and to protect, report and respond to child sexual abuse.

The Royal Commission released three reports throughout the inquiry: Working with Children Checks (August 2015), Redress and Civil Litigation (September 2015) and Criminal Justice (August 2017). The Final Report (Final Report) incorporated findings and recommendations of the previously released reports and was handed down on 15 December 2017.

The National Redress Scheme formally commenced operation on 1 July 2018 and involves:

- People who have experienced institutional child sexual abuse who can apply for redress*
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications*
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme*
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse, and*
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.*

The National Redress Scheme offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested*
- Funds to access counselling and psychological care, and*
- A monetary payment of up to \$150,000 (average payment expected to be approximately \$76,000).*

The Scheme is being administered by the Commonwealth Government and all State and Territory Governments have formally joined the Scheme. Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

The WA Parliament passed the legislation required to allow the Government and WA based non-government institutions to participate in the Scheme. The National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (WA) took effect on 21 November 2018.

The WA Government commenced participation in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit has been established within the Office of the Commissioner for Victims of Crime, Department of Justice and will:

- Act as the State Government's single point of contact with the Scheme
- Coordinate information from State Government agencies to the Scheme, and
- Coordinate the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

State Government, through the Department of Local Government, Sport and Cultural Industries (DLGSC), with the support of WALGA, are consulting all Local Governments' on their preference and capacity to join the National Redress Scheme, with one option to join as a State Government agency under the definitions contained within the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

In considering the preferred options there are three critical considerations for Council to be cognisant of in regarding the local government authorities' capacity as a participating organisation including:

1. Source and provide records within prescribed timeframes
2. Deliver a Direct Personal Response in the requested manner
3. Financially compensate the claim"

WALGA has provided the following list of Opportunities and Challenges regarding the chose to join, or not join the National Redress Scheme as a State Government entity:

Join Scheme (National Redress Scheme)	
Opportunities	Challenges
<ul style="list-style-type: none"> • Clearly defined eligibility criteria • Consistency and capping of compensation payments • Releases institution from civil liability • Minimising likelihood of re-traumatisation for victim/survivor • Increased perception of justice and procedural fairness is promoted provided protection for LGs • Display of accountability and transparency of Local Government • National consistency and legislative safeguarding • Supports the principle of accountability promoted by the Royal Commission 	<ul style="list-style-type: none"> • Ratepayers don't get a say • WA Criminal Code may produce conflicting complexity.

Do Not Join Scheme (Civil Litigation Process)	
Opportunities	Challenges
<ul style="list-style-type: none"> • Potential for negotiated settlement • Independence in achieving resolutions • Unlimited timeframes for action • WA Redress Scheme may have addressed some claims. 	<ul style="list-style-type: none"> • A potentially more difficult process for survivors/victims • Additional legal and other expenses • No capped financial claim amount (could exceed \$150k) • Eligibility criteria and standard of proof unrestricted • Unlimited timeframes for action therefore may incur higher legal fees • Potential for socio-political consequences.

The following is stated in the Department of Local Government, Sport & Cultural Industries' (DLGSC) Information and Discussion Paper – Local Government Summary (the Summary) in relation to the direct affect these recommendations are going to have on local government:

“Local Government

The Royal Commission made one key recommendation specifically for local government:

- *With support from governments at the national, state and territory levels, **local governments should designate child safety officer positions from existing staff profiles** to carry out the following functions:*
 - a) *developing child safe messages in local government venues, grounds and facilities;*
 - b) *assisting local institutions to access online child safe resources;*
 - c) *providing child safety information and support to local institutions on a needs basis;*
 - d) *supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds. This recommendation acknowledges local government as the closest tier of government to the community; one that frequently provides an expansive range of direct services, as well as information, support and guidance to community-based organisations and individuals.”*

Comment

It is recommended that the Shire provide conditional support for the National Redress Scheme, outlining:

- the lack of internal capacity to adequately resource a Child Safety Officer from the existing workforce;
- the expectation is that the position would be fully funded by the State and/or Commonwealth government including training and other resources;
- legal processes and protections need to be in place to prevent exposure to adverse risk resulting from false or vexatious claims;
- the support for maintaining the current requirements around Working with Children Checks and complying with the Child Safety Standards

At the Northern Country Zone of WALGA meeting held on 26 June 2019, local governments shared their concerns for resourcing the recommendations and developed a position to feedback through to WALGA and the Department as part of the consultation process. This included a proposal to approach the resourcing requirements regionally.

There was also strong support from other local governments for the establishment of an appropriate and legally sound reportable conduct scheme.

Recommendation 14.1 of the Paper states: *“All sporting and recreation institutions, including arts, culture and hobby groups, that engage with or provide services to children should implement the Child Safety Standards identified by the Royal Commission”*. Should there be any additional responsibilities as a result of this Scheme, there may be resourcing challenges for affected groups. I have therefore recommended that the status quo remain with regard to these requirements.

Consultation

WALGA

LGIS

Northern Country Zone of WALGA

Statutory Environment

National Redress Scheme for Intutional Child Sexual Abuse Act 2018

Policy Implications

The Shire may wish to establish policies and procedures to support the legal obligations and resourcing arrangements once local government responsibilities have been clarified.

Financial Implications

WALGA has stated:

“There are no financial requirements to join the Scheme.

If the preferred recommendation is endorsed as a Statewide position of Local and State Government, there will be no requirement for the local government authority to provide a redress payment in the instance of a claim. There will however need to be a consideration into workforce requirements for the allocation of staff to source records within prescribed timeframes."

However; there may be a resource implication imposed on local government authorities if legislation imposes additional roles and responsibilities on local governments. What the extent of the resource requirements are is unknown.

Strategic Implications

Strategic Community Plan 2017-2027

Strategy 2.1.2 Develop healthcare and recreation services for all the community to ensure the well-being and health of all age groups within the community.

11.2 RFQ 2018/19(6) - PROVISION OF WASTE COLLECTION AND DISPOSAL SERVICES

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: TEN017
Date: 8 July 2019
Author: Neil Hartley, Project Officer
Voting Requirement: Simple Majority

Summary

The existing contract for Mingenew's Waste Collection & Disposal Service is being provided by Avon Waste. The contract is to conclude on 20 September 2019. Requests for Quotation (RFQ) have been called and assessed and the purpose of this item is to propose that Council offer a three-year initial term (+ two-year option) to Cleanaway Operations Pty Ltd, for the provision of a rubbish collection services within the Shire of Mingenew.

Key Points

- Mingenew's current contract for waste collection and disposal services is due to conclude on 20 September 2019
- The new contract is proposed for a 3 year term with the option to extend for a further two years
- An addition to the new contract has been made to allow for the collection of public rubbish bins from Drover's Rest; Enanty Barn; Depot Hill; and Yandanooka Townsite.
- Tenders were invited through WALGA's *VendorPanel* Preferred Supplier Program service
- 3 x submissions were received – from Avon Waste, Cleanaway and Veolia
- The recommendation has been based on the Panel's evaluation (attached), with price being the key factor in determining the preferred contractor after all criteria has been considered
- If the officer's recommendation is to be accepted, Council need to consider a variation that allows for a self-insurance system for Workers Compensation (which the General Conditions of Contract stated would not be accepted)

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.2 - Resolution 19071704

Moved: Cr McGlinn Seconded: Cr Bagley

That Council:

1. **Accepts the tender from Cleanaway Operations Pty Ltd for provision of Waste Collection & Disposal Service for the estimated sum of \$42,337per annum (ex GST) and awards the contract for Waste Collection & Disposal Service (RFQ (2018/19) 6) to Cleanaway Operations Pty Ltd (ABN: 40 010 745 383) for a three year term from 21 September 2019 to 20 September 2022 (plus a two year option at the Shire's discretion);**
2. **Notes and accepts that Cleanaway Operations Pty Ltd holds a self-insurance licence authorising retention of liability and management of workers' compensation claims under the Commonwealth Safety, Rehabilitation and Compensation Act 1988;**
3. **Notes that the eventual fee paid to Cleanaway will be based on the actual number of bin services provided for, and the actual tonnage quantity of waste collected and disposed of;**
4. **Authorises the Shire President and/or Chief Executive Officer to sign the Contract and (if required) affix the Shire's Common Seal; and**
5. **Authorises the CEO to manage the Cleanaway contract, including the provision of possible variations (provided the variation is necessary in order for the goods or services to be supplied, and does not change the general scope of the contract).**

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

- 11.2.1 Request for Quotation
- 11.2.2 General Conditions of Contract
- 11.2.3 CONFIDENTIAL - Request for Quotation Assessment - Waste Collection & Disposal Service *provided under separate confidential cover in accordance with s5.23(2)(c) and (e) of the Local Government Act 1995.*

Background

The Shire of Mingenew entered into a Deed of Agreement (dated 30 November 2017) with Stondon Pty Ltd - trading as Avon Waste - for Refuse and Waste Disposal Services. The term on this contract was for two years commencing 21st September 2017. Whilst the option to negotiate a two-year extension was possible, it was deemed prudent to test the market at this time by calling for a new *Request for Quotation*, utilising the Western Australian Local Government Association's *VendorPanel Preferred Supplier Program* service.

Requests for Quotation (RFQ 2018/19(6) Waste Collection and Waste Disposal Services opened on Monday 20 May 2019 and closed at 9.00am on Friday 07 Jun 2019.

An assessment of the RFQ's was undertaken by Erin Greaves (Governance Officer) and Neil Hartley (Project Officer) – see report attached.

Comment

All three bidders are high quality operators with extensive service delivery history in the waste management services area. Whilst of different corporate sizes and make-ups, all three would be most capable of delivering the service desired by the Shire of Mingenew. Mingenew has in the past used both Veolia and Avon Waste. Price therefore, is the criteria that was the more significant component of the assessment that separated one of the three, from the remaining two.

Cleanaway is the lowest price option. It operates from a Geraldton base and therefore attracted the same Regional Price Preference consideration as Veolia (which also has a Geraldton base). Due to the price differential between Cleanaway and Veolia however, the Regional Price Preference was irrelevant to the outcome in this instance.

All three bidders had non-compliances within the compliance criteria set. Cleanaway, the proposed preferred bidder, has a self insurance system in place for its Workers Compensation and the Shire's Contract highlighted that self insurance was not to form part of the contract. Cleanaway Operations Pty Ltd holds a self-insurance licence authorising retention of liability and management of workers' compensation claims under the Commonwealth Safety, Rehabilitation and Compensation Act 1988 (SRC Act). Confirmation was therefore sought in regard to the acceptability of this matter. Contact was made with Local Government Insurance Services, the Shire's insurers, which advised "*Confirm no issues. There are some large employers around the country who have an exemption from the legislation to have a workers compensation insurance policy. Cleanaway is one of these organisation as is WA local governments. Much like what LGLSWA does for the local government sector, Comcare will have been appointed by Cleanaway to manage their workers compensation claims on their behalf.*" The WALGA Vendor Panel also confirms that Cleanaway has the appropriate exemption to remain compliant with the Vendor Panel requirements. Notwithstanding, if Cleanaway is to remain as the preferred contractor, Council will need to endorse that variation component in light of it being a RFQ requirement.

An additional component was added to the RFQ on this occasion as an option. Namely, that the contractor also collects the public rubbish bins from sites external to Mingenew Townsite (namely, Drover's Rest; Enanty Barn; Depot Hill; and Yandanooka Townsite. The fee for this service is the same rate as for the townsite residential bins (\$1.52/week for collection + \$94/tonne for disposal) or estimated to be about \$1,000pa in total. This is considered to be excellent value and will save Shire resources being allocated to undertake this regular task. It might be that during busy tourist periods, some supplement of collection might be warranted by Shire staff/equipment, but that would be the case irrespective of which option for collection prevailed. 240lt bins will need to be positioned at the various pick up locations.

Consultation

WALGA Vendor Panel and Local Government Insurance Services.

Statutory Environment

The Local Government Act 1995 at S3.57(1) (tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which

another person is to supply goods or services. The Local Government (Functions and General) Regulations 1996 at Cl.11(1) (when tenders have to be publicly invited) clarifies that tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000.

Clause 11(2)(b) however, outlines that tenders do not have to be publicly invited according to the requirements of this Division if the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

Section 50 of the Waste Avoidance and Resource Recovery Act 2007 outlines that (subject to the Environmental Protection Act) a local government may provide or enter into a contract for the provision on its behalf of, waste services. Sections 66 and 67 provides the capacity for local governments to charge a fee for the service of waste collection and disposal.

Policy Implications

The Shire of Mingenew's Purchasing Policy requires three written quotations for an expected purchase in the range of \$40,000 - \$149,999 unless invitations to quote are lodged utilising the Western Australian Local Government Association's *VendorPanel* service. Requests for Quotation opened through the *VendorPanel* service on Monday 20 May 2019 and closed at 9.00am on Friday 07 Jun 2019.

Financial Implications

The Shire provides for an annual budget allocation to conduct its waste collection and disposal activities and charges an annual fee to its residents to fund that service. The anticipated 2018/19 cost for the current service will be about \$59,000, so if waste tonnages remain consistent with previous years, it is expected that there should even be an annual saving by adopting the approximately \$43,000 Cleanaway contract.

Strategic Implications

The Corporate Business Plan 2017-21 outlines that the Shire will have the objective of being "*A sustainable natural and built environment that meets current and future community needs*". This area addresses numerous waste type components (like the Transfer Station and recycling) but does not specifically outline an action/outcome in regard to the weekly refuse collection/disposal service.

11.3 CORPORATE BUSINESS PLAN 2019-2023

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0120
Date: 10 July 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

This report recommends the endorsement of the Shire of Mingenew's Corporate Business Plan 2019-2023

Key Points:

- Document is an operational plan designed to deliver, over 4 years, a portion of the recently adopted 10-year Strategic Community Plan
- Document is reviewed and revised annually
- Updated version of that provided to Councillors at May Concept Forum. Includes input from staff and Councillors from June Concept Forum and July 9 Budget Workshop
- Identifies key projects for next 4 years, responsible parties for delivery and considers resourcing of delivery (refer to page 21 of the Attachment)
- Key part of Integrated Planning framework – and should link back to Strategic Community Plan, Budget, Workforce Plan, Long Term Financial Plan and Asset Management Plan
- For more information, see <https://www.dlgsc.wa.gov.au/localgovernment/strengthening/Pages/Corporate-Business-Plan.aspx>

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.3 - Resolution 19071705

Moved: Cr Bagley **Seconded:** Cr McGlinn

That Council endorses the Shire of Mingenew Corporate Business Plan 2019 – 2023

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 5/1

Attachment

11.3.1 Draft Shire of Mingenew Corporate Business Plan 2019-2023

Background

The Corporate Business Plan ("CBP") is a key component of the Integrated Planning Framework. It is a local government's internal business planning tool that translates Council priorities into operations within the resources available. It details the services, operations and projects a local government will deliver over a defined period, the processes for delivering these and the resources to be utilised.

The Corporate Business Plan activates the Strategic Community Plan by responding to:

- Council's distillation and prioritisation of the community's short, medium, and long-term aspirations.
- Existing operational plans, priorities and external factors impacting on resourcing
- The assessment and integration of services and business area plans

The process through which the Corporate Business Plan is developed incorporates:

- Activating the Strategic Community Plan.
- Operations Planning - including:
 - Asset Management.
 - Financial Management.
 - Workforce Management.
- Annual reviews and reprioritisation of the Corporate Business Plan on the basis of:
 - Internal issues and performance.
 - External issues impacting in the near future.

Initial drafts of the 2019-2023 CBP were presented to Council at the May and June 2019 Concept Forums, the feedback from which was used to further develop the attached document.

Comment

The Corporate Business Plan outlines the priorities and strategies that Council will pursue over the next four years to deliver on the community vision documented within the Strategic Community Plan (SCP). Given the recent significant review of the SCP, the CBP has been rebuilt to align with Council's updated strategic direction.

This document has been developed concurrently with the 2019/20 Budget, and relevant allocations have been noted in the CBP as per the draft Budget following the 9 July 2019 Budget Workshop.

In future years, it will be a key input during the budgeting process to guide resource allocation for Council projects.

The CBP will continue to be reviewed annually, providing an opportunity to consider any change in priorities based on the circumstances that prevail at that time. Reporting against the measures will form part of Council's regular reporting systems, including the Chief Executive Officer's own KPI's, and also be included in the Annual Report.

Consultation

Leadership Team

Statutory Environment

Local Government Act 1995:

5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - a. *a report from the mayor or president; and*
 - b. *a report from the CEO; and*
 - c. *[deleted]*
 - d. *[deleted]*
 - e. *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - f. *the financial report for the financial year; and*
 - g. *such information as may be prescribed in relation to the payments made to employees; and*
 - h. *the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and*
 - ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - hb. *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require; and*
 - i. *such other information as may be prescribed.*

5.56. Planning for the future

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

Local Government (Administration) Regulations 1996

19CA. Information about modifications to certain plans to be included (Act s. 5.53(2)(i))

- (1) *This regulation has effect for the purposes of section 5.53(2)(i).*
- (2) *If a modification is made during a financial year to a local government's strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.*
- (3) *If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.*

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending*
- (1) 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.*
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

Policy Implications

Nil.

Financial Implications

The Plan is the key driver for the annual budget and the long-term financial plan. This linkage ensures that community priorities are adequately funded and that appropriate and endorsed rating strategies are in place to allow any financial impact on the community to be carefully considered.

The financial references in the draft CBP reflect those in the draft budget following the 9 July 2019 Budget Workshop.

Strategic Implications

The Corporate Business Plan has direct links to all of the following documents;

- Annual Budget
- Community Strategic Plan
- Long Term financial Plan
- Workforce Plan
- Asset Management Plan

11.4 FIVE YEAR ROAD PLAN 2019-2024

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0120
Date: 10 July 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

This report recommends the endorsement of the Shire of Mingenew's Five Year Road Plan 2019-2024.

Key Points:

- Non-statutory document, designed to identify and provide for resourcing of future road projects
- Seeks to support aims of Asset Management Plan and can help guide long term financial plan
- Provides guidance for key projects in current Financial Year
- Will be reviewed annually to ensure rolling five-year horizon
- Future years are somewhat aspirational, as will be dependent upon success of funding applications in the current year

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.4 - Resolution 19071706

Moved: Cr Smyth **Seconded:** Cr Bagley

That Council endorses the Shire of Mingenew Corporate Business Plan 2019 – 2023.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

11.4.1 Draft Shire of Mingenew Five Year Road Plan 2019-2024

Background

The 5 Year Road Plan has been developed over the recent months, following identification of key road works projects and submissions of road funding applications (primarily Black Spot funding).

It provides direction for key road projects in the current financial year, whilst also providing clear guidance and a plan to address other projects/priorities in future years. The draft presented to the Council Concept Forum in June has been updated to reflect feedback provided there.

Comment

Whilst this isn't a statutory document, it does support Council's legislated obligations to plan for the future. It will be reviewed and reported against annually. This will allow us to maintain a rolling five-year horizon of works. It's worth noting that, beyond the current budgeted year, the document is more aspirational – which is why it will be important to review it in line with the budget in the forward years.

In 20/21 and 21/22 the document includes current funding applications for Black Spot works on Yandanooka NE Rd (including the Mingenew-Morawa Road intersection). Naturally, if all these applications are not successful (and potentially even if they are, in terms of managing budgetary capacity and workload) we will be required to amend scopes and push works out to future years.

Likewise, the potential for the CBH Heavy Vehicle Access project has been reflected in forward years, but with no cost attached as it's not possible at this early stage to form a reasonable estimate.

This is a 'living document' and will be regularly reviewed to reflect Council's evolving financial position and priorities. As it gets used, it's expected that it will become better integrated with Asset Management Plan and Long Term Financial Plan, and that the predications contained therein become increasingly accurate.

Consultation

Leadership Team
Greenfield Consulting Engineers

Statutory Environment

Local Government Act 1995:

5.56. Planning for the future

- (3) A local government is to plan for the future of the district.*
- (4) A local government is to ensure that plans made under subsection (1) are in accordance with any reg*

Policy Implications

Nil

Financial Implications

The Plan for FY19/20 reflects what was endorsed at the 9 July 2019 Budget Workshop.

FY20/21 onwards will be dependent upon a number of factors, including:

- Success (or otherwise) of funding applications
- Available Council funds for future roadworks programs
- Changes in priority for various road projects

As such, the document will be reviewed – along with the budget – annually to ensure that it reflects our financial reality as closely as possible.

Strategic Implications

The Plan has links to the following documents;

- Long Term financial Plan
- Asset Management Plan

The Shire's Strategic Community Plan 2019-2029 includes the following Goals:

- 1.1.1 Provide and support cost effective transport networks
- 1.2.1 Manage organisation in a financially sustainable manner

11.5 ROAD CLOSURE POLICY

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0489
Date:	11 July 2019
Author:	Nils Hay, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

To adopt a policy position with regard to closing Shire roads and issuing access permits to ensure safe road access and thoroughfare.

Key Points

- Section 5.30 of the Local Government Act provides local governments with the power to wholly or partially close roads
- The Shire does not currently have a Road Closure Policy; such a policy will give clarity to Council Officers and road users when it comes to the closure of roads and exemptions to any such closures
- The purpose of the proposed policy is to manage road closures in a manner that preserves the safety of road users and the lifespan of the Shire's road transportation network.
- A policy will guide the circumstances for which roads may be closed, the type/size of vehicle for which it applies and provide for any conditions and exemptions
- The Chief Executive Officer and Works Supervisor currently have delegated authority to close roads in accordance with s5.30 and s5.351 of the Local Government Act 1995 (Delegations CD09 and CEOD7 Closing of Thoroughfares).

OFFICERS RECOMMENDATION - ITEM 11.5

Moved: Cr McGlinn Seconded: Cr Smyth

That Council adopts the Shire of Mingenew Road Closure Policy 1.5.2 as provided under separate cover.

AMENDMENT – ITEM 11.5

Moved: Cr McGlinn Seconded: Cr Bagley

That the Road Closure Policy provides for a mandatory review time of any road closure and that the CEO gives consideration to animal welfare of livestock that may be in transit at the time of imposing a road closure.

SUBSTANTIVE MOTION AND COUNCIL DECISION – ITEM 11.5 - Resolution 19071707

That Council adopts the Shire of Mingenew Road Closure Policy 1.5.2 as provided under separate cover, subject to the following provisions being included within the Policy:

- **a mandatory review time be provided with any imposed road closure; and**
- **consideration be given to animal welfare of livestock in transit in issuing exemptions.**

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 5/1

Attachment

11.5.1 Proposed Road Closure Policy

Background

Currently Council does not have a policy to guide road closures.

The Chief Executive Officer has been granted delegated authority (Register of Delegated Authority v1.3 adopted 19 December 2018) to manage the closing of thoroughfares as follows:

Authority to:

- 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)];*
- 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s3.50(1), (1a) and (2)].*
- 3. Approve an application for an order for a road closure [for an event] [r4]*
- 4. Waive the payment of all or any of the costs referred to in sub regulation (2) [r9(3)].*

The Works Supervisor has sub-delegated authority (by the CEO) to:

- 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)];*
- 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s3.50(1), (1a) and (2)].*

Comment

A Road Closure Policy provides greater clarity and guidance with regard to managing road closures, allowing for:

- the circumstances under which a road may be closed;
- the type/size of vehicle for which a closure may apply
- conditions under which a permit may be issued; and
- any exemptions that may apply.

Consultation

Neighbouring local governments;

- Three Springs have a similar policy but for vehicles of 5t or more
- City of Greater Geraldton have a similar policy, but for vehicles of 3.5t or more
- Morawa have a similar policy, for vehicles of 4.5t or more

Statutory Environment

Local Government Act 1995 section 3.50(1)

3.50. Closing certain thoroughfares to vehicles

- (1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*
- [(3) deleted]*
- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*
 - (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
 - (b) give written notice to each person who —*
 - (i) is prescribed for the purposes of this section; or*
 - (ii) owns land that is prescribed for the purposes of this section; and*
 - (c) allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*
- [(7) deleted]*
- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.*
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.*

3.50A. Partial closure of thoroughfare for repairs or maintenance

Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —

- (a) is for the purpose of carrying out repairs or maintenance; and*
- (b) is unlikely to have a significant adverse effect on users of the thoroughfare.*

Policy Implications

This policy has been developed as a risk management tool for identifying and managing road risks.

Financial Implications

This policy may provide some savings if mitigating risks to road infrastructure and public safety.

Strategic Implications

The Shire has a core responsibility to ensure the safety and well-being of those within and travelling through the Shire's road networks.

12.0 REPORTS OF ADMINISTRATION

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 11 July 2019
Author: Jeremy Clapham – Finance Manager
Voting Requirement: Simple Majority

Summary

This report recommends that the Monthly Financial Report for the period ending 30 June 2019 as presented to the Council be received.

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.1 - Resolution 19071708

Moved: Cr Cosgrove Seconded: Cr Smyth

That the Monthly Financial Report for the period 1 July 2018 to 30 June 2019 be received.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

12.1.1 Monthly Financial Report for period ending 30 June 2019

Background

The Monthly Financial Report to 30 June 2019 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW as at 30 June 2019	
Municipal Fund	\$530,714
Cash on Hand	\$100
Restricted Funds – 3 Month Term Deposit @ 2.50%	\$551,945
Trust Fund	\$19,111
Reserve fund (3 Month Term Deposit) @ 2.50%	\$308,490

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

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2018/2019 financial year.

The Monthly Financial Report for the period ending 30 June 2019 has not yet been audited and is subject to change. No significant changes are foreseen.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

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

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

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

- (a) according to nature and type classification; or

- (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

No financial implications are indicated in this report.

Strategic Implications

Nil

12.2 LIST OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Attachment/s: List of Payments – June 2019
Disclosure of Interest: Nil
Date: 11 July 2019
Authorising Officer: Jeremy Clapham, Finance Manager
Voting Requirement: Simple Majority

Summary

This report recommends that Council receive the list of payments for period ending 30 June 2019 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.2 - Resolution 19071709

Moved: Cr Cosgrove **Seconded:** Cr Bagley

That Council receive the attached list of payments for the month of June 2019 as follows:

\$20,485.90	Municipal Cheques 8604 to 8608;
\$997,012.18	Municipal EFT12516 to EFT12608;
\$11,143.88	Municipal Direct Debit Superannuation payments;
\$51,645.10	Municipal Direct Debit Department of Transport (Licencing) Payments;
\$432.17	Municipal Direct Debit National Australia Bank Fees; and
\$12,532.20	Municipal Direct Debit Other.

Totalling \$1,093,251.43 as per attached list of payments.

Net Salaries not included in the attached list of payments - \$70,602.76

Total of all payments - \$1,163,854.19.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

12.2.1 List of Payments – June 2019

Background

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

Comment

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

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4

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

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

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

13.1 REDUCTION OF SPEED LIMIT ON MIDLANDS RD

COUNCIL DECISION - ITEM 13.1 - Resolution 19071710

Moved: Cr Newton Seconded: Cr McGlinn

That the Department of Main Roads, and/or the relevant authorities, be requested to reduce the speed limit on Midlands Road, between Spring Street and Lockier Street, from 50 kilometres per hour to 40 kilometres per hour.

VOTING DETAILS: (DELIBERATIVE VOTE 3/3) CARRIED BY PRESIDENT'S CASTING VOTE: 4/3

CEO Comment

This matter was flagged with Main Roads who indicated that they would be unlikely to support the request, based on the following:

- 40kph speed zones are generally only reserved for special purposes, and not recommended for thoroughfares like Midlands Road
- Implementation of a 40kph zone over this section would require rezoning the approaching sections also, as MRWA only alter zones by up to 30kph at a time (currently the speed limit transitions from 110kph to 80kph to 50kph).

Whilst this does not preclude the matter from being debated, it is likely that MRWA will require proof of exceptional circumstances to support a request of this nature.

The following written comment was received from Peter Herbert, Network Operations Manager, Central and Northern Regions / Mid West – Gascoyne:

"Hi Nils

I refer to your enquiry regarding the lowering of speed throughout the town centre of Mingenew.

Main Roads does not consider a 40km/h speed zone on Midlands Road throughout the town centre to be appropriate.

The use of 40km/h speed limits is generally restricted to school zones and locations where there is significant pedestrian activity, with frequent crossings being made both day and night during all days of the week.

I am aware that this is not the situation in Mingenew, with low pedestrian numbers during the day and reducing more outside of normal business trading hours.

The section of road currently has the state default 50km/h speed limit that applies in built up areas. This reduced speed limit is to allow for the conflict between through traffic, local traffic and pedestrians.

Experience has shown that the imposition of artificially low speed limits has little impact on the actual operating speed chosen by the majority of motorists. Reducing the speed limit in these circumstances could actually compromise safety because some motorists may ignore the reduced speed limit and not slow down while others expecting lower speeds, might exercise less caution, as a consequence, safety for pedestrians would diminish rather than enhanced.

As you are aware, enhanced enforcement by police is often the most effective means of reducing vehicle operating speeds through town sites and this is best achieved by engaging local police.

Pls contact if you require further comment"

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

14.1 PROPOSED LATE ITEM – ANNUAL BUDGET 2019/20

In accordance with Clause 3.12 of the *Shire of Mingenew Standing Orders Local Law 2017*, consent by the Presiding Member was given for a Late Item report and Annual Budget 2019/20 be presented at this meeting in order to deliver the Annual Budget 2019/20 within the statutory timeframe and commence with key projects as soon as possible.

14.1 LATE ITEM - ADOPTION OF 2019/20 BUDGET

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0130
Date: 15 July 2019
Author: Jeremy Clapham, Finance Manager
Voting Requirement: Absolute Majority

Summary

This report seeks Council adoption of the Shire of Mingenew 2019/20 Budget.

Key Points

- Balanced budget
- 1% rate increase
- No new borrowings proposed
- Where possible, fees and charges amended to better reflect actual cost

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 14.1

PART A – MUNICIPAL FUND BUDGET FOR 2019/20 FINANCIAL YEAR - Resolution 19071711

Moved: Cr Cosgrove Seconded: Cr Bagley

Pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Municipal Fund Budget as contained in Attachment 14.1.1 of this Agenda for the Shire of Mingenew for the 2019/20 financial year which includes the following:

- Rates Setting Statement
- Statement of Cash Flows
- Comprehensive Income Statement by Program
- Comprehensive Income Statement by Nature/Type
- Notes to and Forming Part of the Budget
- Capital Works Program
- Road Program
- Plant Replacement Program

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 5/1

PART B – GENERAL AND MINIMUM RATES AND INSTALMENT PAYMENT ARRANGEMENTS - Resolution 19071712

Moved: Cr Smyth Seconded: Cr Cosgrove

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values, as supplied by Landgate (as amended) as at 1 July 2019.

1.1 General Rates

- Mingenew & Yandanooka (GRV) 15.0276 cents in the dollar
- Rural & Mining (UV) 1.2915 cents in the dollar

1.2 Minimum Payments

- Mingenew & Yandanooka (GRV) \$707
- Rural & Mining (UV) \$1060.50

2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council provides the option for ratepayers to pay their rates as a single payment or by 4 equal instalments; and, in accordance with Section 6.50 of the Act nominates the following due dates for the payment in full or by instalments:
 - Full payment and 1st instalment due date 30 August 2019
 - 2nd quarterly instalment due date 19 October 2019
 - 3rd quarterly instalment due date 17 January 2020
 - 4th quarterly instalment due date 16 March 2020
3. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$15 for each instalment after the initial instalment is paid.
4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.
5. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
6. Pursuant to section 6.47 of the Local Government Act 1995, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite. Rates for A219 (Charitable property) are exempt and subject to a 20% voluntary contribution by the ratepayer.

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 6/0

PART C – ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2019/20 - Resolution 19071713

Moved: Cr McGlinn Seconded: Cr Cosgrove

1. Pursuant to Section 5.99 of the Local Government Act 1995, and regulation 30 of the Local Government (Administration) Regulations 1996, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

Shire President	\$6,384
Councillors	\$3,764
2. Pursuant to Section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

Shire President	\$7,348
-----------------	---------
3. Pursuant to Section 5.98A of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

Deputy Shire President	\$1,836
------------------------	---------

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 6/0

PART D – GENERAL FEES AND CHARGES FOR 2019/20 - Resolution 19071714

Moved: Cr Bagley Seconded: Cr Cosgrove

Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges as presented forming part of the 2019/20 Budget included as a separate Attachment to this Agenda.

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 6/0

PART E – OTHER STATUTORY FEES FOR 2019/20 - Resolution 19071715

Moved: Cr McGlinn Seconded: Cr Bagley

Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

3.1 Residential Premises

- 240 Litre bin per weekly collection \$380 per annum

3.2 Commercial Premises

- 240 Litre bin per weekly collection \$380 per annum

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

PART F – MATERIAL VARIANCE REPORTING FOR 2019/20 - Resolution 19071716

Moved: Cr McGlinn Seconded: Cr Cosgrove

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2019/20 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 5/1

Attached

14.1.1 2019/20 Annual Budget

Related Documents (circulated prior to Council Meeting)

2019/20 Budget Template

2019/20 Capital Expenditure

2019/20 Road Program

10 Year Plant Replacement Program

2019/20 Fees & Charges

Background

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget to enable the administration to carry out the defined services and programmes and to raise revenue through rates and fees and charges.

Consistent with sections 6.2(4) of the Local Government Act 1995, the 2019/20 Budget for the Shire of Mingenew includes the following:

- Rates and Minimum Payments for 2019/20
- Capital Works
- Fees and Charges
- Concessions
- Allowances
- Borrowings

- Reserves
- Budget Estimates for Adoption

Comment

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The budget results in an estimated Unrestricted Cash balance of \$29,314 at 30 June 2020. It is very unlikely that this will happen in reality, as it is likely that there will be a prepayment of the Federal Assistance Grants in June 2020, and/or the full budget may not be spent, and an adjustment can be made if necessary when the Statutory Budget Review is done during the year.

It should also be noted that the 2018/19 Budget column in the statutory documents refers to the 2019/19 budget as adopted in August 2018, not any of the subsequently reviewed versions.

Rating & Minimum Payments

The raising of revenue via annual rates is an important source of funds for all Councils throughout Australia. The Local Government Act 1995 (the Act) empowers WA Councils to impose general rates and minimum payments.

Rate Modelling (2019/20):

The proposed rates model is based on the following:

- Annual UV & Mining valuations applied
- 1% average rate increase (2018/19: 2.5%)
- GRV Rate in the \$ - 15.0276c (2018/19: 14.9035c)
- UV Rate in the \$ - 1.2915c (2018/19: 1.3684c)
- Minimum Payments – UV - \$1,060.50 (2018/19: \$1,050)
- Minimum Payments – GRV - \$707 (2018/19: \$700)
- 50% concessions applied to Yandanooka Townsite
- 80% concession applied to A219 – charitable property
- No differential rates

Fees and Charges

The proposed fees and charges have increased by between 0% and 5%, depending on the type of fee and to compensate for the fact that most fees and charges were not increased in 2018/19. Some fees and charges have decreased, particularly in the Plant Hire Rates section. Sporting Club fees have increased by 1% and Rental Property Fees have also increased by 1%. Where possible, the actual cost of providing the service has been assessed, with provision for increases based on inflation and cost escalation where necessary.

Household and commercial waste removal charges have increased slightly, with a 240L bin now \$380 per week (2018/19: \$378)

Statutory fees and charges associated with town planning, health and building have been increased or remain unchanged as per relevant legislation that determines those fees and charges.

Concessions

A 50% concession will be available to persons owning rateable properties within the Shire that are rateable on the basis of Gross Rental Value (GRV) and are in the Yandanooka Townsite. The purpose of the concession is to recognise the reduced level of service provided to these ratepayers as compared to that provided to those in the Mingenew Townsite.

As per Council's resolution, application for rates exemption (with a 20% voluntary contribution by the ratepayer) under the Local Government Act 1995 for property A219 (charitable property) is proposed.

Borrowings

There are no new borrowings proposed in the 2019/20 budget.

Reserve Accounts

The following transfers to/from reserves for the financial year 2019/20 are proposed:

- Transfer to Land and Building Reserve for land development opportunities - \$10,000
- Transfer from Land and Buildings Reserve for 50% of the Town Hall Planning costs - \$5,000
- Transfer to Plant Reserve – surplus funds to balance the budget to \$0 - \$32,413
- Transfer from Environmental Rehabilitation Reserve for monitoring bores at the waste disposal site - \$10,000
- Transfer from RTC/PO/NAB Reserve for building work to prepare property for rent - \$10,000
- Transfer from Economic Development and Marketing Reserve for public wi-fi in Mingenew - \$10,000

Brought Forward Value

There is an estimated surplus of \$1,206,732 shown in the Budget as the brought forward amount from 30 June 2019. This figure is unaudited and may change with any adjustments to the opening position to be addressed during the year end and audit process.

Capital Works and Funding

Capital Works of \$2,937,402 are proposed in the 2019/20 financial year and these projects are itemised in the supplementary budget information.

A total of \$3,002,377 is budgeted for the Road Programme.

Funding sources allocated to the 2019/20 Road Programme include;

- \$728,000 – Main Roads Regional Road Group
- \$164,870 – Roads to Recovery
- \$ 325,487– Federal Assistance Grants
- \$894,432 – Local Government Commodity Freight Roads Fund

Elected Members Fees & Allowances

Elected Members Fees & Allowances were increased in February 2019 and are due to be reviewed during the budget review process in 2019/20 to ensure alignment with the Salaries and Allowances Act 1975 by.

President Allowance	\$7,348
Deputy President Allowance	\$1,836
Annual Meeting Fee – President	\$6,384
Annual Meeting Fee – Councillors	\$3,764

Consultation

While no specific community consultation has occurred during the compilation of the draft 2019/20 Budget, community consultation was previously undertaken during the development of the Community Strategic Plan.

There has been internal consultation with staff and elected members throughout the preparation of the budget and the budget meetings involving elected members.

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

In addition, Section 6.2 of the Local Government Act 1995 requires that in preparing its annual budget the Council is to have regard to the contents of its Plan for the Future, prepared in accordance with section 5.56. Under the Integrated Planning Framework for Local Government, that is the Community Strategic Plan in conjunction with the Corporate Business Plan.

The 2019/20 Budget as presented is considered to meet statutory requirements.

Voting Requirements:

Part A - Municipal Fund Budget for 2019/20 Financial Year - Absolute Majority

Part B - General and Minimal Rates and Instalment Payment Arrangements - Absolute Majority

Part C – Elected Members' Fees and Allowances for 2019/20 – Absolute Majority

Part D - General Fees and Charges for 2019/20 - Absolute Majority
Part E - Other Statutory Fees for 2019/20 - Simple Majority
Part F - Material Variance Reporting for 2019/20 - Simple Majority

Policy Implications

The 2019/20 Budget is prepared on the principles outlined within the Corporate Business Plan and other related documents.

Financial Implications

As detailed within the report and as per the attached 2019/20 Budget documentation.

Strategic Implications

The 2019/20 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.

15.0 CONFIDENTIAL ITEMS

Nil.

16.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 21 August 2019 commencing at 4.30pm.

17.0 CLOSURE

The Presiding Member closed the meeting at 5.36pm.

These minutes were confirmed at an Ordinary Council meeting on 21 August 2019.

Signed _____
Presiding Officer

Date: _____

ATTACHMENT 7.1.2

Amended Minutes of the July 17 2019 Ordinary Council Meeting



MINUTES FOR THE ORDINARY COUNCIL MEETING

17 JULY 2019

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**MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON
17 JULY 2019 COMMENCING AT 4.30pm**

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President HM Newton declared the meeting open at 4:30pm and welcomed all in attendance.

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

HM Newton	President	Town Ward
RW Newton	Deputy President	Rural Ward
JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Rural Ward
KJ McGlinn	Councillor	Town Ward
AR Smyth	Councillor	Town Ward

APOLOGIES

LM Eardley	Councillor	Town Ward
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STAFF

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

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

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

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 DECLARATIONS OF INTEREST

Nil.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY MEETING HELD 19 JUNE 2019

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 7.1 - Resolution 19071701

Moved: Cr Bagley Seconded: Cr Newton

That the minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 19 June 2019 be confirmed as a true and accurate record of proceedings.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil.

9.0 DECLARATIONS OF INTEREST

Nil.

10.0 REPORTS/MINUTES OF COMMITTEES

10.1 SHIRE OF MINGENEW AUDIT AND RISK COMMITTEE MEETING HELD 09 JULY 2019

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 10.1 - Resolution 19071702

Moved: Cr Newton Seconded: Cr Smyth

That the minutes of the Local Emergency Management Committee meeting of the Shire of Mingenew held in the Council Chambers on 9 July 2019 be received.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

11.0 REPORTS BY THE CHIEF EXECUTIVE OFFICER

11.1 NATIONAL REDRESS SCHEME

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0523
Date: 1 July 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To seek Council feedback with regard to their preference and capacity to join the National Redress Scheme.

Key Points

- The Royal Commission into Institutional Responses to Child Sexual Abuse prompted the establishment of the National Redress Scheme
- Scheme to provide opportunity for victims of institutional child sexual abuse, outside of the civil litigation process, to apply for a direct personal response from the responsible institution, access counselling and psychological care and be compensated up to \$150,000
- The Royal Commission also recommended Local Governments establish Child Safety Officer functions within their workforce to foster ongoing child safety messaging and support
- Support conditional upon joining the scheme not resulting in an increased cost or administrative burden to local government
- Position endorsed by WALGA Northern Country Zone
- Local governments are asked to consider their capacity to: source and provide records within prescribed timeframes (further information on page 8 of WALGA Discussion Paper); deliver a Direct Personal Response in the requested manner (page 9); and, financially compensate the claim (page 10)
- LGIS Liability covers a member for '*all sums which the member shall become legally liable to pay for compensation.... in respect of ... personal injury*' (further information available on page 5 of LGIS Update)
- It is believed that the risk of exposure for Shire of Mingenew is relatively low and, as a result, joining the Scheme and showing support for it is desirable from both a financial and reputational standpoint

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.1 - Resolution 19071703

Moved: Cr Smyth Seconded: Cr Newton

That Council endorses the position of the Northern Country Zone of WALGA, and advises the Western Australia Local Government Association (WALGA) that it agrees to join National Redress Scheme as a State Government entity under the following conditions:

- 1. Local Governments Child Safety Officer positions from existing staff profiles:**
 - a) This position must be fully funded by the State and/or Commonwealth government and cost is not an imposition on the local government (i.e. not another costs-shifting exercise);**
 - b) A regional approach could be considered by a group of local government authorities if this is considered appropriate and effective, rather than expecting every individual local government authority to establish a new position, or incorporate the tasks required of the position into existing staff profiles;**
 - c) There must be stringent legal processes and protections in place to ensure the reporting officer is not exposed for not reporting an incident or reporting something which is false or vexatious.**
- 2. Areas of the local government to establish the Child Support Officer designation in supporting the community to create child safe environments:**

- a) There is no specific position in small local government authorities which is best suited to undertaking the role as a Child Safety Officer and this should be determined by the individual local government authority;
 - b) All sporting and recreation institutions, including arts, culture and hobby groups, that engage with or provide services to children should implement and comply with the Child Safety Standards including Working with Children Check requirements;
3. Training, resources and support required by the local government to successfully implement designated Child Safety Officers:
- a) Initial and ongoing training, resources and support of the local government authority and the proposed Child Support Officer needs to be fully funded by the Commonwealth and/or State government and not be at the cost of the local government;
 - b) Any agency established for administering the reporting requirements of local government authorities must be there to support the process, not simply a regulatory body with a focus on compliance by a local government authority;
 - c) Help desk, legal support and advice needs to be provided and readily available to the Child Support Officer and the local government authority, with this being the predominant purpose of any such agency.
4. Supporting local government with the implementation of Child Safety Officers:
- a) Any agency established for accepting and determining outcomes of matters reported by the local government should provide legal representation on behalf of the local government and any staff in the event of legal action taken against the Child Support Officer and/or local government. Any legal costs must not be the local government authority's responsibility;
 - b) Legislation introduced for the proposed reportable conduct scheme must incorporate stringent processes and protections in place to ensure the reporting officer and local government authority are not legally exposed for not reporting an incident, or reporting something, which is proven to be false or vexatious;
 - c) There must be strong legal processes and procedures in place to deal with the vexatious complainants creating issues based on conspiracy theories, rumour and innuendo and for those proven to have submitted complaints without basis dealt with under any proposed legislation (e.g. prosecution, infringement).
5. Source and Provide Records:
- Agree to being responsible for sourcing and providing records within prescribed timeframes under the condition such responsibility will not result in any additional resources being required of the Shire;
6. Deliver and Provide Personal Response:
- Agree to being responsible for delivery of a Direct Personal Response in the requested manner timeframes under the condition such responsibility will not result in any additional resources being required of the Shire;
7. Financially Compensate the Claim:
- The State Government is responsible for financial compensation of all claims;

8. Insurance:

The Local Government's insurance policies and premiums are in no way adversely affected by its agreement to join National Redress Scheme as a State Government entity.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

- 11.1.1 WALGA National Redress Scheme Discussion Paper
- 11.1.2 LGIS National Redress Scheme Update
- 11.1.3 Northern Country Zone of WALGA Minutes of meeting held 26 June 2019

Background

Western Australian Local Government Association (WALGA) has provided the following background on the National Redress Scheme (NRS):

"The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions, and to protect, report and respond to child sexual abuse.

The Royal Commission released three reports throughout the inquiry: Working with Children Checks (August 2015), Redress and Civil Litigation (September 2015) and Criminal Justice (August 2017). The Final Report (Final Report) incorporated findings and recommendations of the previously released reports and was handed down on 15 December 2017.

The National Redress Scheme formally commenced operation on 1 July 2018 and involves:

- People who have experienced institutional child sexual abuse who can apply for redress*
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications*
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme*
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse, and*
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.*

The National Redress Scheme offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested*
- Funds to access counselling and psychological care, and*
- A monetary payment of up to \$150,000 (average payment expected to be approximately \$76,000).*

The Scheme is being administered by the Commonwealth Government and all State and Territory Governments have formally joined the Scheme. Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

The WA Parliament passed the legislation required to allow the Government and WA based non-government institutions to participate in the Scheme. The National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (WA) took effect on 21 November 2018.

The WA Government commenced participation in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit has been established within the Office of the Commissioner for Victims of Crime, Department of Justice and will:

- Act as the State Government's single point of contact with the Scheme
- Coordinate information from State Government agencies to the Scheme, and
- Coordinate the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

State Government, through the Department of Local Government, Sport and Cultural Industries (DLGSC), with the support of WALGA, are consulting all Local Governments' on their preference and capacity to join the National Redress Scheme, with one option to join as a State Government agency under the definitions contained within the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

In considering the preferred options there are three critical considerations for Council to be cognisant of in regarding the local government authorities' capacity as a participating organisation including:

1. Source and provide records within prescribed timeframes
2. Deliver a Direct Personal Response in the requested manner
3. Financially compensate the claim"

WALGA has provided the following list of Opportunities and Challenges regarding the chose to join, or not join the National Redress Scheme as a State Government entity:

Join Scheme (National Redress Scheme)	
Opportunities	Challenges
<ul style="list-style-type: none"> • Clearly defined eligibility criteria • Consistency and capping of compensation payments • Releases institution from civil liability • Minimising likelihood of re-traumatisation for victim/survivor • Increased perception of justice and procedural fairness is promoted provided protection for LGs • Display of accountability and transparency of Local Government • National consistency and legislative safeguarding • Supports the principle of accountability promoted by the Royal Commission 	<ul style="list-style-type: none"> • Ratepayers don't get a say • WA Criminal Code may produce conflicting complexity.

Do Not Join Scheme (Civil Litigation Process)	
Opportunities	Challenges
<ul style="list-style-type: none"> • Potential for negotiated settlement • Independence in achieving resolutions • Unlimited timeframes for action • WA Redress Scheme may have addressed some claims. 	<ul style="list-style-type: none"> • A potentially more difficult process for survivors/victims • Additional legal and other expenses • No capped financial claim amount (could exceed \$150k) • Eligibility criteria and standard of proof unrestricted • Unlimited timeframes for action therefore may incur higher legal fees • Potential for socio-political consequences.

The following is stated in the Department of Local Government, Sport & Cultural Industries' (DLGSC) Information and Discussion Paper – Local Government Summary (the Summary) in relation to the direct affect these recommendations are going to have on local government:

“Local Government

The Royal Commission made one key recommendation specifically for local government:

- *With support from governments at the national, state and territory levels, **local governments should designate child safety officer positions from existing staff profiles** to carry out the following functions:*
 - a) *developing child safe messages in local government venues, grounds and facilities;*
 - b) *assisting local institutions to access online child safe resources;*
 - c) *providing child safety information and support to local institutions on a needs basis;*
 - d) *supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds. This recommendation acknowledges local government as the closest tier of government to the community; one that frequently provides an expansive range of direct services, as well as information, support and guidance to community-based organisations and individuals.”*

Comment

It is recommended that the Shire provide conditional support for the National Redress Scheme, outlining:

- the lack of internal capacity to adequately resource a Child Safety Officer from the existing workforce;
- the expectation is that the position would be fully funded by the State and/or Commonwealth government including training and other resources;
- legal processes and protections need to be in place to prevent exposure to adverse risk resulting from false or vexatious claims;
- the support for maintaining the current requirements around Working with Children Checks and complying with the Child Safety Standards

At the Northern Country Zone of WALGA meeting held on 26 June 2019, local governments shared their concerns for resourcing the recommendations and developed a position to feedback through to WALGA and the Department as part of the consultation process. This included a proposal to approach the resourcing requirements regionally.

There was also strong support from other local governments for the establishment of an appropriate and legally sound reportable conduct scheme.

Recommendation 14.1 of the Paper states: *“All sporting and recreation institutions, including arts, culture and hobby groups, that engage with or provide services to children should implement the Child Safety Standards identified by the Royal Commission”*. Should there be any additional responsibilities as a result of this Scheme, there may be resourcing challenges for affected groups. I have therefore recommended that the status quo remain with regard to these requirements.

Consultation

WALGA

LGIS

Northern Country Zone of WALGA

Statutory Environment

National Redress Scheme for Intutional Child Sexual Abuse Act 2018

Policy Implications

The Shire may wish to establish policies and procedures to support the legal obligations and resourcing arrangements once local government responsibilities have been clarified.

Financial Implications

WALGA has stated:

“There are no financial requirements to join the Scheme.

If the preferred recommendation is endorsed as a Statewide position of Local and State Government, there will be no requirement for the local government authority to provide a redress payment in the instance of a claim. There will however need to be a consideration into workforce requirements for the allocation of staff to source records within prescribed timeframes."

However; there may be a resource implication imposed on local government authorities if legislation imposes additional roles and responsibilities on local governments. What the extent of the resource requirements are is unknown.

Strategic Implications

Strategic Community Plan 2017-2027

Strategy 2.1.2 Develop healthcare and recreation services for all the community to ensure the well-being and health of all age groups within the community.

11.2 RFQ 2018/19(6) - PROVISION OF WASTE COLLECTION AND DISPOSAL SERVICES

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: TEN017
Date: 8 July 2019
Author: Neil Hartley, Project Officer
Voting Requirement: Simple Majority

Summary

The existing contract for Mingenew's Waste Collection & Disposal Service is being provided by Avon Waste. The contract is to conclude on 20 September 2019. Requests for Quotation (RFQ) have been called and assessed and the purpose of this item is to propose that Council offer a three-year initial term (+ two-year option) to Cleanaway Operations Pty Ltd, for the provision of a rubbish collection services within the Shire of Mingenew.

Key Points

- Mingenew's current contract for waste collection and disposal services is due to conclude on 20 September 2019
- The new contract is proposed for a 3 year term with the option to extend for a further two years
- An addition to the new contract has been made to allow for the collection of public rubbish bins from Drover's Rest; Enanty Barn; Depot Hill; and Yandanooka Townsite.
- Tenders were invited through WALGA's *VendorPanel* Preferred Supplier Program service
- 3 x submissions were received – from Avon Waste, Cleanaway and Veolia
- The recommendation has been based on the Panel's evaluation (attached), with price being the key factor in determining the preferred contractor after all criteria has been considered
- If the officer's recommendation is to be accepted, Council need to consider a variation that allows for a self-insurance system for Workers Compensation (which the General Conditions of Contract stated would not be accepted)

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.2 - Resolution 19071704

Moved: Cr McGlinn Seconded: Cr Bagley

That Council:

1. **Accepts the tender from Cleanaway Operations Pty Ltd for provision of Waste Collection & Disposal Service for the estimated sum of \$42,337per annum (ex GST) and awards the contract for Waste Collection & Disposal Service (RFQ (2018/19) 6) to Cleanaway Operations Pty Ltd (ABN: 40 010 745 383) for a three year term from 21 September 2019 to 20 September 2022 (plus a two year option at the Shire's discretion);**
2. **Notes and accepts that Cleanaway Operations Pty Ltd holds a self-insurance licence authorising retention of liability and management of workers' compensation claims under the Commonwealth Safety, Rehabilitation and Compensation Act 1988;**
3. **Notes that the eventual fee paid to Cleanaway will be based on the actual number of bin services provided for, and the actual tonnage quantity of waste collected and disposed of;**
4. **Authorises the Shire President and/or Chief Executive Officer to sign the Contract and (if required) affix the Shire's Common Seal; and**
5. **Authorises the CEO to manage the Cleanaway contract, including the provision of possible variations (provided the variation is necessary in order for the goods or services to be supplied, and does not change the general scope of the contract).**

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

- 11.2.1 Request for Quotation
- 11.2.2 General Conditions of Contract
- 11.2.3 CONFIDENTIAL - Request for Quotation Assessment - Waste Collection & Disposal Service *provided under separate confidential cover in accordance with s5.23(2)(c) and (e) of the Local Government Act 1995.*

Background

The Shire of Mingenew entered into a Deed of Agreement (dated 30 November 2017) with Stondon Pty Ltd - trading as Avon Waste - for Refuse and Waste Disposal Services. The term on this contract was for two years commencing 21st September 2017. Whilst the option to negotiate a two-year extension was possible, it was deemed prudent to test the market at this time by calling for a new *Request for Quotation*, utilising the Western Australian Local Government Association's *VendorPanel Preferred Supplier Program* service.

Requests for Quotation (RFQ 2018/19(6) Waste Collection and Waste Disposal Services opened on Monday 20 May 2019 and closed at 9.00am on Friday 07 Jun 2019.

An assessment of the RFQ's was undertaken by Erin Greaves (Governance Officer) and Neil Hartley (Project Officer) – see report attached.

Comment

All three bidders are high quality operators with extensive service delivery history in the waste management services area. Whilst of different corporate sizes and make-ups, all three would be most capable of delivering the service desired by the Shire of Mingenew. Mingenew has in the past used both Veolia and Avon Waste. Price therefore, is the criteria that was the more significant component of the assessment that separated one of the three, from the remaining two.

Cleanaway is the lowest price option. It operates from a Geraldton base and therefore attracted the same Regional Price Preference consideration as Veolia (which also has a Geraldton base). Due to the price differential between Cleanaway and Veolia however, the Regional Price Preference was irrelevant to the outcome in this instance.

All three bidders had non-compliances within the compliance criteria set. Cleanaway, the proposed preferred bidder, has a self insurance system in place for its Workers Compensation and the Shire's Contract highlighted that self insurance was not to form part of the contract. Cleanaway Operations Pty Ltd holds a self-insurance licence authorising retention of liability and management of workers' compensation claims under the Commonwealth Safety, Rehabilitation and Compensation Act 1988 (SRC Act). Confirmation was therefore sought in regard to the acceptability of this matter. Contact was made with Local Government Insurance Services, the Shire's insurers, which advised "*Confirm no issues. There are some large employers around the country who have an exemption from the legislation to have a workers compensation insurance policy. Cleanaway is one of these organisation as is WA local governments. Much like what LGISWA does for the local government sector, Comcare will have been appointed by Cleanaway to manage their workers compensation claims on their behalf.*" The WALGA Vendor Panel also confirms that Cleanaway has the appropriate exemption to remain compliant with the Vendor Panel requirements. Notwithstanding, if Cleanaway is to remain as the preferred contractor, Council will need to endorse that variation component in light of it being a RFQ requirement.

An additional component was added to the RFQ on this occasion as an option. Namely, that the contractor also collects the public rubbish bins from sites external to Mingenew Townsite (namely, Drover's Rest; Enanty Barn; Depot Hill; and Yandanooka Townsite. The fee for this service is the same rate as for the townsite residential bins (\$1.52/week for collection + \$94/tonne for disposal) or estimated to be about \$1,000pa in total. This is considered to be excellent value and will save Shire resources being allocated to undertake this regular task. It might be that during busy tourist periods, some supplement of collection might be warranted by Shire staff/equipment, but that would be the case irrespective of which option for collection prevailed. 240lt bins will need to be positioned at the various pick up locations.

Consultation

WALGA Vendor Panel and Local Government Insurance Services.

Statutory Environment

The Local Government Act 1995 at S3.57(1) (tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which

another person is to supply goods or services. The Local Government (Functions and General) Regulations 1996 at Cl.11(1) (when tenders have to be publicly invited) clarifies that tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000.

Clause 11(2)(b) however, outlines that tenders do not have to be publicly invited according to the requirements of this Division if the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

Section 50 of the Waste Avoidance and Resource Recovery Act 2007 outlines that (subject to the Environmental Protection Act) a local government may provide or enter into a contract for the provision on its behalf of, waste services. Sections 66 and 67 provides the capacity for local governments to charge a fee for the service of waste collection and disposal.

Policy Implications

The Shire of Mingenew's Purchasing Policy requires three written quotations for an expected purchase in the range of \$40,000 - \$149,999 unless invitations to quote are lodged utilising the Western Australian Local Government Association's *VendorPanel* service. Requests for Quotation opened through the *VendorPanel* service on Monday 20 May 2019 and closed at 9.00am on Friday 07 Jun 2019.

Financial Implications

The Shire provides for an annual budget allocation to conduct its waste collection and disposal activities and charges an annual fee to its residents to fund that service. The anticipated 2018/19 cost for the current service will be about \$59,000, so if waste tonnages remain consistent with previous years, it is expected that there should even be an annual saving by adopting the approximately \$43,000 Cleanaway contract.

Strategic Implications

The Corporate Business Plan 2017-21 outlines that the Shire will have the objective of being "*A sustainable natural and built environment that meets current and future community needs*". This area addresses numerous waste type components (like the Transfer Station and recycling) but does not specifically outline an action/outcome in regard to the weekly refuse collection/disposal service.

11.3 CORPORATE BUSINESS PLAN 2019-2023

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0120
Date: 10 July 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

This report recommends the endorsement of the Shire of Mingenew's Corporate Business Plan 2019-2023

Key Points:

- Document is an operational plan designed to deliver, over 4 years, a portion of the recently adopted 10-year Strategic Community Plan
- Document is reviewed and revised annually
- Updated version of that provided to Councillors at May Concept Forum. Includes input from staff and Councillors from June Concept Forum and July 9 Budget Workshop
- Identifies key projects for next 4 years, responsible parties for delivery and considers resourcing of delivery (refer to page 21 of the Attachment)
- Key part of Integrated Planning framework – and should link back to Strategic Community Plan, Budget, Workforce Plan, Long Term Financial Plan and Asset Management Plan
- For more information, see <https://www.dlgsc.wa.gov.au/localgovernment/strengthening/Pages/Corporate-Business-Plan.aspx>

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.3 - Resolution 19071705

Moved: Cr Bagley **Seconded:** Cr McGlinn

That Council endorses the Shire of Mingenew Corporate Business Plan 2019 – 2023

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 5/1

Attachment

11.3.1 Draft Shire of Mingenew Corporate Business Plan 2019-2023

Background

The Corporate Business Plan ("CBP") is a key component of the Integrated Planning Framework. It is a local government's internal business planning tool that translates Council priorities into operations within the resources available. It details the services, operations and projects a local government will deliver over a defined period, the processes for delivering these and the resources to be utilised.

The Corporate Business Plan activates the Strategic Community Plan by responding to:

- Council's distillation and prioritisation of the community's short, medium, and long-term aspirations.
- Existing operational plans, priorities and external factors impacting on resourcing
- The assessment and integration of services and business area plans

The process through which the Corporate Business Plan is developed incorporates:

- Activating the Strategic Community Plan.
- Operations Planning - including:
 - Asset Management.
 - Financial Management.
 - Workforce Management.
- Annual reviews and reprioritisation of the Corporate Business Plan on the basis of:
 - Internal issues and performance.
 - External issues impacting in the near future.

Initial drafts of the 2019-2023 CBP were presented to Council at the May and June 2019 Concept Forums, the feedback from which was used to further develop the attached document.

Comment

The Corporate Business Plan outlines the priorities and strategies that Council will pursue over the next four years to deliver on the community vision documented within the Strategic Community Plan (SCP). Given the recent significant review of the SCP, the CBP has been rebuilt to align with Council's updated strategic direction.

This document has been developed concurrently with the 2019/20 Budget, and relevant allocations have been noted in the CBP as per the draft Budget following the 9 July 2019 Budget Workshop.

In future years, it will be a key input during the budgeting process to guide resource allocation for Council projects.

The CBP will continue to be reviewed annually, providing an opportunity to consider any change in priorities based on the circumstances that prevail at that time. Reporting against the measures will form part of Council's regular reporting systems, including the Chief Executive Officer's own KPI's, and also be included in the Annual Report.

Consultation

Leadership Team

Statutory Environment

Local Government Act 1995:

5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - a. *a report from the mayor or president; and*
 - b. *a report from the CEO; and*
 - c. *[deleted]*
 - d. *[deleted]*
 - e. *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - f. *the financial report for the financial year; and*
 - g. *such information as may be prescribed in relation to the payments made to employees; and*
 - h. *the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and*
 - ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - hb. *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require; and*
 - i. *such other information as may be prescribed.*

5.56. Planning for the future

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

Local Government (Administration) Regulations 1996

19CA. Information about modifications to certain plans to be included (Act s. 5.53(2)(i))

- (1) *This regulation has effect for the purposes of section 5.53(2)(i).*
- (2) *If a modification is made during a financial year to a local government's strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.*
- (3) *If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.*

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending*
- (1) 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.*
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

Policy Implications

Nil.

Financial Implications

The Plan is the key driver for the annual budget and the long-term financial plan. This linkage ensures that community priorities are adequately funded and that appropriate and endorsed rating strategies are in place to allow any financial impact on the community to be carefully considered.

The financial references in the draft CBP reflect those in the draft budget following the 9 July 2019 Budget Workshop.

Strategic Implications

The Corporate Business Plan has direct links to all of the following documents;

- Annual Budget
- Community Strategic Plan
- Long Term financial Plan
- Workforce Plan
- Asset Management Plan

11.4 FIVE YEAR ROAD PLAN 2019-2024

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0120
Date: 10 July 2019
Author: Nils Hay, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

This report recommends the endorsement of the Shire of Mingenew's Five Year Road Plan 2019-2024.

Key Points:

- Non-statutory document, designed to identify and provide for resourcing of future road projects
- Seeks to support aims of Asset Management Plan and can help guide long term financial plan
- Provides guidance for key projects in current Financial Year
- Will be reviewed annually to ensure rolling five-year horizon
- Future years are somewhat aspirational, as will be dependent upon success of funding applications in the current year

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 11.4 - Resolution 19071706

Moved: Cr Smyth **Seconded:** Cr Bagley

That Council endorses the Shire of Mingenew Corporate Business Plan 2019 – 2023.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

11.4.1 Draft Shire of Mingenew Five Year Road Plan 2019-2024

Background

The 5 Year Road Plan has been developed over the recent months, following identification of key road works projects and submissions of road funding applications (primarily Black Spot funding).

It provides direction for key road projects in the current financial year, whilst also providing clear guidance and a plan to address other projects/priorities in future years. The draft presented to the Council Concept Forum in June has been updated to reflect feedback provided there.

Comment

Whilst this isn't a statutory document, it does support Council's legislated obligations to plan for the future. It will be reviewed and reported against annually. This will allow us to maintain a rolling five-year horizon of works. It's worth noting that, beyond the current budgeted year, the document is more aspirational – which is why it will be important to review it in line with the budget in the forward years.

In 20/21 and 21/22 the document includes current funding applications for Black Spot works on Yandanooka NE Rd (including the Mingenew-Morawa Road intersection). Naturally, if all these applications are not successful (and potentially even if they are, in terms of managing budgetary capacity and workload) we will be required to amend scopes and push works out to future years.

Likewise, the potential for the CBH Heavy Vehicle Access project has been reflected in forward years, but with no cost attached as it's not possible at this early stage to form a reasonable estimate.

This is a 'living document' and will be regularly reviewed to reflect Council's evolving financial position and priorities. As it gets used, it's expected that it will become better integrated with Asset Management Plan and Long Term Financial Plan, and that the predications contained therein become increasingly accurate.

Consultation

Leadership Team
Greenfield Consulting Engineers

Statutory Environment

Local Government Act 1995:

5.56. Planning for the future

- (3) A local government is to plan for the future of the district.*
- (4) A local government is to ensure that plans made under subsection (1) are in accordance with any reg*

Policy Implications

Nil

Financial Implications

The Plan for FY19/20 reflects what was endorsed at the 9 July 2019 Budget Workshop.

FY20/21 onwards will be dependent upon a number of factors, including:

- Success (or otherwise) of funding applications
- Available Council funds for future roadworks programs
- Changes in priority for various road projects

As such, the document will be reviewed – along with the budget – annually to ensure that it reflects our financial reality as closely as possible.

Strategic Implications

The Plan has links to the following documents;

- Long Term financial Plan
- Asset Management Plan

The Shire's Strategic Community Plan 2019-2029 includes the following Goals:

- 1.1.1 Provide and support cost effective transport networks
- 1.2.1 Manage organisation in a financially sustainable manner

11.5 ROAD CLOSURE POLICY

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0489
Date:	11 July 2019
Author:	Nils Hay, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

To adopt a policy position with regard to closing Shire roads and issuing access permits to ensure safe road access and thoroughfare.

Key Points

- Section 5.30 of the Local Government Act provides local governments with the power to wholly or partially close roads
- The Shire does not currently have a Road Closure Policy; such a policy will give clarity to Council Officers and road users when it comes to the closure of roads and exemptions to any such closures
- The purpose of the proposed policy is to manage road closures in a manner that preserves the safety of road users and the lifespan of the Shire's road transportation network.
- A policy will guide the circumstances for which roads may be closed, the type/size of vehicle for which it applies and provide for any conditions and exemptions
- The Chief Executive Officer and Works Supervisor currently have delegated authority to close roads in accordance with s5.30 and s5.351 of the Local Government Act 1995 (Delegations CD09 and CEOD7 Closing of Thoroughfares).

OFFICERS RECOMMENDATION - ITEM 11.5

Moved: Cr McGlinn Seconded: Cr Smyth

That Council adopts the Shire of Mingenew Road Closure Policy 1.5.2 as provided under separate cover .

AMENDMENT – ITEM 11.5

Moved: Cr McGlinn Seconded: Cr Bagley

That the Road Closure Policy provides for a mandatory review time of any road closure and that the CEO gives consideration to animal welfare of livestock that may be in transit at the time of imposing a road closure.

SUBSTANTIVE MOTION AND COUNCIL DECISION – ITEM 11.5 - Resolution 19071707

That Council adopts the Shire of Mingenew Road Closure Policy 1.5.2 as provided under separate cover , subject to the following provisions being included within the Policy:

- **a mandatory review time be provided with any imposed road closure; and**
- **consideration be given to animal welfare of livestock in transit in issuing exemptions.**

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 5/1

Attachment

11.5.1 Proposed Road Closure Policy

Background

Currently Council does not have a policy to guide road closures.

The Chief Executive Officer has been granted delegated authority (Register of Delegated Authority v1.3 adopted 19 December 2018) to manage the closing of thoroughfares as follows:

Authority to:

- 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)];*
- 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s3.50(1), (1a) and (2)].*
- 3. Approve an application for an order for a road closure [for an event] [r4]*
- 4. Waive the payment of all or any of the costs referred to in sub regulation (2) [r9(3)].*

The Works Supervisor has sub-delegated authority (by the CEO) to:

- 1. Close a thoroughfare managed by the Shire (wholly or partially) for a period of less than four weeks [s3.50(1)];*
- 2. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s3.50(1), (1a) and (2)].*

Comment

A Road Closure Policy provides greater clarity and guidance with regard to managing road closures, allowing for:

- the circumstances under which a road may be closed;
- the type/size of vehicle for which a closure may apply
- conditions under which a permit may be issued; and
- any exemptions that may apply.

Consultation

Neighbouring local governments;

- Three Springs have a similar policy but for vehicles of 5t or more
- City of Greater Geraldton have a similar policy, but for vehicles of 3.5t or more
- Morawa have a similar policy, for vehicles of 4.5t or more

Statutory Environment

Local Government Act 1995 section 3.50(1)

3.50. Closing certain thoroughfares to vehicles

- (1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*
- [(3) deleted]*
- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*
 - (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
 - (b) give written notice to each person who —*
 - (i) is prescribed for the purposes of this section; or*
 - (ii) owns land that is prescribed for the purposes of this section; and*
 - (c) allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*
- [(7) deleted]*
- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.*
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.*

3.50A. Partial closure of thoroughfare for repairs or maintenance

Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —

- (a) is for the purpose of carrying out repairs or maintenance; and*
- (b) is unlikely to have a significant adverse effect on users of the thoroughfare.*

Policy Implications

This policy has been developed as a risk management tool for identifying and managing road risks.

Financial Implications

This policy may provide some savings if mitigating risks to road infrastructure and public safety.

Strategic Implications

The Shire has a core responsibility to ensure the safety and well-being of those within and travelling through the Shire's road networks.

12.0 REPORTS OF ADMINISTRATION

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0304
Date: 11 July 2019
Author: Jeremy Clapham – Finance Manager
Voting Requirement: Simple Majority

Summary

This report recommends that the Monthly Financial Report for the period ending 30 June 2019 as presented to the Council be received.

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.1 - Resolution 19071708

Moved: Cr Cosgrove Seconded: Cr Smyth

That the Monthly Financial Report for the period 1 July 2018 to 30 June 2019 be received.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

12.1.1 Monthly Financial Report for period ending 30 June 2019

Background

The Monthly Financial Report to 30 June 2019 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW as at 30 June 2019	
Municipal Fund	\$530,714
Cash on Hand	\$100
Restricted Funds – 3 Month Term Deposit @ 2.50%	\$551,945
Trust Fund	\$19,111
Reserve fund (3 Month Term Deposit) @ 2.50%	\$308,490

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

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2018/2019 financial year.

The Monthly Financial Report for the period ending 30 June 2019 has not yet been audited and is subject to change. No significant changes are foreseen.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

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

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

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
- (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

- (a) according to nature and type classification; or

- (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

No financial implications are indicated in this report.

Strategic Implications

Nil

12.2 LIST OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 2019

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: ADM0042
Attachment/s: List of Payments – June 2019
Disclosure of Interest: Nil
Date: 11 July 2019
Authorising Officer: Jeremy Clapham, Finance Manager
Voting Requirement: Simple Majority

Summary

This report recommends that Council receive the list of payments for period ending 30 June 2019 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.2 - Resolution 19071709

Moved: Cr Cosgrove Seconded: Cr Bagley

That Council receive the attached list of payments for the month of June 2019 as follows:

\$20,485.90	Municipal Cheques 8604 to 8608;
\$997,012.18	Municipal EFT12516 to EFT12608;
\$11,143.88	Municipal Direct Debit Superannuation payments;
\$51,645.10	Municipal Direct Debit Department of Transport (Licencing) Payments;
\$432.17	Municipal Direct Debit National Australia Bank Fees; and
\$12,532.20	Municipal Direct Debit Other.

Totalling \$1,093,251.43 as per attached list of payments.

Net Salaries not included in the attached list of payments - \$70,602.76

Total of all payments - \$1,163,854.19.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

Attachment

12.2.1 List of Payments – June 2019

Background

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

Comment

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

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4

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

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

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

13.1 REDUCTION OF SPEED LIMIT ON MIDLANDS RD

COUNCIL DECISION - ITEM 13.1 - Resolution 19071710

Moved: Cr Newton Seconded: Cr McGlinn

That the Department of Main Roads, and/or the relevant authorities, be requested to reduce the speed limit on Midlands Road, between Spring Street and Lockier Street, from 50 kilometres per hour to 40 kilometres per hour.

VOTING DETAILS: (DELIBERATIVE VOTE 3/3) CARRIED BY PRESIDENT'S CASTING VOTE: 4/3

CEO Comment

This matter was flagged with Main Roads who indicated that they would be unlikely to support the request, based on the following:

- 40kph speed zones are generally only reserved for special purposes, and not recommended for thoroughfares like Midlands Road
- Implementation of a 40kph zone over this section would require rezoning the approaching sections also, as MRWA only alter zones by up to 30kph at a time (currently the speed limit transitions from 110kph to 80kph to 50kph).

Whilst this does not preclude the matter from being debated, it is likely that MRWA will require proof of exceptional circumstances to support a request of this nature.

The following written comment was received from Peter Herbert, Network Operations Manager, Central and Northern Regions / Mid West – Gascoyne:

"Hi Nils

I refer to your enquiry regarding the lowering of speed throughout the town centre of Mingenew.

Main Roads does not consider a 40km/h speed zone on Midlands Road throughout the town centre to be appropriate.

The use of 40km/h speed limits is generally restricted to school zones and locations where there is significant pedestrian activity, with frequent crossings being made both day and night during all days of the week.

I am aware that this is not the situation in Mingenew, with low pedestrian numbers during the day and reducing more outside of normal business trading hours.

The section of road currently has the state default 50km/h speed limit that applies in built up areas. This reduced speed limit is to allow for the conflict between through traffic, local traffic and pedestrians.

Experience has shown that the imposition of artificially low speed limits has little impact on the actual operating speed chosen by the majority of motorists. Reducing the speed limit in these circumstances could actually compromise safety because some motorists may ignore the reduced speed limit and not slow down while others expecting lower speeds, might exercise less caution, as a consequence, safety for pedestrians would diminish rather than enhanced.

As you are aware, enhanced enforcement by police is often the most effective means of reducing vehicle operating speeds through town sites and this is best achieved by engaging local police.

Pls contact if you require further comment"

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

14.1 PROPOSED LATE ITEM – ANNUAL BUDGET 2019/20

In accordance with Clause 3.12 of the *Shire of Mingenew Standing Orders Local Law 2017*, consent by the Presiding Member was given for a Late Item report and Annual Budget 2019/20 be presented at this meeting in order to deliver the Annual Budget 2019/20 within the statutory timeframe and commence with key projects as soon as possible.

14.1 LATE ITEM - ADOPTION OF 2019/20 BUDGET

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: ADM0130
Date: 15 July 2019
Author: Jeremy Clapham, Finance Manager
Voting Requirement: Absolute Majority

Summary

This report seeks Council adoption of the Shire of Mingenew 2019/20 Budget.

Key Points

- Balanced budget
- 1% rate increase
- No new borrowings proposed
- Where possible, fees and charges amended to better reflect actual cost

OFFICER RECOMMENDATIONS AND COUNCIL DECISION - ITEM 14.1

PART A – MUNICIPAL FUND BUDGET FOR 2019/20 FINANCIAL YEAR - Resolution 19071711

Moved: Cr Cosgrove Seconded: Cr Bagley

Pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Council adopt the Municipal Fund Budget as contained in Attachment 14.1.1 of this Agenda for the Shire of Mingenew for the 2019/20 financial year which includes the following:

- Rates Setting Statement
- Statement of Cash Flows
- Comprehensive Income Statement by Program
- Comprehensive Income Statement by Nature/Type
- Notes to and Forming Part of the Budget
- Capital Works Program
- Road Program
- Plant Replacement Program

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 5/1

PART B – GENERAL AND MINIMUM RATES AND INSTALMENT PAYMENT ARRANGEMENTS - Resolution 19071712

Moved: Cr Smyth Seconded: Cr Cosgrove

1. For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, Council pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following general rates and minimum payments on Gross Rental and Unimproved Values, as supplied by Landgate (as amended) as at 1 July 2019.

1.1 General Rates

- Mingenew & Yandanooka (GRV) 15.0276 cents in the dollar
- Rural & Mining (UV) 1.2915 cents in the dollar

1.2 Minimum Payments

- Mingenew & Yandanooka (GRV) \$707
- Rural & Mining (UV) \$1060.50

2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council provides the option for ratepayers to pay their rates as a single payment or by 4 equal instalments; and, in accordance with Section 6.50 of the Act nominates the following due dates for the payment in full or by instalments:
 - Full payment and 1st instalment due date 30 August 2019
 - 2nd quarterly instalment due date 29 October 2019
 - 3rd quarterly instalment due date 17 January 2020
 - 4th quarterly instalment due date 16 March 2020
3. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$15 for each instalment after the initial instalment is paid.
4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.
5. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
6. Pursuant to section 6.47 of the Local Government Act 1995, Council grants a 50% concession on rates assessments issued to all properties rateable on the basis of Gross Rental Valuation in the Yandanooka Townsite with the object of recognising the reduced level of service provided to properties in Yandanooka Townsite as compared to Mingenew Townsite. Rates for A219 (Charitable property) are exempt and subject to a 20% voluntary contribution by the ratepayer.

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 6/0

PART C – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2019/20 - Resolution 19071713

Moved: Cr McGlinn Seconded: Cr Cosgrove

1. Pursuant to Section 5.99 of the Local Government Act 1995, and regulation 30 of the Local Government (Administration) Regulations 1996, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

Shire President	\$6,384
Councillors	\$3,764
2. Pursuant to Section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

Shire President	\$7,348
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3. Pursuant to Section 5.98A of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

Deputy Shire President	\$1,836
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VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 6/0

PART D – GENERAL FEES AND CHARGES FOR 2019/20 - Resolution 19071714

Moved: Cr Bagley Seconded: Cr Cosgrove

Pursuant to section 6.16 of the Local Government Act 1995, Council adopts the Fees and Charges as presented forming part of the 2019/20 Budget included as a separate Attachment to this Agenda.

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY: 6/0

PART E – OTHER STATUTORY FEES FOR 2019/20 - Resolution 19071715

Moved: Cr McGlinn Seconded: Cr Bagley

Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:

3.1 Residential Premises

- 240 Litre bin per weekly collection \$380 per annum

3.2 Commercial Premises

- 240 Litre bin per weekly collection \$380 per annum

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 6/0

PART F – MATERIAL VARIANCE REPORTING FOR 2019/20 - Resolution 19071716

Moved: Cr McGlinn Seconded: Cr Cosgrove

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2019/20 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

VOTING DETAILS:

CARRIED BY SIMPLE MAJORITY: 5/1

Attached

14.1.1 2019/20 Annual Budget

Related Documents (circulated prior to Council Meeting)

2019/20 Budget Template

2019/20 Capital Expenditure

2019/20 Road Program

10 Year Plant Replacement Program

2019/20 Fees & Charges

Background

As part of the function of local government and its operations, each year the Council is required, under Section 6.2 of the Local Government Act 1995, to formally adopt its annual financial year budget to enable the administration to carry out the defined services and programmes and to raise revenue through rates and fees and charges.

Consistent with sections 6.2(4) of the Local Government Act 1995, the 2019/20 Budget for the Shire of Mingenew includes the following:

- Rates and Minimum Payments for 2019/20
- Capital Works
- Fees and Charges
- Concessions
- Allowances
- Borrowings

- Reserves
- Budget Estimates for Adoption

Comment

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The budget results in an estimated Unrestricted Cash balance of \$29,314 at 30 June 2020. It is very unlikely that this will happen in reality, as it is likely that there will be a prepayment of the Federal Assistance Grants in June 2020, and/or the full budget may not be spent, and an adjustment can be made if necessary when the Statutory Budget Review is done during the year.

It should also be noted that the 2018/19 Budget column in the statutory documents refers to the 2019/19 budget as adopted in August 2018, not any of the subsequently reviewed versions.

Rating & Minimum Payments

The raising of revenue via annual rates is an important source of funds for all Councils throughout Australia. The Local Government Act 1995 (the Act) empowers WA Councils to impose general rates and minimum payments.

Rate Modelling (2019/20):

The proposed rates model is based on the following:

- Annual UV & Mining valuations applied
- 1% average rate increase (2018/19: 2.5%)
- GRV Rate in the \$ - 15.0276c (2018/19: 14.9035c)
- UV Rate in the \$ - 1.2915c (2018/19: 1.3684c)
- Minimum Payments – UV - \$1,060.50 (2018/19: \$1,050)
- Minimum Payments – GRV - \$707 (2018/19: \$700)
- 50% concessions applied to Yandanooka Townsite
- 80% concession applied to A219 – charitable property
- No differential rates

Fees and Charges

The proposed fees and charges have increased by between 0% and 5%, depending on the type of fee and to compensate for the fact that most fees and charges were not increased in 2018/19. Some fees and charges have decreased, particularly in the Plant Hire Rates section. Sporting Club fees have increased by 1% and Rental Property Fees have also increased by 1%. Where possible, the actual cost of providing the service has been assessed, with provision for increases based on inflation and cost escalation where necessary.

Household and commercial waste removal charges have increased slightly, with a 240L bin now \$380 per week (2018/19: \$378)

Statutory fees and charges associated with town planning, health and building have been increased or remain unchanged as per relevant legislation that determines those fees and charges.

Concessions

A 50% concession will be available to persons owning rateable properties within the Shire that are rateable on the basis of Gross Rental Value (GRV) and are in the Yandanooka Townsite. The purpose of the concession is to recognise the reduced level of service provided to these ratepayers as compared to that provided to those in the Mingenew Townsite.

As per Council's resolution, application for rates exemption (with a 20% voluntary contribution by the ratepayer) under the Local Government Act 1995 for property A219 (charitable property) is proposed.

Borrowings

There are no new borrowings proposed in the 2019/20 budget.

Reserve Accounts

The following transfers to/from reserves for the financial year 2019/20 are proposed:

- Transfer to Land and Building Reserve for land development opportunities - \$10,000
- Transfer from Land and Buildings Reserve for 50% of the Town Hall Planning costs - \$5,000
- Transfer to Plant Reserve – surplus funds to balance the budget to \$0 - \$32,413
- Transfer from Environmental Rehabilitation Reserve for monitoring bores at the waste disposal site - \$10,000
- Transfer from RTC/PO/NAB Reserve for building work to prepare property for rent - \$10,000
- Transfer from Economic Development and Marketing Reserve for public wi-fi in Mingenew - \$10,000

Brought Forward Value

There is an estimated surplus of \$1,206,732 shown in the Budget as the brought forward amount from 30 June 2019. This figure is unaudited and may change with any adjustments to the opening position to be addressed during the year end and audit process.

Capital Works and Funding

Capital Works of \$2,937,402 are proposed in the 2019/20 financial year and these projects are itemised in the supplementary budget information.

A total of \$3,002,377 is budgeted for the Road Programme.

Funding sources allocated to the 2019/20 Road Programme include;

- \$728,000 – Main Roads Regional Road Group
- \$164,870 – Roads to Recovery
- \$ 325,487– Federal Assistance Grants
- \$894,432 – Local Government Commodity Freight Roads Fund

Elected Members Fees & Allowances

Elected Members Fees & Allowances were increased in February 2019 and are due to be reviewed during the budget review process in 2019/20 to ensure alignment with the Salaries and Allowances Act 1975 by.

President Allowance	\$7,348
Deputy President Allowance	\$1,836
Annual Meeting Fee – President	\$6,384
Annual Meeting Fee – Councillors	\$3,764

Consultation

While no specific community consultation has occurred during the compilation of the draft 2019/20 Budget, community consultation was previously undertaken during the development of the Community Strategic Plan.

There has been internal consultation with staff and elected members throughout the preparation of the budget and the budget meetings involving elected members.

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

In addition, Section 6.2 of the Local Government Act 1995 requires that in preparing its annual budget the Council is to have regard to the contents of its Plan for the Future, prepared in accordance with section 5.56. Under the Integrated Planning Framework for Local Government, that is the Community Strategic Plan in conjunction with the Corporate Business Plan.

The 2019/20 Budget as presented is considered to meet statutory requirements.

Voting Requirements:

Part A - Municipal Fund Budget for 2019/20 Financial Year - Absolute Majority

Part B - General and Minimal Rates and Instalment Payment Arrangements - Absolute Majority

Part C – Elected Members' Fees and Allowances for 2019/20 – Absolute Majority

Part D - General Fees and Charges for 2019/20 - Absolute Majority
Part E - Other Statutory Fees for 2019/20 - Simple Majority
Part F - Material Variance Reporting for 2019/20 - Simple Majority

Policy Implications

The 2019/20 Budget is prepared on the principles outlined within the Corporate Business Plan and other related documents.

Financial Implications

As detailed within the report and as per the attached 2019/20 Budget documentation.

Strategic Implications

The 2019/20 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.

15.0 CONFIDENTIAL ITEMS

Nil.

16.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday 21 August 2019 commencing at 4.30pm.

17.0 CLOSURE

The Presiding Member closed the meeting at 5.36pm.

These minutes were confirmed at an Ordinary Council meeting on 21 August 2019.

Signed _____
Presiding Officer

Date: _____

ATTACHMENT: 11.2.1

CONFIDENTIAL: Draft GASA Response

ATTACHMENT: 11.4.1

Shire of Mingenew DAIP 2019-2024

SHIRE OF MINGENEW



DISABILITY ACCESS AND INCLUSION PLAN 2019-2024

This Disability Access and Inclusion Plan (DAIP) is available in alternative formats upon request including large print, electronically by email and on the Shire's website at www.mingenew.wa.gov.au

Ref: NCR191122

Disability Access and Inclusion Plan for the Shire of Mingenew

1.0 Background

1.1 The Shire of Mingenew

The Shire of Mingenew is located 383 kilometers north of Perth on the scenic Midlands Road and 110 kilometers south east of Geraldton. The Shire of Mingenew is a rural Local Government with a population of approximately 460. The primary industries in the region are cropping and livestock production. The Shire of Mingenew is bounded by the Shires of Three Springs, Morawa, Irwin and the City of Greater Geraldton.

The Shire's economy is reliant on a range of agricultural pursuits including grain production and wool growing. Mingenew boasts the largest inland grain receival point in the southern hemisphere. Wildflowers, which abound in the region during spring, attract a large number of tourists. Basic camping is provided at the Coalseam National Park where tourists might enjoy the flowers and look for fossils in the Coalseam. Self-contained RV parking is also available at the Yandanooka townsite and Enanty Barn.

1.2 Functions, facilities and services provided by the Shire of Mingenew

The Shire of Mingenew provides;

Services to properties including-

- Construction and maintenance of shire-owned roads, buildings, footpaths, walk trails, rubbish collection and disposal, caring of trees, street lighting, and bushfire control.

Services to community include-

- Provision and maintenance of recreation grounds, playing areas, and reserves, management of community centres, public buildings, library and information services.

Regulatory services include-

- Planning, building and ranger services. Planning of roads and subdivisions in accordance with the town planning scheme, building approvals for construction, additions and alterations. Ranger services, including enforcement of local laws, dog, litter and pools/spas inspections.

General Administration including-

- The provision of general information to the public, rates notices, vehicle licensing and inspection services.

Process of Government including-

- Ordinary and special council meetings, committee meetings, electors' meetings and election of Councillors.

1.3 People with disability in the Shire of Mingenew

There is a small estimate of people with disabilities living within the Shire. The Australian Bureau of Statistics (ABS figures) were inconclusive with regards to the number of people with disability in the Shire; however, officers, Council and community are aware there are people with disability who live in the community.

1.4 Planning for better access

The Western Australian Disability Services Act (1993) requires all Local Governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to ensure that people with disabilities have equal access to facilities and services.

Other legislation underpinning access and inclusion includes the Western Australia Equal Opportunity Act (1984) and the Commonwealth Disability Discrimination Act 1992 (DDA), both of which make discrimination on the basis of a person's disability illegal.

Since the adoption of the Disability Services Plan, the Shire has implemented many initiatives and made significant progress towards better access within the Shire of Mingenew, these are as follows;

Improvement of existing functions, facilities and services to meet the needs of people with disabilities.

- Talking and large print books positioned in a clearly designated and easily accessible section of the library.
- Building surveyors and planners have assisted in increasing disability access awareness of developers, and the introduction of disabled access to all newly constructed or altered public buildings, including playground and recreational areas.

Opportunities provided for people with disability to participate in public consultations, grievance mechanisms and decision-making processes are provided.

- Council services, functions and facilities are available on request in large print, and other alternative formats.
- Council ensures that voting for municipal elections takes place in accessible buildings and that alternative voting arrangement is available where required.

2.0 Access and Inclusion Policy Statement

The Shire of Mingenew is committed to ensuring that the community is an accessible community for people with disability, their families and carers, via the following;

- The Shire of Mingenew believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice.
- The Shire of Mingenew is committed to consulting with people with disability, their families and carers and, where required, disability organisations to ensure that barriers to access are addressed appropriately.
- The Shire of Mingenew is committed to ensuring that its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan.

The Shire is also committed to achieving the seven standards of its disability access and inclusion plan which are as follows;

- People with disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.
- People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.
- People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.
- People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.
- People with disability have the same opportunities as other people to make complaints to a public authority.
- People with disability have the same opportunities as other people to participate in any public consultation by a public authority.
- People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

3.0 Development of the Disability Access and Inclusion Plan

3.1 Responsibility for the planning process

The Shire's Community Development Officer was given responsibility to oversee the review and evaluation of the plan and efforts have been made to include the participation of a person with disability.

3.2 Community consultation

In 2019, the Shire of Mingenew undertook to review its Disability Services Plan (2013) and consult with key stakeholders to draft a revised Disability Access and Inclusion Plan to guide further improvements for access and inclusion.

The process included:

- Examination of the initial Disability Services Plan and review to see what has been achieved and what still needs work
- Examination of other council documents and strategies
- Investigation of current good practice in access and inclusion
- Consultation with key staff; and
- Consultation with the community and, in particular, people with disability.

The community was advised that Council was reviewing its disability access and inclusion plan to address the barriers that people with disability and their families experience in accessing council functions, facilities and services, and invited to contact Council officers in June / July 2019 to discuss and submit comments on the DAIP (2009 - 2013).

During the period of June/July 2019 an advertisement was placed in the Mingenew Matters inviting community members to make any suggestions via a online survey on the Shire's website or a hard copy survey available from the Shire Office. Community members were also advised that submissions could be made in other formats including in-person, over the phone, email or mail. The Shire also identified a number of key stakeholder groups and targeted them through direct correspondence.

Consultation with key staff members have also provided valuable input into the development of this Plan, with particular focus on developing achievable strategies and goals that can be integrated into operations for continuous improvement.

3.3 Findings of the consultation

The Shire received only 2 responses through its online survey. One respondent, who indicated they did not have a disability or care for or support someone with a disability, outlined they considered the Shire's Shire Office, Rec Centre, footpaths, public toilets, parking and parks to be 'very' accessible, whilst the Shire's roads were 'somewhat' accessible. Specifically, the respondent provided feedback that they were not aware of the location of ACROD parking bays in town and would like to see improved parking and disability access outside the Silver Chain with a suggestion to review access to toilets, the shop, Silver Chain, open spaces and Expo

The second respondent indicated they cared for or supported someone with a disability. In their experience Councillors, staff, contractors and volunteers were considered 'not very' friendly and welcoming when interacting with people with a disability. However, no further feedback was provided on specific issues or barriers they may have experienced. Public toilets and parks were considered 'not very' accessible and footpaths, roads and parking were considered 'somewhat' accessible, whilst all other buildings and infrastructure were rated as 'very' accessible. This respondent also outlined they considered information provided through printed documents, emails and signage were 'not very' accessible and the Shire's website and social media was 'somewhat' accessible. No suggestions for any particular issues, barriers or improvements were provided.

Neither respondent was aware of the Shire's DAIP.

During the consultation period, key stakeholder groups were written to asking for member feedback. The Mingenew Silver Chain Branch Committee wrote to advise that a member wished to specifically highlight the following:

"One thing that has come to my attention is that where the disability ramp (such as in front of Our local IGA hits the road), there is a lip which means wheelchairs (& trolleys) need to step up or come down with a "thud". I find this to be difficult & I'd imagine uncomfortable for wheelchair riders & really difficult for wheelchair drivers as it does take a lot of effort when mounting the curve going UP a ramp. If the ramp from the road to the pavement was FLUSH- i.e. no lip creating difficulty in transfer from one hard surface to another, this would possibly make it easier to use the ramps. Thanks for your consideration on this topic"

The identification of these issues will help determine the development of strategies in the Disability Access and Inclusion Plan. The issues will be prioritized in order of importance, to assist in setting timeframes for the completion of appropriate strategies.

3.4 Responsibility for implementing the DAIP

Implementation of the DAIP is the responsibility of all areas of the Shire of Mingenew. The Disability Services Act (1993) requires all public authorities to take all practical measures to ensure that the DAIP is implemented by its officers, employees, agents and contractors.

3.5 Communication of the plan to staff and people with disability

The community has been advised through the local media that copies of the plan are available to the community upon request and in alternative formats if required.

As plans are amended Shire employees and the community will be advised of the availability of updated plans, using an appropriate variety of communication methods.

3.6 Review and evaluation mechanisms

The Disability Services Act requires that DAIP's be reviewed at least every five years. The DAIP Implementation Plan can be amended more frequently to reflect advancements of access and inclusion issues. Whenever the DAIP is amended, a copy of the amended plan must be lodged with the Department of Communities.

Monitoring and reviewing

The DAIP will be reviewed annually for progress and implementation with all progress and recommended changes reported to Council.

Evaluation

An evaluation will occur as part of a five-yearly review of the DAIP. Community, staff and elected members will be consulted as part of the evaluation and Implementation Plans will be amended based on the feedback received. Copies of the amended Implementation Plan, once endorsed by Council, will be available to the community in alternative formats.

3.7 Reporting of DAIP

The Disability Services Act requires the Shire to report on the implementation of its DAIP in its annual report outlining:

- Progress towards the desired outcomes of its DAIP.

- Progress of its agents and contractors towards meeting the seven desired outcomes.
- The strategies used to inform agents and contractors of its DAIP.

Agents and contractors of the Shire of Mingenew will be provided access to the Shire's DAIP and be made aware of any specific actions required of them to comply with the DAIP outcome areas in undertaking work on behalf of the Shire, including requirements being stated within contracts and inductions as appropriate.

4.0 Progress of the DAIP 2013-2019

Outcome 1

People with disability have the same opportunities as other people to access the services of, and any events organised by a public authority.

- Audio and large print books located in a specific, clearly signed area of the Library.
- DVDs with subtitles available in the Library

Outcome 2

People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

- Public toilets meet standards and unisex toilets available at Recreation Centre, Turf Club and Town Centre.

Outcome 3

People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

- Information made available in alternative formats, on request.
- Information availability publicized in the Shire's Information Statement, through the local newspaper and on its website.
- Staff and Councillor inductions include disability access and inclusion matters to promote awareness of information accessibility.
- The Shire's website is set out under W3C guidelines

Outcome 4

People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

- Information made available in alternative formats, on request.
- Staff and Councillor inductions include disability access and inclusion matters to promote awareness of information accessibility.
- Expert advice is sought when required

Outcome 5

People with disability have the same opportunities as other people to make complaints to a public authority.

- Grievances can be lodged using a number of mediums including submissions over the phone, written correspondence/form, electronic forms and face-to-face submissions with staff transcribing.

Outcome 6

People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

- Local government elections are held in a suitable location that provides for those with a disability
- The Shire communicates using a range of methods and mediums and makes information available in accessible formats.

Outcome 7

People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

- Employment opportunities are open to all.
- In-person interviews are conducted in an accessible building and reasonable modifications can be made for individual needs. Interviews may also be conducted using other various methods, such as over the phone, using the internet and other electronic applications.
- New policies and procedures are being developed with regard to Recruitment and Selection

5.0 Strategies and Implementation Plan

The Implementation Plan details the task, timelines and responsibilities for each strategy to be implemented in 2019-2023 to progress the strategies of the DAIP.

It is intended that the Implementation Plan will be updated annually through Council's operations, to progress the achievements of all the strategies over the duration of the five-year plan.

This plan is available in alternative formats on request.

Outcome 1

People with disability have the same opportunities as other people to access the services of, and any events organised by a public authority.

Strategy	Task	Timeline	Responsibility
Ensure people with disability are consulted on their need for services and the accessibility of current services	<ul style="list-style-type: none">Promote feedback mechanisms for use of all services, provided or funded.Develop consultation guidelines for all future reviews of services.	Ongoing December 2019	CEO CEO and GO
Make library technology as accessible as possible.	<ul style="list-style-type: none">Continually monitor library services and technology to facilitate accessibility for library and information services.	Ongoing	LO
Council will ensure that any events are organised so that they are accessible to people with disability.	<ul style="list-style-type: none">Ensure the needs of people with disability are planned for and provided at events by using the access resource kit as provided by Disability Services.	Ongoing	CEO and CS
Ensure that all policies and practices that govern the operation of Council facilities, functions, and services are consistent with Council Policy regarding access.	<ul style="list-style-type: none">Incorporate the objectives and strategies of DAIP into the Shire's existing planning processes, including the Strategic Community Plan.Develop and implement key policies to support accessibility	SCP Review 2020 June 2020	CEO CEO and GO

Outcome 2

People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Strategies	Task	Timeline	Responsibility
Demonstrate a willingness to ensure all buildings and facilities are accessible where practicable, to meet the access standards and any additional need in consideration of people with disability.	<ul style="list-style-type: none"> Identify access barriers to buildings and facilities. Prioritise and implement any recommendations as resourcing allows. 	Ongoing	CEO and EHO
Ensure that all new or redevelopment works provide access to people with disability, where practicable.	<ul style="list-style-type: none"> All new or redeveloped facilities allow for access for people with physical, cognitive, sensory and psychiatric disability through the application of specific building and planning codes. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable. Legal requirements with regard to disability access are checked prior to approval of development and building applications. 	Ongoing Ongoing	CEO and EHO PS and BS
Ensure adequate ACROD parking to meet the demand of people with disability in terms of quantity, quality, and location.	<ul style="list-style-type: none"> Undertake an audit of ACROD bays and implement a program to rectify non-compliance. (Checklist, from ART) 	June 2020	CEO and EHO
Ensure that parks and reserves and facilities are accessible.	<ul style="list-style-type: none"> All parks and reserves allow for access for people with physical, cognitive, sensory and psychiatric disability. This includes ramped elevations, rails, and appropriate signage, line marking and raised footholds at intersections where practicable. 	Ongoing	CEO and EHO
Ensure that public toilets meet the associated accessibility standards.	<ul style="list-style-type: none"> Provision of Unisex disabled toilet/s for wheelchair persons visiting the Shires facilities are considered and planned for. 	Ongoing	CEO and EHO

Outcome 3

People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Strategies	Task	Timeline	Responsibility
Improve community awareness that Council information can be made available in alternative formats upon request, such as large print, and audio.	<ul style="list-style-type: none"> • Ensure all public documents carry a notation regarding availability in alternative formats 	Ongoing	CEO
	<ul style="list-style-type: none"> • Advise the community via local newspaper, social media, newsletters and other mediums as appropriate, that information is available in alternative formats 	Annually	CEO
	<ul style="list-style-type: none"> • Provide information about technology and providers that support people with a disability 	Ongoing	CEO and GO
Improve staff awareness of accessible information needs and how to obtain information in other formats.	<ul style="list-style-type: none"> • Make accessible information guidelines available on the internet 	Ongoing	CEO
	<ul style="list-style-type: none"> • Develop an accessible information policy 	June 2020	CEO and GO
	<ul style="list-style-type: none"> • Provide accessible information training and resources to employees, including as part of the induction of new staff. 	Ongoing	CEO and GO
Ensure that the Shires website meets contemporary and universal design practices.	<ul style="list-style-type: none"> • Monitor and maintain website compliance with W3C standards. 	Ongoing	CEO
	<ul style="list-style-type: none"> • Investigate methods for improving accessibility on the Shire's website 	September 2019	GO

Outcome 4

People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

Strategies	Task	Timeline	Responsibility
Improve staff awareness of disability and access issues and improve skills to provide good service to people with disability.	<ul style="list-style-type: none">• Update staff on any identified disability and access issues through internal means• Develop a Customer Service Charter that establishes some guidelines on how to provide good service to people with a disability	Ongoing October 2019	CEO GO
Improve the awareness of new staff and new Councilors about disability and access issues.	<ul style="list-style-type: none">• Provide information and training in the induction for new staff and Councillors	Ongoing	CEO and GO
When required, Council will seek expert advice from the disability field on how to meet the access needs of people with disability.	<ul style="list-style-type: none">• Maintain a network of organisations/people who can be called upon to provide advice on access and inclusion options for people with disability	Ongoing	AO

Outcome 5

People with disability have the same opportunities as other people to make complaints to a public authority.

Strategies	Task	Timeline	Responsibility
Council will ensure that current grievance mechanisms are accessible for people with disability and are acted upon.	• Review current grievance mechanisms and develop any appropriate policies or guidelines as appropriate	Ongoing	CEO
	• Develop other methods of making complaints, such as web-based forms, access to interpreters, advocacy services, and alternative arrangements such as carers, parents, and guardians acting as advocates.	Ongoing	CEO
	• Promote accessible complaints mechanisms to the community.	Ongoing	CEO

Outcome 6

People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

Strategies	Task	Timeline	Responsibility
Ensure that people with a disability are actively consulted about the DAIP and any other significant planning processes.	<ul style="list-style-type: none"> Promote the existence and role/purpose of the DAIP to the community. Consult with people with disability using a range of mediums, including survey, focus groups and interviews, as required. 	Annually	CEO
		Ongoing	CEO
Seek broad range of views on disability and access issues from the local community.	<ul style="list-style-type: none"> Include appropriate questions about access and inclusion in general Shire surveys and consultative events. Actively pursue ideas and thoughts from people with disability. 	Ongoing	CEO
		Ongoing	CEO
Commit to ongoing monitoring of the DAIP to ensure implementation and satisfactory outcomes.	<ul style="list-style-type: none"> The shire will regularly monitor the progress of the plan and be involved in the annual reviews. DAIP reviews to be included in the Shire's Compliance Calendar 	Annually	GO/CEO
		Annually	GO

Outcome 7

People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

Strategies	Task	Timeline	Responsibility
Use inclusive recruitment practices	<ul style="list-style-type: none"> • Make sure job advertisements and career information is available in an accessible format • Promote the Shire's Equal Employment Opportunity statement when advertising vacancies. • Make sure the interview is held in an accessible venue. • Develop a Reasonable Adjustment Policy • Review Workforce Plan to ensure inclusion of inclusive recruitment practices • Undertake training and education of Elected Members and staff to improve awareness of people with disability • Update Elected Member and staff inductions to include DAIP 	Ongoing	CEO
		Ongoing	CEO
		Ongoing	CEO
		June 2020	GO and CEO
		December 2020	CEO
		June 2020	CEO and GO
Improve methods of attracting, recruiting and retaining people with disability	<ul style="list-style-type: none"> • Examine current methods of recruitment • Collect data on disability and diversity to monitor trends and needs 	December 2019	GO and CEO
		June 2020	CEO
Work with disability employment support providers to support any employees with a disability	<ul style="list-style-type: none"> • Examine current methods of recruitment • Collect data on disability and diversity to monitor trends and needs 	Annually	CEO
		June 2020	CEO
		Annually	CEO
Work with disability employment support providers to support any employees with a disability	<ul style="list-style-type: none"> • Seek assistance from Disability Employment Service providers within 100km radius, as appropriate • Review current job descriptions to ensure relevance of essential criteria • Seek assistance with advertising, interview, and employment requirements including reasonable adjustment. 	June 2020	CEO
		Annually	CEO
		Annually	CEO
Ensure policies and procedures are regularly reviewed.	<ul style="list-style-type: none"> • Seek assistance from Disability Employment Service providers within 100km radius, as appropriate • Review current job descriptions to ensure relevance of essential criteria • Seek assistance with advertising, interview, and employment requirements including reasonable adjustment. 	Annually	CEO
		Annually	CEO
Ensure policies and procedures are regularly reviewed.	<ul style="list-style-type: none"> • Conduct annual reviews of policies and procedures • Identify and implement any new policies or procedures that support improved recruitment practices. 	Annually	CEO
		Annually	CEO

Abbreviations used throughout this report:

Administration officers (AOs)

Building Services (BS) – currently outsourced

Chief Executive Officer (CEO)

Community Services – currently provided in-house with additional support outsourced

Environmental Health Officer (EHO) – currently outsourced

Governance Officer (GO)

Library officer (LO)

Local Government Insurance Services (LGIS)

Local Government Professionals WA (LGPWA)

Planning Services (PS) – currently outsourced

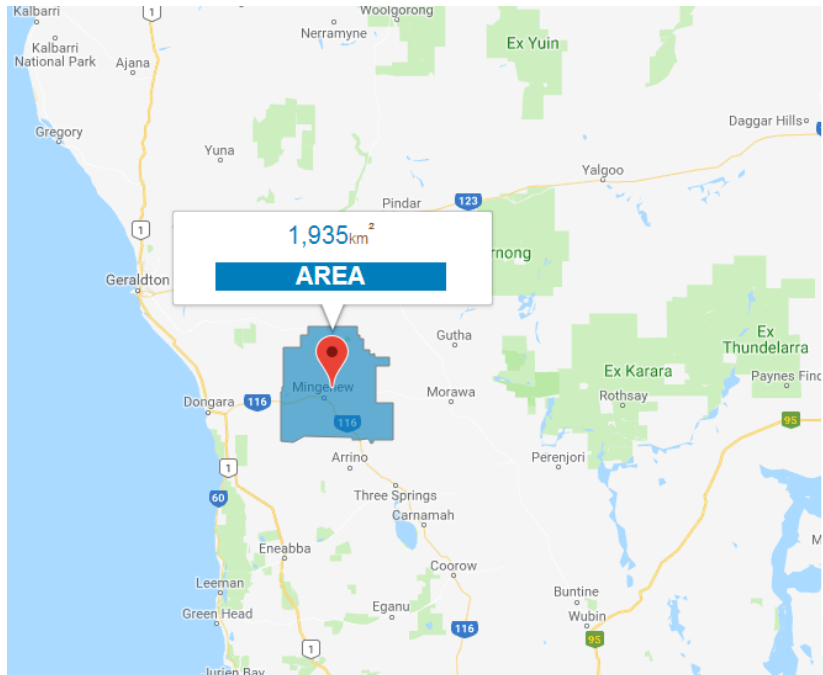
ATTACHMENT: 11.5.1

Draft Local Government Select Committee Submission

SHIRE OF MINGENEW – SELECT COMMITTEE INTO LOCAL GOVERNMENT SUBMISSION

SHIRE OVERVIEW

MAP:



POLITICAL:

Shire President:	Cr Helen Newton
Councillors:	7
Electoral District:	Moore (Shane Love, NAT)
Electoral Region:	Agricultural
Federal Electorate:	Durack (Melissa Price, LIB)

INFRASTRUCTURE:

- ♦ 521km road network; 203km sealed
- ♦ Ongoing road sealing program
- ♦ Optic fibre to local phone exchange
- ♦ Limited digital connectivity in rural areas
- ♦ Patchy mobile telephone coverage in rural areas
- ♦ Significant sporting facilities

ECONOMIC:

- ♦ Largest onshore grain receival facility in southern hemisphere; saw >600,000 tons (\$240m) of grain in 2018 harvest
- ♦ Sheep and cattle, in addition to grain: ~95% of shire is cleared, and majority used for agricultural purposes
- ♦ Heart of WA's Wildflower Country: Coalseam Reserve
- ♦ Events: Mingenew Midwest Expo, Races
- ♦ Growing space industry centred on WA Space Centre
- ♦ Rates income of approximately \$1.9m per annum (approximately 40% of total revenue)

SOCIAL

- ♦ Population of 473
- ♦ 73rd percentile 2016 Index of Advantage/Disadvantage
- ♦ 37.5% volunteer participation (double state average)
- ♦ Over 30 active community groups
- ♦ Strong local sporting culture: netball, football, hockey
- ♦ Declining population and growing commuter workforce

KEY CHALLENGES:

- ♦ Housing market is limited, finance is difficult to obtain and Shire becomes housing provider of last resort
- ♦ Service delivery in key areas (child care, health care) can be difficult to maintain due to size of market
- ♦ Bridging asset 'gap' between ideal maintenance levels of key assets and fiscal reality (58% of 17/18 expenditure was on transport network)

INTRODUCTION

As a small, rural local government, the Shire of Mingenew often feels that it is operating in a sector where the rules and requirements that govern it have been drafted with larger, better resourced local governments in mind. We do not believe that the one-size-fits-all approach which the Local Government Act 1995 (and associated Regulations) provides consistently delivers a compliance and governance framework which can be efficiently and cost-effectively delivered.

We also believe that while the traditional 3 Rs (Roads, Rates and Rubbish) are key activities for local governments to focus upon, our role as a small rural local government is necessarily broad and this needs to be acknowledged.

SUITABILITY AND SCOPE OF THE LOCAL GOVERNMENT ACT 1995

We support the current efforts to reform the Local Government Act 1995, particularly components which seek to reduce the one-size-fits-all approach to the sector. We believe the current approach places a disproportionately large compliance and governance burden upon small local governments. We also highlighted:

- Streamlining of certain aspects of local government financial management
- Reviewing exemptions of rates, fees and charges
- Increasing cooperation between local governments to reduce unnecessary duplication of processes
- A desire to be protected from the negative externalities that result from devolution of responsibility from higher tiers of government

Our full submission to the Local Government Act Reform process is attached as background.

SCOPE OF LOCAL GOVERNMENT ACTIVITIES

As noted in the introduction, we believe that the traditional 3 Rs view of Local Government is outdated and narrow. That is not to say that basic service delivery does and should not remain the core activity of local government. The Shire of Mingenew spends approximately 60% of its annual budget on the upgrade and maintenance of its transport network – and we recognise the importance of roads as key enabling infrastructure to support industry and economic activity within our Shire and region.

Rates are also an important source of revenue for our Shire, with a value of approximately \$1.9m per annum – about 40% of our total revenue. This means that approximately 60% of our revenue comes from State and Federal grants. To that effect, we are heavily reliant upon grants from the higher tiers of government to maintain our operations.



In FY19-20 we have elected to increase our rates by less than 1%. Already, we have the highest rates per capita of our neighbouring Shires.

Shire	Area (km2)	Population (latest available data)	Rate Base 2018/19 Budget \$'000	Rates per capita \$'000	Rates - GRV Cents in the \$	Rates UV Cents in the \$
Mingenew	1935	486	1,858	3.82	14.9035	1.3684
Three Springs	2653	594	2,040	3.43	11.9606	1.5334
Morawa	3512	906	2,088	2.30	7.7145	2.3481
Carnamah	2873	550	1,887	3.43	14.9760	1.9459
Chapman Valley	3965	1422	2,704	1.90	7.6430	1.1105
Perenjori	8313	924	2,674	2.89	8.1090	1.9552

Rubbish is also a topical item in our community, as we move from a traditional landfill approach towards a transfer station. Whilst we agree this will provide improved environmental and compliance outcomes, the process is not inexpensive, and we have been reliant upon grant money to help us to move through the process thus far. DWER have requested the installation of monitoring bores due to the relative proximity of our landfill to the local Water Corporation site. Again, whilst this request is understandable, quotes to-date to satisfy this request have been between \$40,000 and \$70,000.

Beyond the '3 Rs' the Shire of Mingenew provides a number of relatively traditional services:

- ♦ We maintain a recreation centre to support local sport (Football, Cricket, Hockey and Netball) as well as a race track, bowling green, golf course and lawn tennis courts.
- ♦ We maintain a number of parklands and garden beds throughout the Mingenew townsite
- ♦ We provide hire/access to a number of community buildings and facilities:
 - Recreation Centre
 - Autumn Centre (aged care activities)
 - It should be noted that HACC withdrew from Mingenew several years ago, and some basic social services are provided to our seniors through the local Community Resource Centre, with funding and facilities assistance from the Shire
- ♦ We provide planning, building, ranger and EHO services (all of which we share with several neighbouring local governments, as we have no need nor the expertise for a full-time staff member to deliver these services)

We also support a range of activities which, arguably, fall outside the 3 Rs:

- ♦ Heritage: We support and maintain a local museum (volunteer-manned)
- ♦ Health: We subsidise a weekly doctor clinic to allow for bulk billing for local residents
- ♦ Events: We organise and deliver community events or, in collaboration with others, deliver larger events including the Mingenew Midwest Expo and Mingenew Races
- ♦ Community Development: We promote and deliver community development initiatives in conjunction with community groups and regional stakeholders
- ♦ Economic Development: We actively support local businesses and encourage the further development of existing industry and establishment of new industry
- ♦ Tourism: We actively promote our Shire as a tourist destination, for both wildflower tourism and astro-tourism

Whilst some of these activities might be outside of the traditional purview of Local Government, we deliver them because of community demand (see our Community Strategic Plan 2019-29 for details: <https://mingenew.wa.gov.au/strategic-plan/>) and because no other agency is sufficiently resourced or willing to provide them.

The two items we would seek to highlight in particular are Economic Development and Tourism; these may fall outside the traditional scope of local government but – for small rural shires like Mingenew – are viewed as critical to the long-term viability of our communities.

We acknowledge that some assistance is available in the form of regional organisations (Development Commissions, Regional Tourism Organisations) but also find that their goals tend to be regionally focused, rather than focused on the prosperity of individual communities. Likewise, activity and investment tends to be focused in regional centres (Geraldton, in our case) as opposed to outlying towns.

Mingenew has, for the past few years, been very actively promoting itself as a tourism destination (with some success) and we believe that our ratepayers are generally supportive of this investment. If it became the prevailing view that local governments should step back from engaging in this type of ‘non-core’ activity, we would be keen to understand which agencies should be performing this activity, and whether they are resourced adequately to do so.

THE ROLE OF THE DEPARTMENT OF LOCAL GOVERNMENT

From an operation/administrative perspective, we have little interaction with the Department of Local Government and tend to engage with WALGA when we have queries regarding application of relevant legislation, human resources/employee relations enquiries and general issues.

There has been discussion within the sector that WALGA has almost become a ‘de facto’ department of Local Government, as the actual department’s resourcing has declined. We would tend to agree with those observations; we certainly engage far more regularly and deeply with WALGA than we do with the Department for purely pragmatic reasons – WALGA are resourced and capable of addressing such issues.

We note the WALGA submission to the Select Committee on this matter and generally concur with its content.

THE ROLE OF ELECTED MEMBERS AND EMPLOYEES

Again, we broadly support the content of WALGA’s submission to the Select Committee on this matter.

We believe that the Act, and contemporary HR management, makes it relatively straightforward to provide clarity to employees regarding their roles and responsibilities. The provision of inductions, position descriptions, performance reviews and appropriate performance management facilitate this in a straightforward manner.

In terms of selection and performance management of the Chief Executive Officer, in the last 18 months the Shire of Mingenew has utilised an external recruitment agency to recruit its current CEO and an external consultant to provide independent probationary and 12-month performance reviews. Whilst this process has been a generally positive one for both the CEO and elected members and gives all parties the assurance of an independent process, it does come with a financial cost.

From an elected member perspective, <input from elected members required>.

THE FUNDING AND FINANCIAL MANAGEMENT OF LOCAL GOVERNMENTS

As mentioned previously, only about 40% of our Shire’s revenue is own-source income. We are aware that we are not unique in this regard and that many smaller Shires are reliant upon external funding for both operational activities and capital projects. As the funding environment tends to become tighter and more competitive, at both a State and Federal level, this increases the financial pressures that we face.

We support initiatives from ALGA and WALGA to try to set a Federal benchmark of 1% of collected taxation revenue being allocated to the local government sector, noting that this figure currently sits at around 0.55%.

Given the primacy of roads in our financial statements, we are also supportive of efforts to increase the percentage of state vehicle licencing fees which are returned for road maintenance and upgrade works. The current agreement has this figure at 20%, and we are aware that historically it has been as high as 26%.

We are also aware that it is not realistic for us to pin our long-term financial future on increased funding flows from either the State or Federal Government. As such, we are in an invidious position that the mantra of 'do more with less' creates: Community expectations for service delivery are rising, functions are being devolved to local government from the higher tiers of government, we would seek to invest in initiatives which can promote growth for our region, and our funding environment is becoming increasingly challenging.

Our capacity to raise significant revenue through future rate increases is limited – in the sense that we believe our rates are already relatively high, but also the practical reality that a 1% rates increase equates to less than \$19,000 per annum. We are open to other opportunities which may assist us to generate revenue, such as beneficial enterprises, with the caveat that we would not seek to engage in activity which would directly compete with – or diminish the prosperity of – our few local businesses.

This leaves us with methods to reduce costs; whilst we accept that we can be more efficient as an organisation, a number of our inefficiencies (or areas where we believe little value is delivered back to ratepayers/taxpayers) stem from a complex and weighty compliance environment.

Whilst we recognise and value appropriate compliance, governance and oversight as both necessary and valuable for any public institution, we often feel that the level of compliance is disproportionate for an organisation our size (\$4-5m budget, >20 staff). As a result, compliance – rather than operational delivery - takes up a significant amount of time for senior staff or, the nature of the compliance requires external expertise to be sought (at a cost) because our staff lack the technical background to effectively complete some compliance activities. As noted above, a legislative/compliance environment which recognises the diversity of local governments would help to relieve this burden and likely result in greater delivery of value to our ratepayers and taxpayers.

OTHER RELATED MATTERS

<feedback requested from elected members>

CONCLUSION

The Shire of Mingenew would like to thank you for the opportunity to provide a submission to the Select Committee into Local Government. We would also welcome the chance to discuss any of the above in person.

ATTACHMENT: 11.5.2

WALGA Submission to Select Committee on Local Government

DRAFT

Submission

**Select Committee into
Local Government**

August 2019

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About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 138 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,222 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

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Introduction

Local Governments play a key role in the Australian Federation. Local Governments in Western Australia provide democratic representation and a range of services to their respective communities which span the length and breadth of the state.

Local Governments, in one form or another, have existed in Western Australia since the arrival of settlers from Britain in the nineteenth century. The first piece of legislation to weave the fabric of today's Local Government sector was the *Towns Improvement Act of 1838*.¹ Today, Local Government is constituted and primarily regulated by the *Local Government Act 1995* but there are many other legislative instruments which impact the way Local Governments operate in their diverse array of activities.

Local Governments are a key democratic institution in Western Australia's local communities. Councils have well-established relationships with the communities they serve and represent, local businesses and organisations as well as other spheres of government.²

Services provided by the 139 Local Governments in Western Australia include the traditional roads and waste collection but also now extend to recreation, medical services and other human services.³ Often, Local Governments taking on new or expanded roles in service delivery or advocacy is as a result of gaps left by other spheres of Government reducing their service delivery, or due to community pressure for Local Governments to step into a particular space.

All Local Governments throughout Western Australia continually strive to provide the highest quality services within the constraints of Local Government revenue streams, Australia's vertical fiscal imbalance and ongoing cost-shifting from other spheres of Government, all of which are well documented by the 2003 Hawker Report⁴ and many reports on Local Government finances before and since.⁵

Local Government in Western Australia, with a presence in every community in the state represents a significant component of the State's economy. Local Government is the steward of public assets of \$48 billion, including responsibility for more than 88 percent of the public road network, employs a workforce of 22,000 people (16,500 FTEs) and spends \$4.1 billion per year.⁶

¹ WALGA (2011)

² Aulich *et al* (2011) Volume 2 p13

³ PricewaterhouseCoopers (2006)

⁴ House of Representatives Standing Committee on Economics, Finance and Public Administration, (2003)

⁵ See also PricewaterhouseCoopers (2006) and Aulich *et al* (2011) Volume 1

⁶ WALGA (2019a)

Trust in Government

The 2019 Edelman Trust Barometer, the pre-eminent study of peoples' trust in institutions around the world found, that:

- Trust in Government remains low in Australia with people generally 'distrusting' of Government, and,
- Only a minority in western democracies believe "the system is working for me".⁷,

This lack of trust in democracy and in institutions has a real impact. A lack of trust in the system leads to increased fear and increased fear erodes trust and negatively affects our collective wellbeing.

This places Local Government in a very important position and creates significant opportunities for Local Government as a legitimate and connected sphere of Government.

As trust in Government and institutions declines to an all-time low, there is a small slice of good news for Local Government. The 2014 Griffith University Constitutional Values Survey found that, of our three spheres of Government, Local Government is the most trusted.⁸

Specifically, in Western Australia, while 69.8 percent of respondents trust Local Government to do a good job in carrying out its responsibilities, 63.2 percent of respondents trust the State to do a good job and only 56.9 percent trust the Federal Government to do a good job with its responsibilities.

With global uncertainty, and the erosion of trust in government, many people are looking for community, connection and stability. The challenge being embraced by Local Governments across Western Australia is to enable and facilitate this community connection.

This Select Committee presents a tremendous opportunity to further build trust in Local Government as a legitimate and democratically mandated sphere of government. This can be achieved by highlighting the achievements of Local Government.

It would be a real shame, and an opportunity lost, if this Parliamentary Inquiry is hijacked by those with an axe to grind using the committee process to air their often unfounded or unsubstantiated grievances. Instead, this Inquiry has a tremendous opportunity to highlight the achievements of Local Government in building cohesive and resilient communities.

To that end, WALGA would like to pay tribute to Western Australia's 1,222 Elected Members who have been willing to step up and take a leadership role in their communities, often in a challenging political role in the public realm. Unfortunately, Local Government has recently

⁷ Edelman (2019)

⁸ Griffith University (2014)

attracted uninformed criticism from a small number of noisy individuals who seem to have an axe to grind.

WALGA would like to remind the Committee that it's not the critics, comfortable in their cheap seats behind anonymous social media pages who matter, it's the men and women who put themselves forward to take a leadership position in their community.

As Theodore Roosevelt famously said:

*"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly... who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly."*⁹

That's not to assert that the Local Government sector in Western Australia is perfect; of course there is room for improvement and Local Governments welcome opportunities to improve their efficiency, effectiveness and their engagement with their communities.

Local Government has embraced a range of recent initiatives to improve their efficiency, effectiveness and engagement with their communities. For instance, the Integrated Planning and Reporting Framework was introduced into Western Australia at the behest of the Local Government sector who saw the opportunity for a more integrated and strategic approach to community, financial and business planning.

Performance audits, undertaken by the Auditor General, have also been welcomed by the Local Government sector. Performance audit participants have welcomed the opportunity to have their systems and processes critically examined by an external agency, and the learnings from the performance audits have been widely shared across the sector.

The increasing prevalence of deliberative democracy techniques, such as participatory budgeting, further demonstrates the desire and willingness of Local Governments to meaningfully engage with their communities.

It is WALGA's and the Local Government sector's expectation that the Committee will take the time to consider the full range of positive examples of Local Governments continual drive to deliver services efficiently, be an effective steward of community infrastructure, and

⁹ Brown (2019)

engage meaningfully with citizens as a key component of Western Australia's vibrant democracy.

Local Government Collaboration

Local Governments, while democratically representing their communities, strive to deliver services effectively and efficiently. One way Local Governments aim to improve their service provision is by collaborating with other Local Governments in partnerships, as members of Regional Local Governments, or as members of voluntary collaborative groups.

Collaboration in Local Government has a number of drivers. A key driver for Local Governments to work together to achieve community outcomes is to strive for better, more strategic, and regionally appropriate outcomes. When Local Governments collaborate to, for example, develop aged housing facilities, or promote regional tourism, they are collaborating because together they can drive better outcomes than they could as one Local Government undertaking a task more suited to a regional scale.

Local Government collaboration is also driven by necessity. In many cases, Local Governments collaborate because the service is more efficiently provided at a regional level. For example, in metropolitan Perth, Local Governments are members of Regional Local Governments to collaboratively provide waste services at an appropriate scale and level of service.

It is important to note that Local Governments also actively seek to work collaboratively with Government agencies, industry, local business and civil society in delivery community outcomes. Across regional WA, Local Governments work closely with Regional Development Commissions and regional offices of the Commonwealth's Regional Development Australia (RDA) network to undertake regional planning, develop regional projects and leverage State and Federal funding.

WALGA recently produced a "Cooperation & Shared Services" document that provides demonstrations of the collaboration currently being undertaken in the sector.

The document can be found here: [Cooperation & Shared Services document](#) and is also attached as Addendum 1.

Legislation

a) Whether the Local Government Act 1995 and related legislation is generally suitable in scope, construction and application

The legislative framework governing Local Government is generally appropriate and the underpinning principle of 'general competence' is strongly supported by the Local Government sector.

However, additions and amendments since the current Local Government Act was introduced over 20 years ago have created a layered, spaghetti-like regulatory regime that needs to be untangled and simplified. Similarly, practice and procedures have changed since the current Act's introduction and, as a result, the legislative framework requires modernisation.

For these reasons, the Local Government sector has strongly supported the State Government's goal to undertake a full Review of the *Local Government Act 1995* and the associated regulations.

Local Government Act Review

WALGA has been a strong supporter of the current Review of the Local Government Act and has supported the Government's intent to streamline and modernise the legislative framework.

WALGA put forward a comprehensive submission to Government that was the culmination of a signification consultation and engagement process, and the collection of policy and advocacy positions developed over many years.

The Local Government sector participated in a comprehensive process leading up to the adoption of the advocacy positions, as detailed below:

WALGA partnered with the Department of Local Government, Sport and Cultural Industries to deliver facilitated workshops across all WALGA Zones, held throughout October and November 2018. Approximately 500 Elected Members and senior administrators attended 19 workshops held in each of the 17 WALGA Zones.

WALGA, LG Professionals and the Department of Local Government, Sport and Cultural Industries partnered to host the Future of Local Government Forum, which was held at Curtin University on Wednesday, 30 January 2019 and was attended by 230 participants.

A total of 73 member Local Governments provided responses to the WALGA consultation process, either through an individual response or a Zone/regional group response. 42

individual Local Governments responded with additional collective responses from three WALGA Zones representing a further 31 member Local Governments.

The WALGA State Council, consisting of 25 representatives from across the State, in adopting advocacy positions in March 2019 endorsed the positions unanimously. This demonstrates the veracity of the consultation process. In addition, the Department of Local Government, Sport and Cultural Industries received over 3,000 submissions from the community, Local Governments and stakeholder bodies.

Key Principles

State Council, in finalising WALGA's submission to the Local Government Act Review process, endorsed the following key principles as fundamental drivers of future Local Government legislation.¹⁰

1. Retain General Competence Powers.

The Local Government Act is founded on the general competence powers principle, which gives Local Governments the legal capacity to do anything that is not prohibited by law. This principle is uniformly supported by the Local Government sector and that it should not be diluted by over-regulating the operations of Local Government.

2. Provide Flexible, Principles-based Legislative Framework.

The Local Government Act works well when Local Governments apply their general competence powers within a legislative framework that provides for good governance, with accountability to the community for decision-making. The Local Government sector seeks a light-touch regulatory approach accompanied by best practice guidance, support and assistance.

There is concern that, without adequate care and sector input, the new Local Government Act will be overly prescriptive and mistakes of the past will be repeated. Prescriptive compliance regimes do not typically drive innovation or organisational performance; instead boxes are ticked and processes to comply are implemented leading to inefficiencies and distractions.

The Local Government Act should focus on principles and objectives, not on process. As an example, Local Governments in 2016 were given the ability to establish Regional Subsidiaries. A key feature of the model is to enable Local Governments to establish a subsidiary that is fit-for-purpose by adapting the governing charter to the subsidiary's purpose and structure. Instead, the regulations are prescriptive and a number of Local Governments have considered the model and opted not to pursue it. Best practice, guidance material and

¹⁰ WALGA (2019b)

smart people working together to solve problems drive innovation; prescriptive regulation drives compliance for the sake of compliance.

To focus on the process and not the principles and objectives risks embedding today's practice into legislation instead of allowing Local Governments the flexibility to innovate and adapt to new methods and new technologies. Not everything a Local Government should do needs to be legislated. Ultimately, Councils are considered to be generally competent and are accountable to the community through democratic elections held every two years.

3. Size and Scale Compliance Regime

There is a marked appetite in the response to the Facilitated Workshops, Detailed Discussion Papers and Future of Local Government Statewide Forum for differentiation between Local Governments based on size and scale.

4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration the Local Government's role in creating a sustainable and resilient community through:

- i. **Economic development;**
- ii. **Environmental protection; and,**
- iii. **Social advancement.**

The need to provide enabling legislation with a 'menu of opportunities' for the sector. The State Government needs to set legislation that enables Local Governments to carry out activities, even though all Local Governments may not want to carry the activity; those that wish to, should be permitted to. A good example of this is the proposed introduction of beneficial enterprises.

5. Avoid Red Tape and de-clutter the extensive regulatory regime that underpins the Local Government Act.

WALGA has called for the de-cluttering of the extensive regulatory regime that underpins the Local Government Act. The Act Review provides a timely reminder that the legislative burden on Local Government is vast and burdensome; the Local Government Act itself runs to over 500 pages and the 9 associated Regulations combine to approximately 400 additional pages. It would not be unfair or unkind to observe that few within each Local Government's administration, and fewer Elected Members, would grasp the level of detail contained throughout the Act and Regulations, creating of its own accord a compliance burden.

This scale of legislation represents a considerable challenge to the delivery of effective and efficient governance. WALGA echoes the sentiments of Dr David Cox, Chair of the Law Reform Commission of Western Australia, who stated at the Local Government Act Forum in January 2019:

“Consideration in drafting (the new Act) is to think about who you are drafting it for? Consider who has to read it and write it for normal people – not law graduates. People want to know what’s governing them and they need to understand it.”¹¹

6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

The State Government should not impose responsibilities to Local Governments without adequate resourcing. This principle is contained within the British Columbia Community Charter¹² and is supported by the Local Government sector.

Key Policy Positions

The following key policy positions are considered very important to the sector;

Rates, Fees and Charges

Rating Exemptions

- Rating Exemptions - Request that a broad review be conducted into the justification and fairness of all rating exemption categories, Sector Revenue foregone 2017/18 - \$45.6m;
- Local Government Act should eliminate exemptions for commercial (non-charitable) business activities of charitable organisations;
- Support for exemptions of genuine Charitable activities that qualify under the Commonwealth Aged Care Act 1997;
- Eliminate exemptions for Government Trading Enterprises;
- Support for the principle that all users of Local Government services should make a contribution to these services.

Rating Restrictions – State Agreement Acts

- Resource projects covered by State Agreement Acts should be liable for Local Government rates.

Imposition of Fees and Charges: Section 6.16

- That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services.

¹¹ Cox, D. (2019)

¹² British Columbia (2019)

No Rate Capping

The Local Government sector opposes rate capping or any externally imposed limit on Local Government's capacity to raise revenue as appropriately determined by the Council.

Beneficial Enterprises

The *Local Government Act 1995* should be amended to enable all Local Governments to establish Beneficial Enterprises (formerly known as Council Controlled Organisations).

Beneficial Enterprises are:

- Arm's length entities to deliver projects and services required by the community;
- Vehicle for greater efficiency and improved partnering practices for Local Government;
- Provide services & facilities that are not attractive to private investors;
- Cannot carry out any regulatory function of a Local Government;
- Skills Based Board – Alternate governance model;
- Not about outsourcing essential services.

Building Upgrade Finance

That WALGA advocate for amendments to the Local Government Act that enable a Building Upgrade Finance mechanism in Western Australia.

The Building Upgrade Finance position is advocating for reforms to Western Australian legislation that would enable local governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, advocates have identified an opportunity to use this approach to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, Building Upgrade Finance is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market in Perth and achieve economic growth.

Community Engagement Policy

That the Local Government Act 1995 include a requirement for Local Governments to adopt a Community Engagement Policy, with each Local Government to determine how to implement community engagement strategies.

Additional Policy Positions

A complete schedule of the Local Government sectors adopted policy positions, grouped according to the Government's three themes of agile, smart and inclusive, relating to specific

elements of the Local Government legislative regime were included in WALGA's submission to the Review of the Local Government Act which can be found [here](#) and is also attached as Addendum 2.

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Scope of Activities of Local Government

b) The scope of activities of local governments

Local Government is an important sphere of Government that undertakes functions most appropriately implemented at the local level. As the sphere of Government closest to the people, Local Government affects the daily lives of all people and businesses and is well-positioned to have unique insight into the needs and aspirations of their communities.¹³

Across Western Australia, there is significant diversity in the range of functions and services that are provided by Local Government.

While there is some diversity of function across Local Governments in Western Australia, all Local Governments undertake a number of regulatory functions such as authorisation of planning and building developments, waste management, administration of food safety laws, regulation of companion animals, and provision of local roads. Most Local Governments provide social services as well, including provision of recreation and community facilities, economic development promotion and community festivals and events.

Local Governments in Western Australia manage a vast road network, of approximately 127,500km, and significant other built assets. On behalf of the community, Local Governments are responsible for nearly \$14 billion of built assets (excluding transport assets). These primarily comprise recreation facilities, including ovals and pitches for a wide range of sports, swimming pools, tennis courts, and gymnasiums, libraries, arts and other community centres. Local Governments with coastal or river frontage provide and maintain recreational boat launching facilities and associated infrastructure.

Some of the diversity of functions and services is driven by financial capacity. For instance, small, remote Local Governments do not have the financial resources to provide the community recreation services that a large metropolitan Local Government provides.

Diversity of functions can also be driven by community demand. For instance, Local Governments in country Western Australia deliver services, such as health services, that would otherwise be provided by the market or the State Government in metropolitan Perth. Local Governments in non-metropolitan regions also often provide housing and other incentives to attract and retain health and other professionals.

Evolution of Local Government's role to encompass human, social and community services is in response to the dynamics on the ground, including the withdrawal of services from other spheres of Government or in response to the democratic aspirations of the community.

¹³ Productivity Commission (2017)

The retreat from service provision from the State Government often means that Local Government, at the behest of the community through the democratically elected Council, will step up to fill the gaps. For example, a number of Local Governments provide security services in their suburbs and communities. Often this sort of service eventuates due to the demands of citizens for a safer community. Similarly, a number of Local Governments are actively becoming involved in seeking to address homelessness in their communities. While the State Government's Department of Communities is the lead agency responsible for addressing homelessness, Local Governments often play a role in coordinating agencies and not-for-profit service providers, again filling a gap in service provision from another sphere of Government.

Waste Management and Resource Recovery

The Local Government sector provides contemporary waste management (and often resource recovery) services as an essential service to their communities in order to maintain public health standards and minimise the environmental impact of municipal solid waste, with the *Waste Avoidance and Resource Recovery Act 2007*, the *Health Act 1911* and the *Local Government Act 1995* providing the primary heads of power. Resource recovery operations are subject to international commodity price fluctuations, foreign environmental import standards and contamination rates that impact the quality of the commodities recovered. Importantly, recycling also generates three-to-one employment opportunities compared to traditional landfill.

The 2016-17 Census of Local Government Waste and Recycling Services found that Local Governments in Western Australia spent \$295 million in collecting 1.5 million tonnes of domestic waste in 2016-17.¹⁴ 16 Local Governments reported investing in new waste and recycling infrastructure and/or initiatives in 2016–17.

These investments included:

- New or upgraded transfer stations (completed or commenced construction) in the shires of Dardanup, Harvey, Moora, Cuballing and the City of Busselton;
- A new landfill cell in the Shire of Augusta–Margaret River;
- The installation of a landfill weighbridge in the Shire of Broome;
- A new regional waste facility in the Shire of Ravensthorpe;
- A new green waste kerbside collection service in the City of Subiaco; and,
- The introduction of a fortnightly kerbside recycling service in the City of Karratha and the Shire of Coorow.

36 Local Governments reported recycling their own construction and demolition waste and 73 Local Governments reported recycling green waste from their own operations, and a

¹⁴ Waste Authority (2018a)

number of metropolitan Local Governments are investing in waste to energy solutions for residual waste. 52 Local Governments and regional councils reported spending a total of approximately \$3 million in waste and recycling education programs in 2016–17. About half (52 per cent) was expended by regional councils.

All of this innovation is being achieved with minimal strategic planning or financial support from State or Commonwealth Governments. The new State Waste Strategy is uncosted and unfunded. It is important to note that in 2017, the Waste Avoidance and Resource Recovery Levy generated approximately \$76m in receipts, of which 75 percent went to consolidated revenue, with the Minister for Environment approving the allocation of just \$19 million to the WARR Account.¹⁵ Of the \$19m, approximately half went to underwriting the waste branch of the Department of Water and Environmental Regulation, leaving approximately \$8.5m for strategic waste initiatives.

Local Government contends that there are a number of improvements that would assist in delivering more efficient and effective outcomes – including meeting the targets of the State Waste Strategy – primarily through hypothecating all funds collected from the Waste Avoidance and Resource Recovery Levy into strategic waste management activities (as identified in the State Waste Strategy and Action Plan). Strategic investments could then include 50:50 funding for FOGO (3 bin) infrastructure, state-wide and regional waste infrastructure plans to direct future public and private investments, the State Government mandating sustainable procurement policies across all departments and agencies, and matching funding for Local Government regional landfill upgrades. A State/Local Government Partnership Agreement on Waste Management and Resource Recovery would provide the required governance framework to achieve this.

Roads, Bridges, Paths and Drains

Local Governments are responsible for 127,500km of roads in Western Australia, which represents 88 percent of the public road network.

With just 10.5 percent of the national population, Western Australian Local Governments are responsible for 19.4 percent of the Local Government road length. This equates to 49.4km of road per person, which is nearly double the National average of 26.8km of Local Government road per person. For comparison, NSW Local Governments are responsible for just 18.6km of roads per person. This reflects both the extensive nature of the road network in WA and the responsibility of Local Government in Western Australia for all but the highest order roads (primarily freeways and highways). This has clear ramifications for the capacity to fund road maintenance and renewal. This issue is discussed further in the section relating to Local Government funding.

¹⁵ Waste Authority (2018)

To support active transport (walking, cycling) Local Governments provide and maintain more than 15,800km of sealed walking and cycling paths and an additional 715km of gravel paths.

There are 894 bridges managed by Local Governments across Western Australia.

Effective drainage is critical but typically unseen infrastructure provided and maintained by Local Governments to avoid damage to public and private infrastructure from inundation.

With an estimated replacement value of \$27.18 billion at June 2018, the roads, paths, bridges and drains are one of the most valuable State assets in a financial sense as well as underpinning the connectivity of communities and industries.

Local Governments spent \$982 million on roads, bridges and paths during 2017/18. Nearly half of this expenditure is funded by Councils from rates and other revenues. The balance is funded by the Federal Government (22 percent) and the State Government (28 percent).

Local Governments are also seeking to innovate in the construction of roads and paths with many utilising recycled material.

Transport Planning

Almost every journey involves the road and path network under the control of Local Governments. Consequently, Local Governments are actively involved in transport planning to ensure that community and industry expectations for access and safety are delivered. This activity assists to address key issues of congestion, particularly around activity centres, parking and integration between modes, particularly public transport.

In industrial, rural and regional areas, freight movements are an important consideration as efficient movement of freight underpins the economic growth of these areas.

In the five years to 2017, 50.4 percent of those killed and 59 percent of those seriously injured in road crashes were on roads under the control of Local Governments. Identifying high risk locations, suitable treatments to ameliorate the risks and sourcing funding for these projects is an important Local Government function.

Provision of transport related services and infrastructure accounts for nearly 30 percent of total Local Government expenditure.¹⁶

Local Governments are innovating in their transport planning responsibilities as much as possible. For instance, Local Governments are utilising data from mobile phones and vehicle navigation systems to inform transport planning, using drones and other remote sensing

¹⁶ Western Australian Local Government Grants Commission (2018)

technology to improve efficiency and reduce risks, and building and providing charging infrastructure for electric vehicles.

Town Planning

Local Governments' town planning function aims to maintain and improve the wellbeing of local communities. Local Government has been involved in planning for its local communities since the *Town Planning and Development Act 1928* took effect in 1929. This Act provided for planning and development control to be achieved primarily through 'town planning schemes' prepared by local governments and approved by the Minister. Over the years, the level of detail and content of local planning schemes has evolved, guided by State Government requirements to address numerous state-wide planning issues and concerns at a local level to ensure the consideration of local perspectives and preservation of community values. Each Local Planning Scheme has been endorsed by the State Planning Agency (of the day) and has been granted formal approval by the Planning Minister to guide development in the local area.

Western Australian Local Governments are providing effective planning frameworks for the consideration of planning matters within their jurisdictions. Confirmation of this effectiveness was affirmed in a recent review of the planning and development performance of 19 Local Governments. These Local Governments encompass 90 percent of the total population of the Greater Perth region and 84.5 percent of the region's population growth between 2016 and 2017. The project provided an excellent representation of how the sector is achieving its strategic and statutory planning functions and meeting statutory timeframes of the planning and building approvals processes.

Key findings from this detailed review include:

- 99 percent of all building applications were approved by Local Governments within statutory timeframes.
- 98 percent of all planning applications were approved or responded to within the statutory timeframes. Planning applications include all development applications, subdivision referrals and clearances, building strata clearances (Form 26s) and building permits.
- 97 percent of applications were approved under delegated authority, allowing Council officers to assess and approve the application rather than being considered at a full Council meeting.
- Of the total time taken to process a scheme amendment, on average 40 percent is spent with the WA Planning Commission, Minister for Planning or the Environmental Protection Authority.
- On average each Local Government has seven strategic planning documents which support land use planning functions, including: Strategic Community Planning, Community infrastructure, Commercial, Housing, Environment, Economic, Transport,

Activity Centres, Heritage and an Public Open Space. This demonstrates that Local Governments consider a complex array of planning matters when assessing planning applications, yet still meet statutory timeframe requirements.

There are a number of improvements that would assist the Local Government sector in fulfilling its planning responsibilities, including:

- Release of the Government's response to the Independent Planning Reforms 'Green Paper', which aims to streamline the WA planning framework and clarify roles and responsibilities;
- Resourcing the Department of Planning Lands and Heritage to assist in the implementation of the proposed Planning Reform measures that will be outlined in the response to the 'Green Paper';
- Review of the State Government Planning framework, given the large number of policies, guidelines, manuals and position statements to which Local Government must refer;
- Review of the Local Planning Strategy process given the massive amount of information expected to be included in the document, as outlined in the Local Planning Manual. The review should also include the connection to the State's Integrated Planning Framework and provide scalability of the content for smaller local governments;
- Providing legislated timelines for all referral agencies to provide advice on both strategic and statutory proposals;
- Timeframes for State Planning Policy review processes, as some 'reviews' have been underway for numerous years which affect a Local Government's ability to incorporate this proposed information into their local planning framework; and
- A review of the Planning Fees and Charges, which have been frozen since 2013.

Other issues being faced by the sector which inhibit its capacity to fulfil its planning responsibilities include:

- The dichotomy between the current focus on the standardisation of all Local Governments' local planning controls and the clear role of a Local Planning Scheme in upholding the specific local character and objectives of an area;
- A lack of a full cost benefit analysis of Development Assessment Panels (DAPs), to determine the effectiveness of the system, and what is an appropriate level of DAP involvement within the WA Planning system;
- Planning for waste in the peri-urban areas in a strategic manner, rather than each Local Government having to consider applications in an ad hoc manner;
- Lack of clarity and assistance in resolving financial and liability concerns in coastal planning implementation after completing a coastal hazard risk management plan;
- Different requirements and expectations of the various State Agencies in the implementation of Bush Fire Planning mechanisms; and

- Lack of coordinated state-wide planning for the provision of Regional Open Space. Local Governments are collaborating to try and achieve this outcome.¹⁷ Also compounded by the spending of the funds within Metropolitan Region Improvement Fund in order to progress regional open space and other regional infrastructure items, to ensure that the regions continue to grow.

Building

Local Government has been involved in building control for its local communities since the 1960s, providing for the health and safety of its residents through the assessment and issuing of building licences and monitoring of the licence conditions. A major change in the Building functions occurred in 2012, with the private sector able to be more involved in the process, in regards to the private certification of Building Permit Applications.

Local Governments are Permit Authorities under the *Building Act 2011*. Building Permits are issued by Local Government for any building work for which a building permit application is required pursuant to the *Building Act 2011* (Part 5) and the *Building Regulations 2012* and are assessed using the National Construction Codes, *Building Act 2011* and *Building Regulations 2012*, relevant Australian Standards, Local Laws and other relevant legislation.

A recent Office of Auditor General report found that the Local Government entities reviewed in the audit were properly assessing permit applications against requirements in the *Building Act 2011* and issuing most building permits within the legislated timeframes. Combined with the statistics from the recent Performance Monitoring project – specifically that 99 percent of all Building Applications were approved within the statutory timeframes – the sector is effectively performing its building permit function.

There are a number of improvements that could assist the Local Government sector in fulfilling its Building responsibilities including:

- A review of the operation of the *Building Act 2011* and associated regulations, and the improvements that the Local Government sector requires, in order to effectively administer the Act; specifically on the following topics:
 - clarity of information required to be submitted to Local Government;
 - mandatory inspections, including when and how they are undertaken;
 - time frames and fees;
 - amended plans process;
 - difficulties in building in bush fire prone areas;
 - appropriate infringements;
 - ongoing training and training of swimming pool inspectors;

¹⁷ See www.gapp.org.au/

- registration of technical specialists;
 - role of the Department of Fire and Emergency Services; and
 - Clarity on the other prescribed approvals that are required.
- A review of the fees and charges to ensure cost recovery is able to be achieved for the entire building process, not just the Building Permit assessment process.

Other issues being faced by the sector which inhibit its capacity to fulfil its building responsibilities include:

- The constant Industry pressure to introduce a full private certification model as occurs in the Eastern States, without the acknowledgement that a full regime of inspections would also need to be included to protect the consumer;
- Resources within a Local Government to provide a service, as the fees currently only pay for a portion of the Building Permit issuing function;
- Lack of workforce planning, encouraging more people to enter into a Building Surveying function in Local Government. The funds from the Construction Training Levy Fund does not include Local Government building surveyor trainees; and
- Lack of clarity and advice from the Building Commission on the operation of the Building Act. Some Local Governments spend significant time and resources obtaining advice from other Local Governments or from legal experts, in order to effectively implement the Act.

Emergency Management

Emergency Management is a relatively new Local Government responsibility. The roles assigned to Local Governments under the *Bushfires Act 1954* could be considered a traditional role of Local Government, as have been in place since 1954 and currently affect approximately 120 Local Governments. The Bushfires Act is primarily related to the management of bushfire brigades, enforcement of bushfire preparation and enforcement measures for non-compliance.

The *Emergency Management Act 2005* prescribed further responsibilities to Local Governments including requirements to:

- Undertake Emergency Risk Management assessments;
- Establish and chair a Local Emergency Management Committee;
- Develop and maintain local emergency management arrangements;
- Manage Recovery following an emergency; and,
- Appoint a Local Recovery Coordinator.

Furthermore in 2015, Bushfire Risk Management Planning was enshrined in State Emergency Management Policy (SEMP 2.9, Management of Emergency Risks). This policy

identifies AS/NZS ISO 3100:2009 Risk Management – Principles and Guidelines as the standard for emergency risk management in Western Australia. Schedule 3 of this policy identifies Local Governments with high or extreme level of bushfire risk require a specific plan. Local Governments named in the schedule are required to develop an integrated plan with participation from other agencies and landowners, and are named as the custodians of the plan for ongoing review. As this program matures, Local Governments are now facing the implications of undertaking works to mitigate the identified risks. The State is yet to embed mitigation policy and funding mechanisms into the State framework.

Since 2017, the Local Government sector has been adapting to the responsibilities outlined in Australia's strategy for protecting crowded places from terrorism. The Strategy has introduced the concept of 'shared responsibility' to counter terrorism which has not featured as strongly within the existing counter terrorism arrangements in Western Australia.

This has posed many challenges to Local Governments as outlined most recently in the Community Development and Justice Standing Committee Inquiry into crowded places. In brief, the sector is currently grappling with the implementation of the Strategy including:

- The strategy is not linked to any legislation or policy framework within WA and is therefore not mandatory;
- With no identified standards for compliance, there is a lack of clarity on the role of Local Governments as an owner operator and / or as the approver of events,
- The strategy lacks coordination across government with many State Government agencies acting independently on their own interpretation of their responsibilities,
- A risk management based approach to event approvals and consideration of mitigation measures is the preferred approach by Local Governments,
- There has been no funding provided to assist and support Local Governments to undertaken these responsibilities or in implementing mitigation measures,
- Local Governments are concerned with the implications of these measures on events that are being hosted by community groups. Many Local Governments are challenged by asking these groups to be considering counter terrorism when it is the intention of these groups to be building community connections and wellbeing;
- The costs associated with implementing mitigation measures is cost prohibitive for community groups and Local Governments.

Climate Change

Any objective analysis of how each of the three spheres of government is tackling the issue of climate change would indicate that it is Local Government that is determined not to allow short term politics to impede good long term public policy, and action. No level of government wants to scare its community, but there is a clear duty of care to ensure that decisions made benefit the community in the long term. Whether we like it or not, we are now in a climate emergency.

Across a range of priority areas, from understanding local risks of climate change, to reducing operational energy costs and carbon intensity, to planning for the impacts of coastal erosion and bush fire risk, to driving innovations in water use efficiency, Local Governments are engaging with, listening to, and responding to their communities on climate change. A number of Local Governments have long committed to energy reduction targets for their own operations, to drive innovation and cost savings for their communities.

Local Government has identified a number areas where the State Government can assist:

1. Accelerated action and fast tracked reform to remove regulatory barriers and facilitate the transition to a low carbon, energy efficient economy.

Local Governments are already active in renewable energy and energy efficiency projects, but State level regulations continue to hamper Local Governments from undertaking or supporting a range of high impact cost-effective energy efficiency and renewable energy projects. For example, LED street lighting retrofits and large scale renewable energy projects, including power purchase agreements and community energy projects. Local Governments are also seeking amendments to Regulation 54 of the *Local Government (Financial Management) Regulations 1996* to include 'renewable energy infrastructure' as a prescribed charge. This would allow Local Governments to fund the installation of solar panels on the roof of residents that opt in, and then the resident is able to repay the cost of the panels over 10 years by adding a small amount onto the resident's rates bill. It would provide an economic stimulus to SME's in the solar industry, and address a major barrier to low social-economic households transitioning to a low carbon economy, realising savings on their energy bills, and countering rising electricity prices.

2. A State level emissions reduction target and/or renewable energy target.

Western Australia is the only State or Territory without an emissions reduction target or a renewable energy target. The State Government has previously indicated it considers it the responsibility of the Federal Government to enact any targets, however following the recent Federal election, there is a now a stronger argument to be put for setting a state level target. The Premier recently "warned that States such as WA could go it alone on climate policy unless the Morrison Government comes up with a workable national approach to reducing greenhouse gases and supply certainty to investors".¹⁸

¹⁸ The West Australian (31 May 2019)

3. Planning for climate proof communities (incl. funding for innovative climate change projects).

This priority speaks to the need for State Government and Local Government to work in partnership to build healthy, resilient communities by ensuring that climate change considerations (both mitigation and adaptation) are embedded in Government policies and regulations. A key aspect of this is a State Planning regime that adequately incorporates climate change in planning policies, along with related environmental issues such as urban forestry, biodiversity, water security and emergency management.

4. Comprehensive, effective adaptation planning.

It is recognised that there is planning around coastal adaptation currently occurring, but effective planning needs to take in comprehensive identification of, and response to, the effects of climate change. It also needs to expand out to other effects of climate change such as heat waves and other extreme weather events, bush fire planning and water management.

By way of an existing example, an increasing number of the 44 coastal Local Governments are undertaking Coastal Hazard Risk Management and Adaptation Plans to identify and understand the level of risk on the assets in coastal areas. Through this process, with assistance from the WAPC, Local Governments are able to investigate management and adaptation measures that are appropriate to minimise the identified risks to a more acceptable level. What is not clear, without a State Climate Change Policy, and coastal specific legislation, is how such risks can be addressed in an efficient, effective and equitable manner.

A State/Local Government Partnership Agreement on Climate Change and Sustainability would provide the required governance framework to achieve these outcomes for Local Government on behalf of the people and communities of Western Australia.

Economic Development

The Local Government sector has recognised that Local Government plays a key role in creating sustainable and inclusive economic growth as a way to support local communities and contribute to the Western Australian economy. Attention is now turning to ways to diversify the economy and position WA as a vibrant and innovative place to live, invest and do business. While economic development is typically seen to be the responsibility of State and Federal Governments, the role that Local Governments can and do play in creating economic conditions is often overlooked.

Far from the traditional responsibilities of 'roads rates and rubbish' which necessarily reflected the function of Local Government in its emerging role at the turn of the 19th century,

Local Government is now a legitimate partner with State and Federal Governments in developing local, regional, State and National economies.

The Local Government sector's responsibilities are broad and include a wide range of functions, all of which have an impact on the economic and business environment. The sector is also responsible for overseeing hundreds of local laws which influence the behaviour of businesses and consumers. Local Governments also derive powers from other State legislation and are tasked with implementing a broad range of regulations on behalf of the state, such as the *Planning and Development Act 2005*, the *Building Act 2012* and the *Public Health Act 2016*.

The sector's economic footprint is significant and clearly positions it as a major contributor to the State's economy. In 2016/17 WA Local Governments spent \$4.1billion on important services for the community, and managed assets worth more than \$48 billion. Local Government raised \$2.2 billion in rates revenue in order to fund community services and collected \$976 million in fees and charges. In terms of its contribution to the State's employment targets, the sector employs 22,000 people (approximately 16,500 FTEs).

Local Governments clearly have an important role in supporting economic activity at a local and regional level through:

- Local leadership in setting a framework that fosters economic development
- Planning for the future
- Providing economic infrastructure such as roads, bridges, public spaces and facilities
- Minimising regulatory and compliance burdens on businesses, in particular the planning system
- Providing for appropriate land for business, industry and residential development
- Undertaking local procurement
- Creating liveable communities
- Marketing and promoting the local area
- Tourism
- Supporting the private sectors' wealth creation
- Building commercial relationships
- Coordinating and collaborating with stakeholders including other levels of government and the business sector
- Advocating to other levels of government
- Seed funding ventures where private sector funding is not available

In response to Local Government's increasing focus on its role in economic development, in 2019 after a sector-wide consultative process, WALGA launched its *Economic Development*

*Framework for Local Government*¹⁹ and through the review of the Local Government Act, the sector has agreed to imbed economic development as a key role of the Local Government sector.

Airports and Airfields

There are approximately 150 airports and airstrips owned, maintained and operated by Local Governments across regional Western Australia. Of these, 23 Local Government airports serve regular passenger transport (RPT) services. These facilities provide access to essential services, including medical services as well as facilitate industry and tourism across the State. They range in scale from gravel airstrips without services, to Karratha Airport which served 448,000 passengers in the year ending May 2019. The Shire of East Pilbara managed Newman airport served 318,000 passengers in the year to May 2019²⁰ and the City of Kalgoorlie-Boulder managed airport grew passenger numbers by 13.1 percent to 295,000 in the year to May 2019.

Other Services

As can be seen, Local Governments have evolved to be far more than roads, rates and rubbish. This is not empire building. Local Governments are responding to their community's aspirations and expectations.

Other Services include:

- Aged Care
- Child Care
- Parks and Recreation facilities and programs
- Libraries
- Museums
- Community Events
- Lifeguard and Beach control services

¹⁹ Available from: <https://walga.asn.au/Policy-Advice-and-Advocacy/Economic-Development/Economic-Development-Framework>

²⁰ Bureau of Infrastructure, Transport and Regional Economics (2019)

Department of Local Government

c) The role of the department of state administering the Local Government Act 1995 and related legislation

WALGA and the Local Government sector have a strong working relationship with the Department of Local Government, Sport and Cultural Industries, which is comprised of committed and dedicated officers and executives.

Notwithstanding, it is WALGA's observation that, over several years, the Department of Local Government has been diminished in its resources and, consequently, its ability to quickly respond to issues in the sector has been compromised. This decline in the Department's capacity over a number of years manifests itself in a number of ways.

Firstly, there is significant benefit in many cases in early interventions in relationship breakdowns, which, if not addressed, can deteriorate into substantial governance issues. An early intervention when there are signs of declining relationships or issues beginning to arise can arrest a downward spiral that may lead to the suspension of the Council, appointment of one or more commissioners and a formal inquiry into a particular Local Government, all of which impart significant cost to public funds, reduce trust in Government generally, and deprive a community of democratic representation while the inquiry is underway.

Secondly, the decline in service from the Department of Local Government to the Local Government sector represents a cost shift from the State to Local Government. WALGA has, over the past ten years, enhanced its governance and advice service offering to Local Governments, in part to fill the gap left by the State.

While WALGA is well placed to provide advice, support and capacity building initiatives for and on behalf of the Local Government sector, as a membership-based organisation without legislative mandate WALGA is not in a position to intervene in the affairs of a Local Government in the same way that the Department of Local Government can intervene with its legislative backing.

As part of WALGA State Council's deliberations relating to the current Review of the *Local Government Act 1995*, State Council adopted the following position relating to the Department of Local Government's role:

- a) *"Support the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers; and,*
- b) *Call on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and*

interventions when instigated under the provisions of the Local Government Act 1995.”²¹

The rationale for the position adopted above was listed as follows:

“The addition of item (b) is in recognition of the sector’s response that intervention strategies proposed in the Local Government Act Review (Phases 1 and 2) are only one part of the challenge to providing an adequate response when a breakdown in good governance occurs. The sector seeks both a just and timely resolution when intervention is needed. For the Department to provide a timely response it must be properly resourced to avoid unnecessary delay in the intervention process. Undue delay in determining an outcome and corrective action is also an undue delay in returning good governance to the community of an affected Local Government.”²²

WALGA does not seek to criticise or impugn the commitment and dedication of officers or executives of the Department of Local Government; the issues are systemic and relate to the broader State Government’s commitment to appropriately funding the Department to fulfil its capacity building, regulatory, compliance and early intervention mandate.

Other Related Legislation

In addition to the requirement to administer the Local Government Act, Local Governments are directly affected by other state legislation such as the following:

- Aboriginal Heritage Act
- Agriculture and Related Resources Protection Act
- Animal Welfare Act
- Aquatic Resources Management Act
- Auditor General Act
- Biosecurity & Agricultural Management Act
- Biodiversity Conservation Act
- Building Act
- Building and Construction Industry Training Fund and Levy Collection Act
- Building Service (Complaint Resolution and Administration) Act
- Bush Fires Act
- Caravan Parks & Camping Grounds Act
- Cat Act
- Cemetery Act
- Child Care Services Act

²¹ WALGA (2019b) p25

²² WALGA (2019b) p25-26

- City of Perth Act
- Commercial Tenancy (Retail Shops) Agreements Act
- Conservation and Land Management Act
- Contaminated Sites Act
- Control of Vehicles (Off-road Areas) Act
- Corruption, Crime and Misconduct Act
- Country Housing Act
- Criminal Code Act Compilation Act 1913
- Defamation Act
- Disability Services Act
- Dividing Fences Act
- Dog Act
- Electoral Act
- Emergency Management Act
- Environmental Protection Act
- Equal Opportunity Act
- Fire Brigades Act
- Fire and Emergency Services Act
- Food Act
- Freedom of Information Act
- Health (Miscellaneous Provisions) Act
- Heritage Act
- Land Administration Act
- Legal Deposit Act
- Library Board of Western Australia Act
- Liquor Control Act
- Local Government Grants Act
- Local Government (Miscellaneous Provisions) Act
- Main Roads Act
- Marine and Harbours Act
- Mental Health Act
- Metropolitan Redevelopment Authority Act
- Mining Act
- National Redress Scheme for Institutional Child Sexual Abuse Act
- Occupational Safety and Health Act
- Planning & Development Act
- Port Authorities Act
- Public Health Act
- Public Interest Disclosure Act
- Public Transport Authority Act
- Public Works Act
- Rates and Charges (Rebates and Deferments) Act

- Regional Development Commissions Act
- Residential Tenancies Act
- Residential Parks (Long-stay Tenants) Act
- Retail Trading Hours Act
- Retirement Villages Act 1992
- Rights in Water and Irrigation Act
- Road Traffic Act
- Road Traffic (Administration) Act
- Royalties for Regions Act
- Salaries and Allowances Act
- Soil and Land Conservation Act
- State Administrative Tribunal Act
- State Records Act
- Statistics Act
- Strata Titles Act
- Swan and Canning Rivers Management Act
- Transfer of Land Act
- Trustees Act
- Waste Avoidance and Resource Recovery Act
- Water Services Act
- Waterways Conservation Act
- Workers Compensation and Injury Management Act

The above list relates to State legislation. There is a myriad of Commonwealth legislation that also applies to Local Government.

Roles of Elected Members and Chief Executive Officers

d) The role of elected members and chief executive officers / employees and whether these are clearly defined, understood and accepted

The *Local Government Act 1995* clearly defines the role of a Councillor:

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law.*

The role of the Council is generally considered to be strategic in nature, with the Council employing a Chief Executive Officer to manage the day-to-day operations of the Local Government in accordance with the Council's strategic direction.

The role of a Councillor is challenging. Councillors are responsible for overseeing a complex business – that provides a broad range of functions, manages significant public assets, and employs in some cases hundreds of staff – all in a political and publicly accountable environment.

Councillor vs Council

It is also important to acknowledge, contrary to some community understanding, individual Councillors, including the Mayor or President, have little power as individuals. The power and authority of a Councillor only exists as a member of a Council making formal decisions at a legally constituted Council meeting.

The then Department of Local Government and Communities, in guidance for prospective candidates in advance of the 2017 Local Government elections are absolutely clear on this point. The Fact Sheet states:

“Generally, local government council members, who include the mayor, president and councillors, do not have any authority to act or make decisions as individuals. They

*are members of an elected body that makes decisions on behalf of a local government through a formal meeting process.*²³

This may be contrary to community expectations, particularly in relation to the Mayor or President, elected on a mandate to make certain changes or to fulfil certain commitments, which may not be achievable due to the wishes of the Council as a collective.

In Victoria, the review of their Local Government Act addressed this very issue:

*“The role of mayors is not properly understood by the community. Many councillors argue that mayors are ‘first among equals’ and that the role is merely ceremonial—such as representing council at public functions like citizenship ceremonies—as well as chairing council meetings. Out in the community, people often have a completely different view: that the mayor has an important leadership role in council; that they are responsible for holding councillors to account for their actions and have the power to do so; and that they also have broader responsibilities for how the council, including its administration, fulfils its role.”*²⁴

It may be the case that some of the public disquiet about Local Government relates to the misalignment between the public understanding of the role of individual Councillors including the Mayor or President, and the actual role defined by the *Local Government Act 1995*.

Councils are not Boards

There has been some commentary in recent times that Councils are equivalent to a Board of Directors. This misunderstands and misrepresents the fundamental role of Council to make *political* decisions in a *public* setting.

Councillors are very much encouraged to adopt ‘board-like behaviour’ in their deliberations and decision making in Council meetings and their dealings with constituents.

Councillors are community representatives – not professional directors that would be found in the private sector – tasked with a number of complex and often competing roles, such as providing good democratic government, supporting the community, managing places, delivering and maintaining infrastructure, and delivering services efficiently while ensuring rates are kept low.²⁵ Again, these roles are performed in a publicly and contested political environment.

²³ Department of Local Government and Communities (2017)

²⁴ The State of Victoria Department of Environment, Land, Water and Planning (2016), p38

²⁵ Skatssoon (2019)

Training and Professional Development

The complexity of the role, coupled with its public and political nature, demonstrates that training, professional development, capacity building and ongoing advice and support for Elected Members is essential. For this reason, WALGA, as the Local Government sector peak body, has invested significant resources in ensuring training and advice are available to Elected Members at all levels.

WALGA is a Registered Training Organisation (RTO) that offers a range of Nationally-Accredited Elected Member professional development courses that have been designed to provide the essential knowledge and skills to support Councillors to perform their role as defined in the *Local Government Act 1995*.²⁶

With a range of flexible courses to choose from, including a qualification specifically developed to meet the needs of Elected Members in Western Australia, there are a variety of ways for Elected Members to maintain and develop their professional capabilities.

Completion of training and assessment activities from all three Stages of WALGA's Learning and Development Pathway, will result in the achievement of the Diploma of Local Government (Elected Member) qualification. Since 2011, 35 Elected Members have completed the Diploma qualification and there are a further 36 currently enrolled.

Role of the Chief Executive Officer

The *Local Government Act 1995* clearly defines the role of a Local Government Chief Executive Officer:

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and*
- (d) manage the day to day operations of the local government; and*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) speak on behalf of the local government if the mayor or president agrees; and*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*

²⁶ WALGA (2019)

- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

The Chief Executive Officer is the principal adviser to the Council and assists Elected Members to perform their role by providing advice and information so they can make informed decisions that are legally within the Council's powers while taking account of financial and resource constraints.²⁷

The CEO implements Council's decisions and is answerable to the Council for the performance of the Local Government in delivering services and facilities to the community.²⁸ Employment, management and supervision of all other staff is the responsibility of the CEO, who is responsible for managing operations on a day-to-day basis.

Given the Council has only one employee – the Chief Executive Officer – it is crucial that the Council makes a good decision when employing a CEO, and also that Council is able to effectively manage the performance of the CEO. As Councillors are often community representatives, who may not be experienced or qualified in contemporary human resource management practices, employment, management and performance appraisal of the CEO may be one of the Council's most significant challenges.

The *Local Government Act 1995* requires that performance criteria for the purpose of reviewing the CEO's performance are established. Similarly, development of these performance criteria are crucial for the Council to get right.

For these reasons, WALGA offers an Elected Member training course on CEO Performance Appraisals, and provides Elected Members with significant advice and assistance through the CEO recruitment and performance appraisal cycle.

It is also acknowledged that the recent amendments to the Local Government Act in June 2019 provide for guidelines to be produced for the CEO recruitment and performance review process.

Chief Executive Officer Remuneration

At times, there has been uninformed commentary in the public realm about the pay of Chief Executive Officers in the Local Government sector. The remuneration of Chief Executive Officers is subject to a determination every year by the Salaries and Allowances Tribunal,

²⁷ WALGA (2019a)

²⁸ WALGA (2019a)

the same body that determines the pay and conditions for Members of Parliament, senior executives of Government Trading Entities such as Synergy and the Water Corporation, and Judges and Magistrates.

The Salaries and Allowances Tribunal's process for determining CEO remuneration is transparent and well-established.

To criticise Local Government CEOs for 'earning more than the Premier', which seems to be a common trope among the uninformed, is misguided. The Premier occupies a political office; a Local Government CEO occupies an executive management administrative office and is often responsible for management of significant sums of public money.

In the case of large metropolitan Local Governments, the Chief Executive Officer may be responsible for an organisation with \$170 million in annual revenue and 1,000 employees. To suggest that someone with such responsibility would not command a significant remuneration package is naïve and misguided.

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Funding and Financial Management

e) The funding and financial management of local governments

The removal of constraints to Local Government revenue capacity is a critical success factor for an improved system of Local Government in Western Australia.

The place of Local Government in Australia's Federation and in the context of the vertical fiscal imbalance has been well documented and well researched. The revenue constraints impacting on Local Government in virtue of its role in the Federation is perhaps best summarised by the Systemic Sustainability Study Panel:

*"The positioning of Australian Local Government in jurisdictional roles, determined by State legislation and with revenue sourced from State and Commonwealth sources along with own-source rates and charges, provides significant scope for role and funding tensions between the three levels of government."*²⁹

This tension sometimes manifests in commentary about Local Government rate setting, which occasionally degenerates to a discussion about the merits or otherwise of specific rate increases. A debate of this nature can be destructive; rate rises above the consumer price index may be essential for a number of reasons, and may be a manifestation of a democratic mandate for the Local Government to provide specific services to a certain level of service.

Rates are Local Governments' only taxation mechanism available to fund the myriad of services expected by the community. This is because other sources of income are subject to varying degrees of control by other spheres of government: fees and charges may be set or capped by regulation and not increased over time and grants and transfers are not subject to Local Government control. Secondly, due to a large infrastructure backlog, there is a need for Local Governments to raise sufficient revenue to fund future obligations for infrastructure replacement and renewal. Failure to do this represents an inequitable transfer of liabilities to future generations of ratepayers.

A significant infrastructure backlog is a tangible manifestation of Local Governments' revenue constraints. In 2017-18 there was a \$136 million shortfall between the \$717 million estimated to be required to maintain the road network in its current condition and the \$584 million that was spent by Local Governments on road preservation. This gap has grown by around \$48 million per year over the past five years. The gap between actual and required expenditure on roads is largest in the Wheatbelt region and has been for many years. The cumulative effect of this is clear in road condition data across the network, where between 20 and 25 percent of the sealed roads are in a poor or very poor condition. This challenge is not able to be resolved by Local Governments alone. In the Wheatbelt South Region it has been calculated that, in aggregate, Local Governments would have to spend 100 percent of their

²⁹ WALGA (2006) p19

revenue raising capacity (a theoretical maximum calculated by the WA Local Government Grants Commission) in addition to the grants received in order to meet their road preservation needs. The increased service levels required by high productivity vehicles (over-mass, road trains) add to the challenges faced by Local Governments in these regions.

Remote regions are heavily dependent on Federal and State Governments to fund road maintenance and renewal. In the Gascoyne Region, around 90 percent of road funding is from Federal and State Governments, and in the Kimberley around 80 percent of funding is from Federal and State Governments.

Beyond acknowledging Local Government's place in Australia's Federal system of Government, characterised by a significant vertical fiscal imbalance, there are some practical reforms that would enhance the revenue capacity of Local Governments and improve equity in the community.

Rates

Rates, which represent Local Governments' only tax instrument and primary form of own-source of revenue, are a tax on wealth, not tied to any specific services, but rather used to fund a broad range of community facilities and services.³⁰

Local Government is a legitimate and essential sphere of Government with the democratically enshrined mandate to raise revenue through rates to fund infrastructure and services for the benefit of their community.

Councils' deliberative rate setting processes reference their Integrated Planning Framework – a thorough strategic, financial and asset management planning process – and draw upon the community's willingness and capacity to pay.

The Henry Tax Review puts forward five key principles that the tax system should seek to address:³¹

1. Equity
2. Efficiency
3. Simplicity
4. Sustainability
5. Policy Consistency

It can be seen in the following table that rates perform well when assessed against the principles of taxation.

³⁰ Deloitte Access Economics (2013)

³¹ Commonwealth of Australia (2010)

Principle	Definition ³²	How rates perform
Equity	The tax and transfer system should treat individuals with similar economic capacity in the same way, while those with greater capacity should bear a greater net burden. Further, the tax system should be progressive.	As rates are directly related to property value, those with higher valued properties will pay more in rates than those with lower valued properties in the same jurisdiction.
Efficiency	The tax and transfer system should raise and redistribute revenue at the least possible cost to economic efficiency and with minimal administration and compliance costs.	Rates are a relatively efficient tax as they are unlikely to substantially affect economic decision-making. In fact, the Henry Tax Review contends that “the estimated welfare losses of municipal rates and land tax are lower than, or similar to, those of the GST, and a lot lower than for personal tax on labour income and company income tax.” ³³
Simplicity	The tax and transfer system should be easy to understand and simple to comply with.	Rates are simple, easy to understand, easy to comply with, and difficult to avoid.
Sustainability	A principal objective of the tax system is to raise revenue to fund government programs... [and] should have the capacity to meet the changing revenue needs of government on an ongoing basis.	Rates are sustainable. As a tax on land, which is immobile, revenue from rates is relatively fixed when compared to other forms of taxation.
Policy Consistency	Tax and transfer policy should be internally consistent.	Rates are not inconsistent with other forms of taxation and there is a direct link between rates and services provided to the property and the broader community.

³² Commonwealth of Australia (2010)

³³ Commonwealth of Australia (2010),

http://www.taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/papers/Final_Report_Part_1/chapter_1.htm#Chart_1_5

Rate Exemptions

Rating exemptions undermine the efficacy of rates in relation to the criteria outlined in the table above.

Exemptions from rates represent significant revenue leakage for Local Governments and this transfers the rate burden to remaining ratepayers. The Local Government sector supports a broad review into the justification and fairness of all rating exemption categories currently prescribed under section 6.26 of the *Local Government Act 1995*. Rate exemptions can be particularly perverse where commercial operations are clearly evident.

To understand the impact of ratings exemptions on the sector, WALGA conducted a survey of its members during July 2018. The survey sought to quantify the impact of ratings exemptions during the 2017-18 financial year.

Some 100 Local Governments responded to the survey, representing Local Governments of all sizes and from across both metropolitan and regional WA. 30 respondents were from the metropolitan area, 63 were from regional WA, and the remainder did not state their location.

The total value of revenue foregone in 2017-18 as a result of ratings exemptions was \$45,633,541. This represents approximately two percent of total rates revenue (based on 2016-17 figures). The impost of rates exemptions was relatively evenly spread across the sector, with the largest share of revenue forgone attributed to the City of Stirling (11 percent) and City of Greater Geraldton (9 percent).

In dollar terms, the largest overall financial impost to the sector from rating exemptions related to land used exclusively for charitable purposes (\$16,564,788), followed by crown land (\$7,522,264), and land used as a non-government school (\$7,247,816). It is noted that some Local Governments had difficulties accessing gross rental values for crown land and so the revenue forgone is potentially much higher.

The most common type of property that was exempt from rating during the 2017-18 financial year was land which is property of the crown (13,905 properties). This was followed by land used exclusively for charitable purposes (2,919 properties) and land owned by a regional local government (2,811 properties).

Charitable Purposes Rating Exemption

Of particular concern to the Local Government sector is the rate exemption relating to charitable purposes. In 2005, the Local Government Advisory Board inquired into the

operation of section 6.26(2)(g) of the *Local Government Act 1995*.³⁴ This section provides that “land used exclusively for charitable purposes” is exempt from Local Government rates.

In principle, this section of the Act is supported by the Local Government sector. Clearly, Local Government, like any sphere of government, ought to continue to play a role in supporting and encouraging charitable organisations in their work for the benefit of the community. Accordingly, advocacy by the Local Government sector for legislative amendments relating to this section of the Act should not be misinterpreted as disregard for the positive work of charities in the community.

The Local Government sector contends that exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes, which increase the rate burden to other ratepayers.

The most prominent example of this is the exemption provided under this section of the Act to Independent Living Units (ILU), which is well documented in the Local Government Advisory Board’s Report.³⁵ It was estimated by the Local Government Advisory Board that approximately \$3 million of revenue was foregone by Local Governments in 2005 as a result of this section of the Act.³⁶ This figure has significantly increased since the Advisory Board’s report published over a decade ago, with WALGA’s 2018 survey of Local Governments suggesting that \$16.5 million of rate revenue is forgone due to the charitable purposes rate exemption.

If this issue is not addressed, the rate burden on other ratepayers will continue to increase as the demand for Independent Living Units increases as the population ages.

The Local Government Advisory Board recommended in 2005 that Independent Living Units should not be exempt from rates.³⁷ The Legislation Reform Working Group recommended in 2010 that Independent Living Units should not be exempt from rates.³⁸ WALGA’s policy position on this issue is that the *Local Government Act 1995* should be amended to remove the rate exemption for Independent Living Units. There may be an argument for exemptions to be granted by State or Federal legislation. Examples include exemptions granted by the Commonwealth *Aged Care Act 1997* and group housing for the physically and intellectually disabled which is supported under a government scheme such as a Commonwealth-State Housing Agreement or Commonwealth-State Disability Agreement.

The sphere of government that determines that exemptions should be granted should fund the exemption. This will ensure that funding the revenue shortfall will be equitably and

³⁴ Local Government Advisory Board (2005)

³⁵ Local Government Advisory Board (2005) p14-22

³⁶ Local Government Advisory Board (2005) p3

³⁷ Local Government Advisory Board (2005) p22

³⁸ Legislation Reform Working Group (2010) p2

appropriately distributed amongst taxpayers. For example, the State Government have a compensatory fund of this nature relating to pensioner discounts for the payment of rates.

The *Local Government Act 1995* needs to be amended to provide clarification on rating of land used for charitable purposes.

Rate Equivalency Payments

A similar issue relates to rate exemptions for State Government trading entities.

A particular example is the exemption granted to LandCorp by the *Land Authority Act 1992*. In 1998, the Act was amended to include provisions for LandCorp to pay the Treasurer an amount equal to that which would have otherwise been payable in Local Government rates, based on the principle of 'competitive neutrality'.

This matter is of serious concern to Local Governments with significant LandCorp holdings in their district. The shortfall in rates are effectively paid by other ratepayers, which means ratepayers have to pay increased rates because LandCorp has a presence in the district.

The current situation involving the Perth Airport demonstrates that such a system is appropriate and can work in practice. In this case, the Commonwealth Government requires the lessee to make a rate equivalency payment to the relevant Local Government and not the Commonwealth. There is no reason why a similar system cannot be adopted for State Government Trading Entities.

State Agreement Acts

Before the 1980s, State Government conditions of consent for major resources projects in WA included the requirement for purpose-built towns in close proximity to project sites. These conditions were detailed in State Agreement Acts, which are essentially contracts between the State Government and proponents of major resources projects that are ratified by the State Parliament.

The requirement to provide community services and infrastructure meant State Agreement Acts typically included a Local Government rating restriction clause. Many of these towns have since been 'normalised' due to Local Governments, the State Government and utility providers assuming responsibility for services and infrastructure.

In 2011, the State Government introduced a new policy on 'the application of Gross Rental Valuation to mining, petroleum and resource interests' (the GRV mining policy). The policy would apply for a 3 year trial period from 1 July, 2012. The trial period was recently extended until 30 September, pending the outcomes of a review of the policy. The primary objectives

of the policy were to clarify the circumstances where Local Governments could apply GRV rating to mining land and enable the use of GRV rating on new (i.e., initiated after June 2012) mining, petroleum and resource interests. This included the application of GRV rating to new State Agreement Acts.

However, existing State Agreement Acts continue to restrict Local Government rating. Local Governments can only rate projects covered by existing Agreements in the unlikely event of 'both parties agree[ing] to adopt the policy'. Alternatively, the State Government has also stated that 'projects that operate under existing State Agreements and currently exempt from rates may apply the policy as part of their respective Agreement Variation processes with the Department of State Development during the trial period'. Again, this statement suggests it is unlikely that the rating exemptions will be removed for existing State Agreements since variations are infrequent and there is no real requirement to remove the exemptions.

Rating exemptions on State Agreement Acts mean that Local Governments are denied an efficient source of revenue. There are also equity issues associated with the existing exemptions since they only apply to a select group of mining companies whose projects are subject to older State Agreement Acts. Removing the rates exemption clauses from the pre-July 2012 State Agreement Acts would provide a fairer outcome for all other ratepayers, including the proponents of new resources projects.

Restrictions on Borrowings

Another Local Government finance issue is a disincentive for Local Government investment in community infrastructure due to borrowing restrictions in the *Local Government Act 1995*. Section 6.21(2) states that a Local Government can only use its 'general funds' as security for borrowings to upgrade community infrastructure, and is restricted from using its assets to secure its borrowings.

This provision severely restricts the borrowing capacity of Local Governments and reduces the scale of borrowing that can be undertaken to the detriment of the community.

This is particularly relevant since the Global Financial Crisis. Treasury now requires member Local Governments to show as contingent liabilities in their balance sheet their proportion of contingent liabilities of the Regional Local Government of which they are a member. Given that the cost of provision of an Alternative Waste Disposal System is anything up to \$100 million, the share of contingent liabilities for any Local Government is significant. Even under a 'Build-Own-Operate' financing method, the unpaid (future) payments to a contractor must be recognised in the balance sheet of the Regional Local Government as a contingent liability.

This alone is likely to prevent some Local Governments from borrowing funds to finance its own work as the value of contingent liabilities are taken into account by Treasury for borrowing purposes.

Fees and Charges

Fees and charges are, on average, the second largest source of Local Government discretionary revenue.³⁹ Local Governments are able to charge users for specific, often incidental, services. Examples include dog registration fees, fees for building approvals and swimming pool entrance fees.

In some cases, Local Governments will recoup the entire cost of providing a service or even make a profit. In other cases, user charges may be set below cost recovery to encourage a particular activity with identified community benefit, such as sporting ground user fees or swimming pool entry fees.⁴⁰

Currently, fees and charges are determined according to three methods:

- By legislation
- With an upper limit set by legislation⁴¹
- By the Local Government.

Fees determined by State Government legislation are of particular concern to Local Governments and represent significant revenue leakage. Examples of fees and charges of this nature include dog registrations fees, town planning fees and building permits. Since Local Governments do not have direct control over the determination of fees set by legislation, this revenue leakage is recovered from rate revenue.

Under the principle of 'general competence' there is no reason why Local Governments should not be empowered to make decisions regarding the setting of fees and charges for specific services.

There may be an argument that certain fees and charges should be consistent across the State or the metropolitan area; however it is not clear why dog registration fees, as an example, should be the same in every Local Government area. Local Governments in most other states are able to set animal registration fees.

Car registration fees are not the same in every State and few would argue they ought to be; setting fees, charges and tax rates is a core function of government and Local Governments, as a legitimate sphere of government, should be able to make policy decisions regarding their services and revenue streams.

Councils should be empowered to make policy decisions regarding user-paid services provided by the Local Government.

³⁹ WALGA (2008) p80

⁴⁰ WALGA (2008b) p81

⁴¹ See Section 6.17(3) of the *Local Government Act 1995*

Grants

Grants and transfers from other spheres of Government are the other main revenue source for Local Government. Financial Assistance Grants, provided by the Commonwealth and distributed by the State Government's Local Government Grants Commission are a key funding source for many Local Governments.

The Department of Local Government, Sport and Cultural Industries website explains Financial Assistance Grants:

“Local Government Financial Assistance Grants funded by the Commonwealth Government are distributed among 137 local governments in Western Australia each year. The grants are the State's entitlement for financial assistance from the Commonwealth Government, paid in equal quarterly instalments for a financial year, under the Australian law, Local Government (Financial Assistance) Act 1995. The distribution of Financial Assistance Grants is for local government purposes, to achieve equitable levels of services by reasonable effort.

Western Australia's share of Commonwealth funding for 2018-19 is \$293,275,889, which equals 11.93 per cent of the national allocation of \$2.457 billion. The allocation has increased from \$287.355m. The funding is untied; there are no conditions on how the funds should be spent. The amount is divided into two parts, a general purpose component and a local roads component.”⁴²

Particularly for smaller, more remote Local Governments, financial assistance grants can comprise of a significant portion of revenue. As the Australian Local Government Association (ALGA) notes, Financial Assistance Grants are particularly important in areas with a low rate base, and/or high growth rate, and rapidly expanding service and infrastructure needs.⁴³

Local Governments in Western Australia strongly support ALGA's advocacy campaign to restore Financial Assistance Grants to one percent of Commonwealth taxation revenue, which was the level of funding provided in 1996.⁴⁴ Since then, despite the Australia's Gross Domestic Product growing strongly, Financial Assistance Grants funding has eroded to now represent approximately 0.55 percent of Commonwealth taxation revenue.⁴⁵

This decline in revenue support from the Commonwealth coincides with the responsibilities and demands of Local Government increasing as the State Government reduces services to address budget issues and Local Government seeks to address the infrastructure backlog, which improves the economic capacity of Western Australia's communities.

⁴² Department of Local Government, Sport and Cultural Industries (2019)

⁴³ ALGA (2019)

⁴⁴ ALGA (2019a)

⁴⁵ ALGA (2019a)

Other Related Matters

- f) Any other related matters the select committee identifies as worthy of examination and report***

Transparency and Accountability

Local Government is a unique combination of a complex organisation, operating in the public realm with significant transparency and accountability requirements.

Appropriately, given Local Government's role as steward of public assets and public funds, there is a high level of public scrutiny related to Local Government operations and decision-making. In particular, Council meetings, with limited exceptions, are open to the public, and community members can avail themselves of public question time at Council meetings. Further, Local Governments are required to hold a public meeting of electors annually, and members of the community are able to petition for special electors meetings to be held to address specific issues.

In addition, the role of an Elected Member includes a role in facilitating communication between the community and the Council. Elected Members are generally approachable and make themselves available to be contacted about community issues in person at events or via telephone, email or social media. Information, including agendas and minutes, is available on each Local Government's website, meaning that Council decisions are generally accessible.

Local Governments embrace accountability, openness and transparency. Accusations to the contrary are fundamentally misguided, given the existing legislative transparency requirements coupled with Local Government practice that enhances transparency even further.

A prime example of Local Government's culture of openness is highlighted by the commencement of performance audits by the Office of the Auditor General. Despite the resource requirement in facilitating an audit of this nature, Local Governments have embraced the opportunity for an independent agency to access their organisation and provide recommendations on how performance can be improved to reduce risk or enhance efficiency or effectiveness.

The performance audits conducted by the Office of the Auditor General are not only relevant to the subset of Local Governments chosen for audit, but also provide learnings for other Local Governments. It is a credit to the Local Government sector that the performance audits have been welcomed by Local Governments, and not resisted.

State Local Government Partnership Agreement

In August 2017, the following State and Local Government sector leaders signed the Western Australian State Local Government Agreement:⁴⁶

- Premier – Hon Mark McGowan MLA;
- Minister for Local Government – Hon David Templeman MLA;
- President, WALGA – Cr Lynne Craigie; and,
- President, Local Government Professionals Australia WA – Mr Jonathan Throssell.

The objectives of the partnership agreement are to facilitate the State Government and the Local Government sector working together to enhance communication and consultation between the two spheres of Government, and to provide good governance for the people of Western Australia.

Importantly, the Agreement sets out a communication and consultation framework that commits the State Government to thoroughly consulting with the Local Government for 12 weeks for proposals that “will have a significant impact on Local Government responsibilities or operations.”⁴⁷

Further, the Agreement establishes the State and Local Government Partnership Group comprising the following State and Local Government leaders:

- Premier;
- Treasurer;
- Minister for Local Government;
- Minister for Planning / Transport;
- WALGA President;
- LG Professionals President; and,
- Such other Ministers and Local Government representatives as appropriate to the subject matter on the agenda.

The Partnership Agreement provides opportunities for both the State Government and the Local Government sector.

For the Local Government sector, the commitment to consultation timeframes and regular, formal access to key Government leaders, such as the Premier and Treasurer, are important.

For the State Government, there are opportunities to leverage Local Government’s reach in every community in Western Australia in the pursuit of State Government objectives.

⁴⁶ Government of Western Australia, Local Government Professionals Australia WA, and WALGA (2017)

⁴⁷ Government of Western Australia, Local Government Professionals Australia WA, and WALGA (2017)

For example, WALGA commissioned a piece of work to review the WA Plan for Jobs and provide information to Local Government about opportunities for leveraging the State's work in this space.⁴⁸ This provided Local Governments with options and opportunities at the regional and local level, allowing Local Governments to develop their local and regional economies in line with State objectives.

Similarly, as part of the Review of the Local Government Act, WALGA partnered with the Department of Local Government, Sport and Cultural Industries to host workshops around Western Australia leveraging WALGA's Zones to provide consolidated input into the State's review process.

State Industrial Relations Review

WALGA would like to draw the Committee's attention to the ongoing State Industrial Relations Review.

Although there is a State Local Government Partnership Agreement, there are times when there are differing views on particular issues. The recent Ministerial review of the WA Industrial Relations system is a case in point.

This particular example is where the State Government are proposing an agenda that disadvantages the Local Government sector.

The WA State Government has undertaken a review of the WA Industrial Relations System. The review considered as part of the Terms of Reference (Item 8) whether Local Government employers and employees in WA should be regulated by the State Industrial relations system.

Currently 88 percent of Local Governments are in the federal system which represents 93 percent of all employees in the WA Local Government sector.

The State Government has endorsed the following recommendations:

- *Local Government employers and employees be regulated by the State industrial relations system.*
- *To facilitate this recommendation, the State Government introduce legislation into the State Parliament that declares, by way of a separate declaration, that each of the bodies established for a Local Government purpose under the Local Government Act 1995 (WA) is not to be a national system employer for the purposes of the 2018 IR Act.*

⁴⁸ WALGA (2018)

- *If the declaration is passed by the State Parliament, the State expeditiously attempt to obtain an endorsement under s 14(2)(c) and s 14(4) of the FW Act by the Commonwealth Minister for Small and Family Business, the Workplace and Deregulation, to make the declaration effective (the endorsement).*

WALGA's position, after a thorough consultation process with the sector, is the legislation **should not be** imposed prescribing that Local Governments be exclusively regulated by the State IR system.

After more than a decade operating in the Federal system, Local Governments have become used to a modernised Industrial Relations system, with the National Employment Standards, as well benefiting from the Award Modernisation process. State Awards have not been reviewed, updated or modernised during this time, nor has there been any significant changes made to the way the State IR system operates.

The State Government has advised that they will not be carrying out a modernisation process of the State IR system.

Ultimately, this political decision will have a significant impact on the Local Government sector and result in Local Governments undertaking a review of the viability of services and operations provided to determine if they are viable.

WALGA is of the view that Local Government employers and employees in WA should not be exclusively regulated by the State IR system.

Conclusion

WALGA would like to take the opportunity to thank the Committee for considering this submission.

As this submission demonstrates, Local Governments, across the breadth and width of Western Australia, deal with a wide range of issues and strive to provide efficient services and effective democratic representation on behalf of their constituents and communities.

This Committee Inquiry presents a tremendous opportunity for best practice and innovation to be highlighted. While no Local Government is perfect, WALGA contends that the Local Government sector contains countless examples of dedicated Elected Members, executives and staff striving to achieve positive outcomes on behalf of the community.

WALGA President, Cr Lynne Craigie OAM, and Chief Executive Officer, Nick Sloan, would welcome the opportunity to present to the Committee on the matters contained in this submission or any other matters relevant to the Inquiry.

Reference List

- ALGA (2019) *Financial Sustainability*.
<https://alga.asn.au/policy-centre/financial-sustainability/>
- ALGA (2019a) *Local Communities Matter: Submission to the 2019-20 Federal Budget*.
<https://cdn.alga.asn.au/wp-content/uploads/ALGA-Budget-Submission-2019-20.pdf>
- Aulich, C., Gibbs, M., Gooding, A., McKinlay, P., Pillora, S. & Sansom, G., (2011)
Consolidation in Local Government: A Fresh Look, Volume 1: Report and Volume 2: Background Papers, Australian Centre of Excellence for Local Government: Sydney
- British Columbia (2019) *Community Charter [SBC 2003] Chapter 26*,
http://www.bclaws.ca/civix/document/id/complete/statreg/03026_00
- Brown, B. (2019) *Dare to Lead Read-Along Workbook*.
<https://daretolead.brenebrown.com/wp-content/uploads/2019/02/DTL-Read-Along-Workbook-v2.pdf>
- Bureau of Infrastructure, Transport and Regional Economics (2019) *May 2019 Domestic Aviation Activity*.
https://www.bitre.gov.au/publications/ongoing/files/Domestic_aviation_May_2019.pdf
- Cox, D. (2019) *Legislation in the modern world: what is the best way legislation should be written for today's society?* Presentation to the Future of Local Government Statewide Forum, 30 January 2019, Technology Park Function Centre, Bentley. <https://walga.asn.au/getattachment/News,-Events-and-Publications/Events/Future-of-Local-Government-State-wide-Forum/190130-Dr-David-Cox-Presentation.pdf?lang=en-AU>
- Deloitte Access Economics (2013) *Review of Local Government Rating Exemption Provisions: Local Government NSW, May 2013*:
<https://www.lgnsw.org.au/files/imce-uploads/127/deloitte-access-economics-review-of-local-government-rating-exemption-provisions-2013.pdf>
- Commonwealth of Australia (2010) *Australia's Future Tax System: Final Report, Part 1 – Overview*.
http://www.taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/papers/Final_Report_Part_1/chapter_2.htm
- Department of Local Government and Communities (2017), Fact Sheet No. 2 – *The role of a council member*.

https://www.dlgsc.wa.gov.au/resources/publications/Publications/Local%20Government%20Elections%20Fact%20Sheets/Local_Government_Elections_2017_Fact_sheet_02-The_role_of_a_council_member.DOCX

Department of Local Government, Sport and Cultural Industries (2019) *Financial Assistance Grants*.

<https://www.dlgsc.wa.gov.au/localgovernment/forcouncils/Pages/Financial-Assistance-Grants.aspx>

Edelman (2019), *2019 Edelman Trust Barometer*.

https://www.edelman.com/sites/g/files/aatuss191/files/2019-02/2019_Edelman_Trust_Barometer_Global_Report.pdf

Government of Western Australia, Local Government Professionals Australia WA, and WALGA (2017) *Western Australian State Local Government Agreement*.

https://www.dlgsc.wa.gov.au/resources/publications/Publications/State%20Local%20Government%20Agreement%20Signed%20Partnership/State_Local_Government_Signed_Partnership_Agreement.pdf

Griffith University (2014) *Constitutional Values Survey*:

<https://www.scribd.com/document/242462223/Griffith-University-Constitutional-Values-Survey-Oct-2014-Results-1-1>

House of Representatives Standing Committee on Economics, Finance and Public Administration, (2003), *Rates and Taxes: A Fair Share for Responsible Local Government*, Parliament of the Commonwealth of Australia: Canberra

Legislation Reform Working Group (2010) *Report to the Local Government Reform Steering Committee*, Legislation Reform Working Group, administered by the Department of Local Government: Perth

Local Government Advisory Board (2005) *Inquiry into the Operation of Section 6.26(2)(g) of the Local Government Act 1995: An inquiry by the Local Government Advisory Board into the operation of the provisions of the Local Government Act relating to rating of land used for charitable purposes*, Local Government Advisory Board: Perth

PricewaterhouseCoopers (2006) *National Financial Sustainability Study of Local Government*, PricewaterhouseCoopers: Sydney

Productivity Commission (2017) *Productivity Commission, Local Government, Shifting the Dial: 5 year Productivity Review, Supporting Paper No. 16*.

<https://www.pc.gov.au/inquiries/completed/productivity-review/report/productivity-review-supporting16.pdf>

- Skatssoon, J. (2019) *Need to ditch 'damaging obsessions' about local government*, Government News, 23 May 2019: <https://www.governmentnews.com.au/need-to-ditch-damaging-obsessions-about-local-government/>
- The State of Victoria Department of Environment, Land, Water and Planning, (2016) *Act for the Future: Directions for a new Local Government Act*. [https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/7aa05ea50976225e7ee45681e4520f5cdfa2e355/documents/attachments/000/037/297/original/Act for the Future - Directions for a new Local Government Act.pdf?1465442287](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/7aa05ea50976225e7ee45681e4520f5cdfa2e355/documents/attachments/000/037/297/original/Act_for_the_Future_-_Directions_for_a_new_Local_Government_Act.pdf?1465442287)
- WALGA (2019) *Elected Member Courses*.
<https://walga.asn.au/Training/Our-Courses/Elected-Member-Courses.aspx>
- WALGA (2019a) *Course Notes: Serving on Council – Elected Member Training*, WALGA, West Leederville.
- WALGA (2019b) *State Council Full Minutes*, 27 March 2019.
<https://walga.asn.au/getattachment/947ca410-d15d-4457-ab1c-3628efa001b3/State-Council-Full-Minutes-27-March-2019.pdf>
- WALGA (2018) *Review of the WA Plan for Jobs and the Economic Development Opportunity for Local Government in Western Australia*.
<https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/Economic-Development/Review-of-the-WA-Plan-for-Jobs.pdf.aspx?lang=en-AU>
- WALGA (2011) *The Western Australian Local Government Directory*, WALGA: Perth
- WALGA (2008) *The Journey: Sustainability into the Future*, Draft SSS Report, WALGA: Perth
- WALGA (2006) *In Your Hands: Shaping the Future of Local Government in Western Australia*, Final Report, WALGA: Perth
- Waste Authority (2018) *Waste Authority Annual Report 2017-18*.
http://www.wasteauthority.wa.gov.au/media/files/documents/WasteAuthority_Annual_Report_2017-18.pdf
- Waste Authority (2018a) *The 2016-17 census of Western Australian local government waste and recycling services*.
http://www.wasteauthority.wa.gov.au/media/files/documents/Local_Government_Waste_and_Recycling_Census_2016-17.pdf
- Western Australian Local Government Grants Commission (2018) *2017-2018 Returns*.

ATTACHMENT: 12.1
Monthly Financial Report July 2019

SHIRE OF MINGENEW
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 July 2019

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

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MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDED 31 JULY 2019

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 07 August 2019

Prepared by: Helen Sternick

Reviewed by: Jeremy Clapham

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*. Note: The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

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 and to the extent they are not inconsistent with the *Local Government Act 1995* and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has 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.

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 13.

SIGNIFICANT ACCOUNTING POLICES

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.

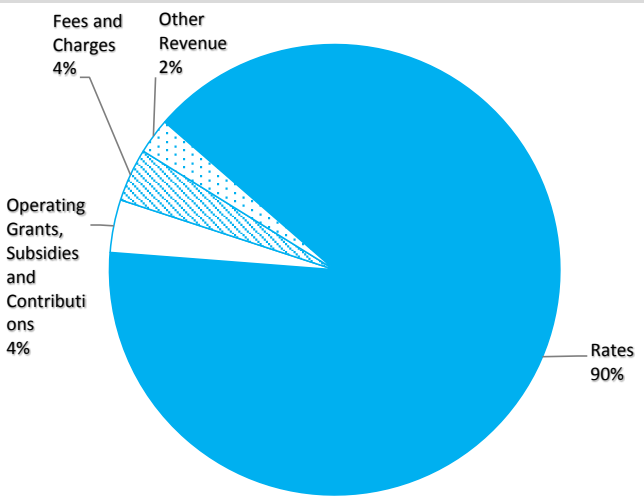
CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect 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.

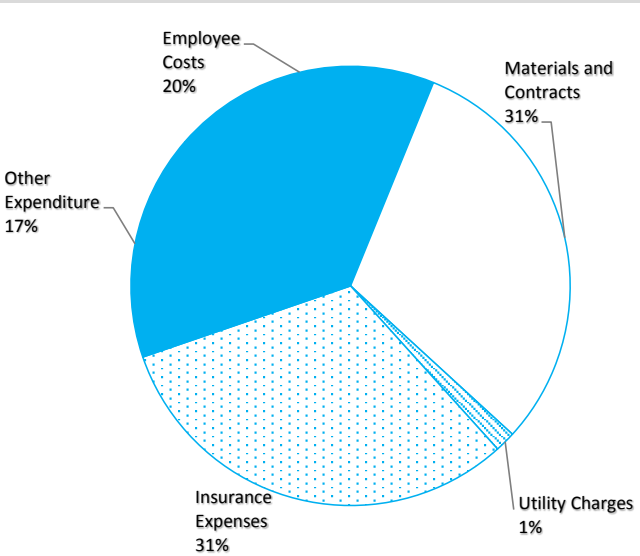
ROUNDING OFF FIGURES

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

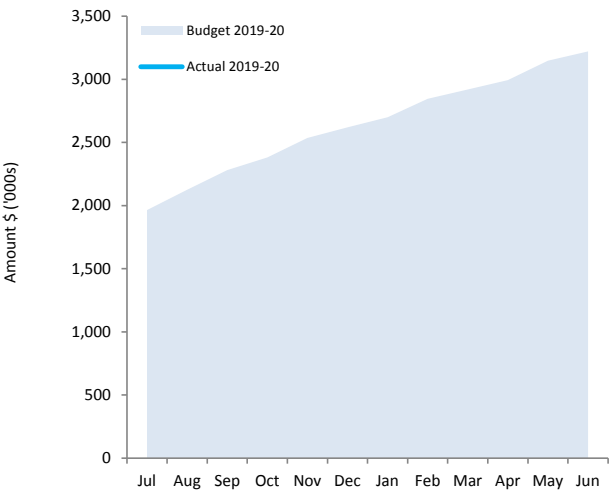
OPERATING REVENUE



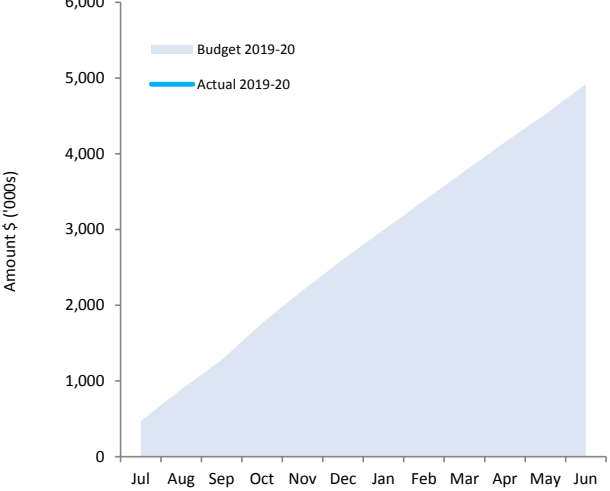
OPERATING EXPENSES



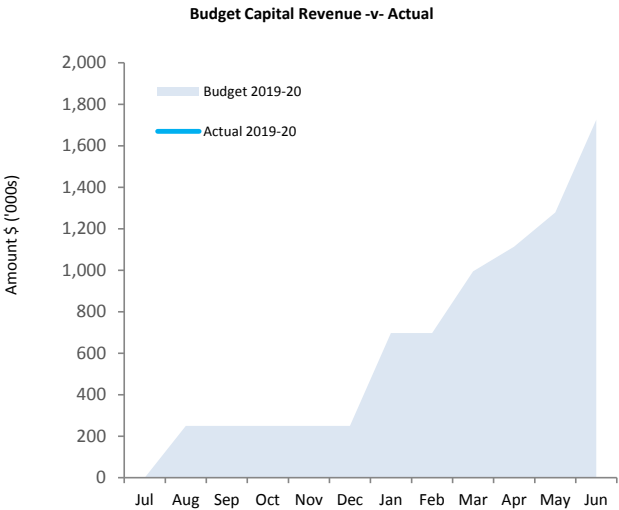
Budget Operating Revenues -v- Actual



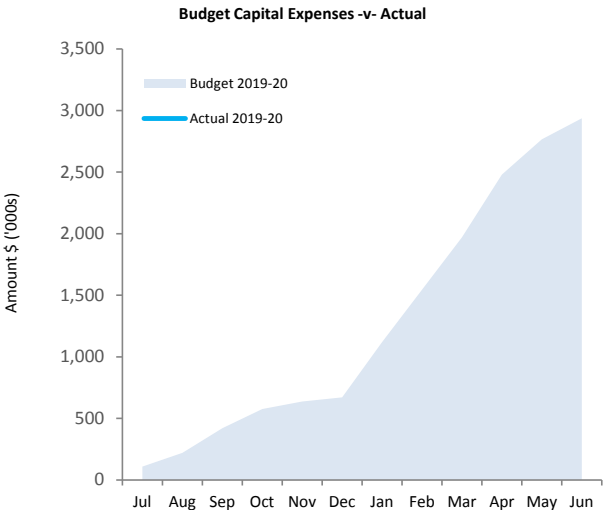
Budget Operating Expenses -v- YTD Actual



CAPITAL REVENUE



CAPITAL EXPENSES



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

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 JULY 2019

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE	ACTIVITIES
To provide a decision making process for the efficient allocation of scarce resources.	Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
GENERAL PURPOSE FUNDING	
To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
LAW, ORDER, PUBLIC SAFETY	
To provide services to help ensure a safer community.	Fire prevention, animal control and safety.
HEALTH	
To provide services to help ensure a safer community.	Food quality, pest control and inspections.
EDUCATION AND WELFARE	
To meet the needs of the community in these areas.	Includes education programs, youth based activities, care of families, the aged and disabled.
HOUSING	
Provide housing services required by the community and for staff.	Maintenance of staff, aged and rental housing.
COMMUNITY AMENITIES	
Provide services required by the community.	Rubbish collection services, landfill maintenance, townsite storm water drainage control and maintenance, administration of the Town Planning Scheme and maintenance of cemeteries.
RECREATION AND CULTURE	
To establish and manage efficiently, infrastructure and resources which will help the social well being of the community.	Maintenance of halls, recreation centres and various reserves, operation of library, support of community events and matters relating to heritage.
TRANSPORT	
To provide effective and efficient transport services to the community.	Construction and maintenance of streets, roads and footpaths, cleaning and lighting of streets, roads and footpaths, traffic signs and depot maintenance.
ECONOMIC SERVICES	
To help promote the Shire and improve its economic wellbeing.	The regulation and provision of tourism, area promotion, building control and noxious weeds.
OTHER PROPERTY AND SERVICES	
To provide effective and efficient administration, works operations and plant and fleet services.	Private works operations, plant repairs and operational costs. Administration overheads.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019**

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus / (Deficit)	1(c)	1,206,733	1,206,733	1,209,079	2,346	0.19%	
Revenue from operating activities							
Governance		17,449	5,395	4,946	(449)	(8.32%)	
General Purpose Funding - Rates	6	1,884,633	1,884,633	1,884,624	(9)	(0.00%)	
General Purpose Funding - Other		344,050	5,750	(1,856)	(7,606)	(132.28%)	
Law, Order and Public Safety		23,618	313	4	(309)	(98.72%)	
Health		371	32	0	(32)	(100.00%)	
Education and Welfare		1,755	25	18	(7)	(28.00%)	
Housing		103,035	8,586	6,602	(1,984)	(23.11%)	
Community Amenities		78,337	6,528	67,260	60,732	930.33%	▲
Recreation and Culture		38,335	113	0	(113)	(100.00%)	
Transport		656,375	47,989	128,310	80,321	167.37%	▲
Economic Services		9,945	829	1,454	625	75.39%	
Other Property and Services		63,326	5,277	4,497	(780)	(14.78%)	
		3,221,229	1,965,470	2,095,859	130,389		
Expenditure from operating activities							
Governance		(256,852)	(52,948)	(49,686)	3,262	6.16%	
General Purpose Funding		(90,742)	(7,020)	(6,506)	514	7.32%	
Law, Order and Public Safety		(155,559)	(15,968)	(18,733)	(2,765)	(17.32%)	
Health		(113,300)	(9,647)	(9,762)	(115)	(1.19%)	
Education and Welfare		(69,532)	(5,867)	(2,591)	3,276	55.84%	▲
Housing		(184,228)	(18,611)	(7,741)	10,870	58.41%	▲
Community Amenities		(272,077)	(23,139)	(12,607)	10,532	45.52%	▲
Recreation and Culture		(1,167,970)	(101,949)	(45,602)	56,347	55.27%	▲
Transport		(2,181,553)	(182,308)	(76,016)	106,292	58.30%	▲
Economic Services		(369,934)	(32,706)	(18,767)	13,939	42.62%	▲
Other Property and Services		(59,650)	(22,522)	(53,150)	(30,628)	(135.99%)	▼
		(4,921,397)	(472,685)	(301,161)	171,524		
Non-cash amounts excluded from operating activities	1(a)	1,838,261	153,355	19,955	(133,400)	(86.99%)	▼
Amount attributable to operating activities		138,093	1,646,140	1,814,653	168,513		
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions	12(b)	1,725,016	0	237,600	237,600	0.00%	▲
Proceeds from disposal of assets	7	43,000	0	0	0	0.00%	
Purchase of property, plant and equipment	8	(2,937,405)	(110,358)	(106,203)	4,155	3.77%	
Amount attributable to investing activities		(1,169,389)	(110,358)	131,397	241,755		
Financing Activities							
Transfer from Reserves	10	35,000	0	0	0	0.00%	
Repayment of Debentures	9	(158,164)	0	0	0	0.00%	
Transfer to Reserves	10	(52,273)	0	0	0	0.00%	
Amount attributable to financing activities		(175,437)	0	0	0		
Closing Funding Surplus / (Deficit)	1(c)	(0)	2,742,515	3,155,129	412,614		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer threshold. Refer to Note 14 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2019-20 year is \$10,000 or 10.00% whichever is the greater.

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

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 JULY 2019

NATURE OR TYPE DESCRIPTIONS

REVENUE
RATES All rates levied under the <i>Local Government Act 1995</i> . 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 <i>Division 6 of Part 6 of the Local Government Act 1995 . Regulation 54 of the Local Government (Financial Management) Regulations 1996</i> identifies these as 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.

EXPENSES
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.
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 State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019**

BY NATURE OR TYPE

	Ref Note	Adopted Budget \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
					\$	%	
Opening Funding Surplus / (Deficit)	1(c)	1,206,733	1,206,733	1,209,079	2,346	0.19%	
Revenue from operating activities							
Rates	6	1,884,633	1,884,633	1,884,624	(9)	(0.00%)	
Operating grants, subsidies and contributions	12(a)	416,677	5,429	79,576	74,147	1365.76%	▲
Fees and charges		249,008	19,665	79,949	60,284	306.55%	▲
Interest earnings		55,110	4,593	(1,941)	(6,534)	(142.26%)	
Other revenue		603,800	50,317	53,651	3,334	6.63%	
Profit on disposal of assets	7	12,000	833	0	(833)	(100.00%)	
		3,221,228	1,965,470	2,095,859	130,389		▲
Expenditure from operating activities							
Employee costs		(1,116,088)	(97,235)	(59,528)	37,707	38.78%	▲
Materials and contracts		(1,055,756)	(103,456)	(92,218)	11,238	10.86%	▲
Utility charges		(124,697)	(10,385)	(4,575)	5,810	55.95%	▲
Depreciation on non-current assets		(1,850,261)	(154,188)	0	154,188	100.00%	▲
Interest expenses		(15,819)	(192)	(162)	30	15.63%	▲
Insurance expenses		(121,123)	(59,812)	(94,589)	(34,777)	(58.14%)	
Other expenditure		(637,652)	(47,418)	(50,089)	(2,671)	(5.63%)	▲
		(4,921,396)	(472,686)	(301,161)	171,525		▲
Non-cash amounts excluded from operating activities	1(a)	1,838,261	153,355	19,955	(133,400)	(86.99%)	
Amount attributable to operating activities		138,093	1,646,139	1,814,653	168,514		▲
Investing activities							
Non-operating grants, subsidies and contributions	12(b)	1,725,016	0	237,600	237,600	0.00%	▲
Proceeds from disposal of assets	7	43,000	0	0	0	0.00%	
Payments for property, plant and equipment	8	(2,937,405)	(110,358)	(106,203)	4,155	(3.77%)	▲
Amount attributable to investing activities		(1,169,389)	(110,358)	131,397	241,755		▲
Financing Activities							
Transfer from reserves	10	35,000	0	0	0	0.00%	
Repayment of debentures	9	(158,164)	0	0	0	0.00%	
Transfer to reserves	10	(52,273)	0	0	0	0.00%	
Amount attributable to financing activities		(175,437)	0	0	0		
Closing Funding Surplus / (Deficit)	1(c)	(0)	2,742,514	3,155,129	412,615		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 14 for an explanation of the reasons for the variance.

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

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals		(12,000)	(833)	0
Movement in lease liabilities (non-current)		0	0	19,955
Add: Depreciation on assets		1,850,261	154,188	0
Total non-cash items excluded from operating activities		1,838,261	153,355	19,955

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 Jun 2019	This Year Opening 01 Jul 2019	This Time Last Year 31 Jul 2018	Year to Date 31 Jul 2019
Adjustments to net current assets					
Less: Reserves - restricted cash	10	(308,491)	(308,491)	(406,324)	(308,491)
Less: Cost of acquisition		(40,394)	(40,394)	(40,394)	(40,394)
Add: Borrowings	9	158,165	158,165	115,473	158,166
Add: Provisions - employee	11	135,960	135,960	214,319	135,960
Add: Change in accounting policies - AASB 16 Leases		0	0	0	29,060
Total adjustments to net current assets		(54,760)	(54,760)	(116,926)	(25,699)

(c) Net current assets used in the Statement of Financial Activity

Current assets					
Cash and cash equivalents	2	1,488,357	1,488,357	1,800,263	1,148,359
Rates receivables	3	24,104	24,104	33,131	1,912,980
Receivables	3	291,996	291,846	66,443	479,977
Inventories		0	0	3,065	0
Other current assets	4	59,331	59,331	40,394	40,394
Less: Current liabilities					
Payables	5	(308,169)	(305,673)	(201,818)	(98,410)
Borrowings	9	(158,166)	(158,166)	(115,473)	(158,166)
Lease liabilities	11	0	0	0	(8,346)
Provisions	11	(135,960)	(135,960)	(214,319)	(135,960)
Less: Total adjustments to net current assets	1(c)	(54,760)	(54,760)	(116,926)	(25,699)
Closing Funding Surplus / (Deficit)		1,206,733	1,209,079	1,294,760	3,155,129

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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on hand								
Cash on Hand	Cash and cash equivalents	100	0	0	100		Nil	On Hand
At call deposits								
Municipal Bank Account	Cash and cash equivalents	692,769	0	0	692,769	NAB	NIL	Cheque A/C
Trust Bank Account	Cash and cash equivalents	0	0	15,365	15,365	NAB	1.00%	Cheque A/C
Term Deposits								
Municipal Bank Term Deposit	Cash and cash equivalents	0	147,000	0	147,000	NAB	2.00%	25/09/2019
Reserve Funds	Cash and cash equivalents	0	308,490	0	308,490	NAB	2.00%	25/09/2019
Total		692,869	455,490	15,365	1,163,725			
Comprising								
Cash and cash equivalents		692,869	455,490	15,365	1,163,725			
Financial assets at amortised cost		0	0	0	0			
		692,869	455,490	15,365	1,163,725			

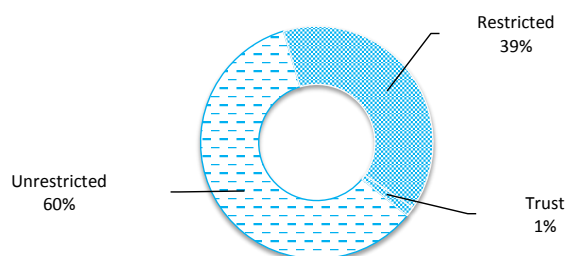
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less 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 net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Total Cash	Unrestricted
\$1.16 M	\$.69 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019

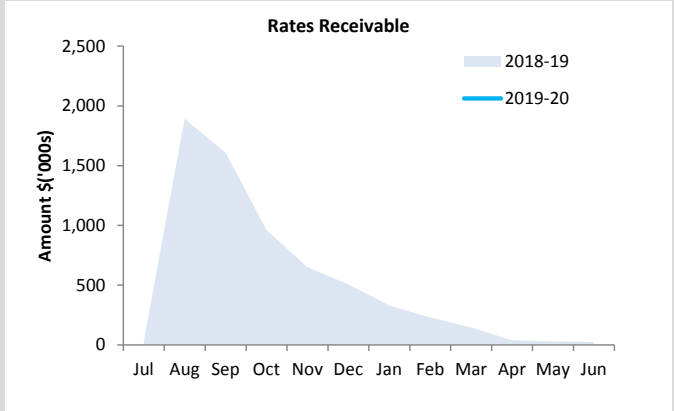
OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

Rates Receivable	30 Jun 2019	31 Jul 19
	\$	\$
Opening Arrears Previous Years	44,775	24,104
Levied this year	1,857,448	1,884,624
Less - Collections to date	(1,878,119)	4,252
Equals Current Outstanding	24,104	1,912,980
Net Rates Collectable	24,104	1,912,980
% Collected	98.7%	-0.2%

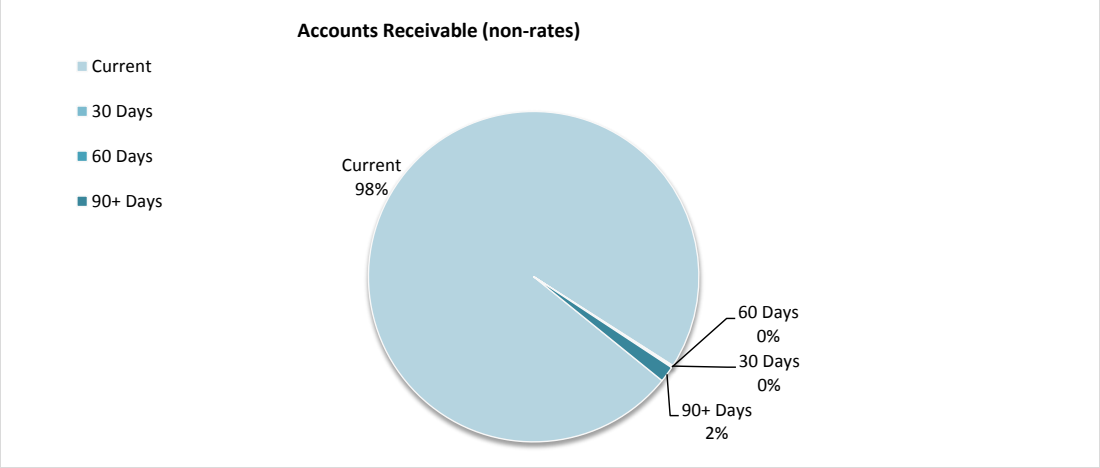
Receivables - General	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - General	(469)	447,500	556	526	7,085	455,198
Percentage	-0.1%	98.3%	0.1%	0.1%	1.6%	
Balance per Trial Balance						
Sundry receivable						455,198
GST receivable						24,779
Total Receivables General Outstanding						479,977
Amounts shown above include GST (where applicable)						

KEY INFORMATION

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.



Collected	Rates Due
-0.2%	\$1,912,980



Debtors Due
\$479,977
Over 30 Days
2%
Over 90 Days
1.6%

	Opening Balance 1 July 2019	Asset Increase	Asset Reduction	Closing Balance 31 July 2019
Other Current Assets	\$	\$	\$	\$
Prepayments				
Prepayments	18,937	0	18,937	0
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

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 resale 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.

Borrowing 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 onto the buyer at this point.

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

CONTRACT ASSETS

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

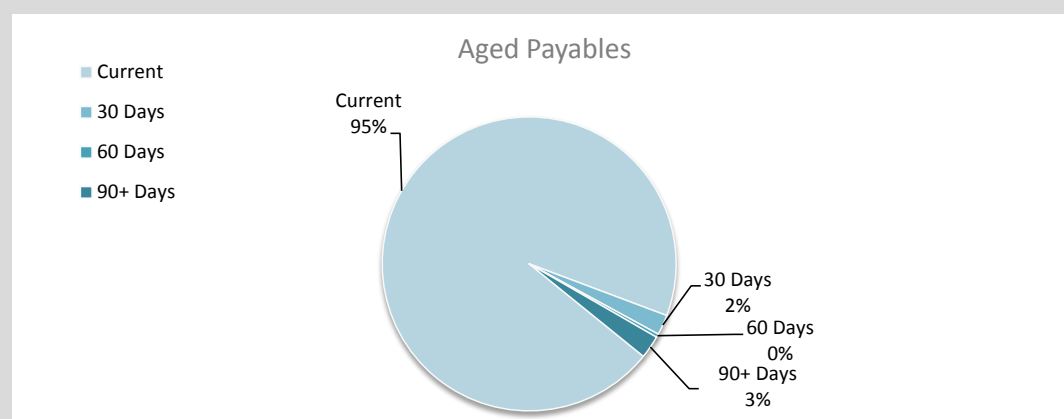
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019**

**OPERATING ACTIVITIES
NOTE 5
Payables**

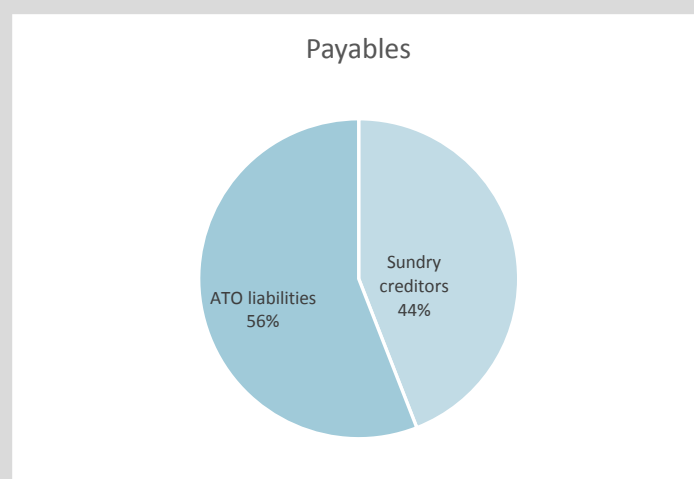
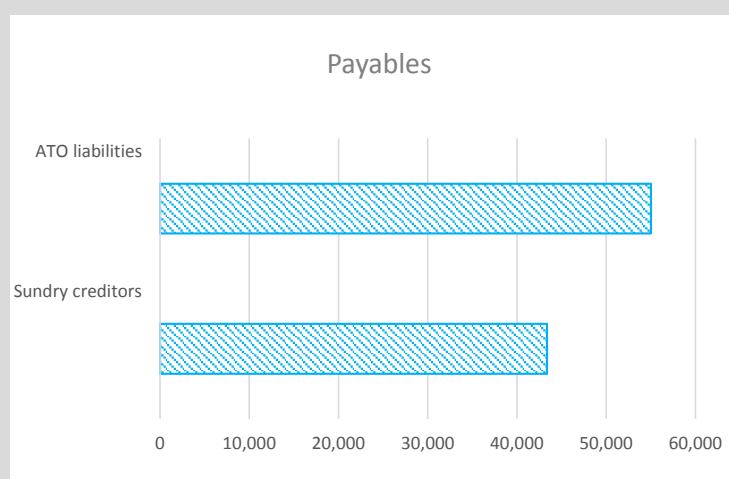
Payables - General	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - General	0	41,473	970	(165)	1,100	43,378
Percentage	0%	95.6%	2.2%	-0.4%	2.5%	
Balance per Trial Balance						
Sundry creditors						43,378
ATO liabilities						55,030
Total Payables General Outstanding						98,408
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire 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.

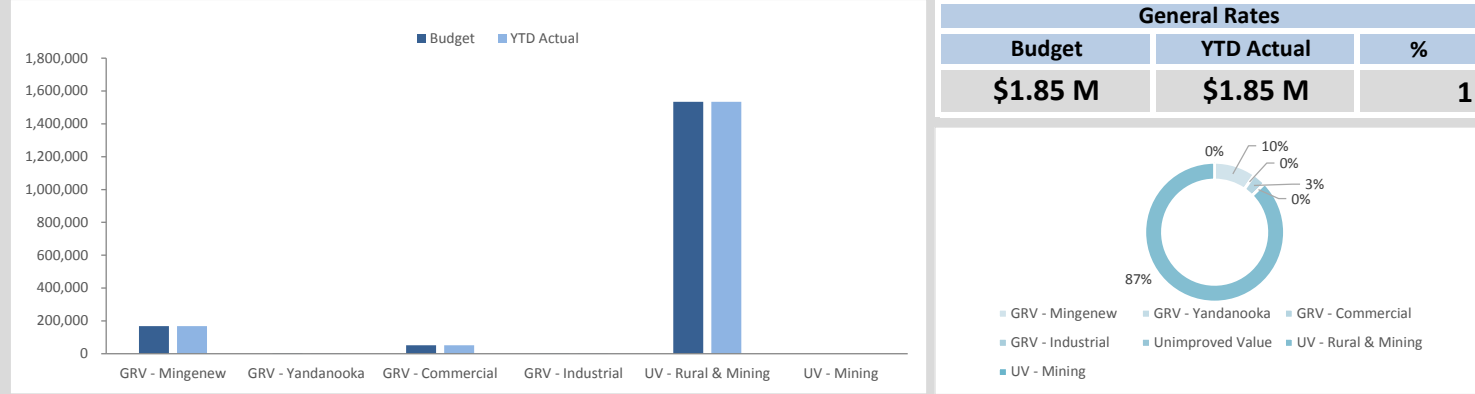


Creditors Due
\$98,408
Over 30 Days
4%
Over 90 Days
2.5%



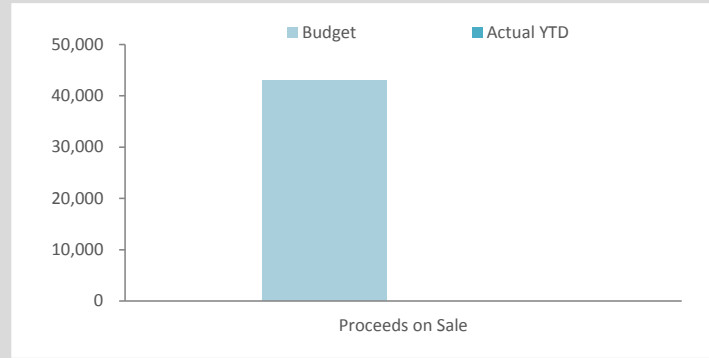
General Rate Revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
Gross Rental Value											
GRV - Mingenew	0.150280	127	1,120,756	168,423	0	0	168,423	168,424	0	0	168,424
GRV - Yandanooka	0.150280	2	13,884	2,086	0	0	2,086	2,086	0	0	2,086
GRV - Commercial	0.150280	14	346,632	52,090	0	0	52,090	52,090	0	0	52,090
GRV - Industrial	0.150280	1	12,480	1,875	0	0	1,875	1,875	0	0	1,875
Unimproved Value											
UV - Rural & Mining	0.012920	114	118,792,000	1,534,199	0	0	1,534,199	1,534,199	0	0	1,534,199
UV - Mining	0.012920	0	0	0	0	0	0	0	0	0	0
Sub-Total		258	120,285,752	1,758,673	0	0	1,758,673	1,758,674	0	0	1,758,674
Minimum Payment	Minimum \$										
Gross Rental Value											
GRV - Mingenew	707	67	27,780	47,369	0	0	47,369	47,369	0	0	47,369
GRV - Yandanooka	707	0	0	0	0	0	0	0	0	0	0
GRV - Commercial	707	9	6,200	6,363	0	0	6,363	6,363	0	0	6,363
GRV - Industrial	707	3	2,786	2,121	0	0	2,121	2,121	0	0	2,121
Unimproved Value											
UV - Rural & Mining	1,061	22	674,600	23,331	0	0	23,331	23,331	0	0	23,331
UV - Mining	1,061	9	27,548	9,545	0	0	9,545	9,545	0	0	9,545
Sub-Total		110	738,914	88,729	0	0	88,729	88,729	0	0	88,729
Concession							(1,035)				(1,043)
Amount from General Rates							1,846,367				1,846,360
Ex-Gratia Rates							38,266				38,264
Total General Rates							1,884,633				1,884,624

KEY INFORMATION
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.



Asset Ref.	Asset Description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Governance								
909	Finance Manager Vehicle	21,000	23,000	2,000	0		0	0	0
	Recreation and culture								
0560	Ride on Mower	10,000	20,000	10,000	0		0	0	0
		31,000	43,000	12,000	0	0	0	0	0

KEY INFORMATION



Proceeds on Sale		
Annual Budget	YTD Actual	%
\$43,000	\$0	0%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019

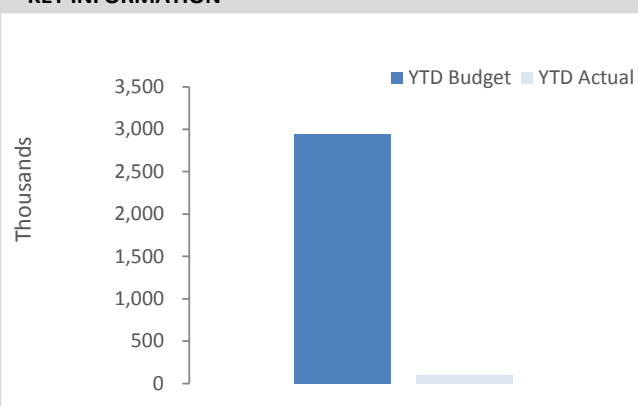
INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS

Capital Acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings - non-specialised	20,000	0	0	0
Plant and equipment	134,000	0	389	389
Infrastructure - Roads	2,588,605	110,358	104,477	(5,882)
Infrastructure - Bridges	147,000	0	0	0
Infrastructure - Recreation Areas	7,800	0	0	0
Infrastructure - Other	40,000	0	1,337	1,337
Capital Expenditure Totals	2,937,405	110,358	106,203	(4,155)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,725,016	0	237,600	237,600
Other (Disposals & C/Fwd)	43,000	0	0	0
Cash Backed Reserves				
Land & Building Reserve	5,000	0	0	0
Environment Reserve	10,000	0	0	0
RTC/PO/NAB Building Reserve	10,000	0	0	0
Economic Development & Marketing Reserve	10,000	0	0	0
Contribution - operations	1,134,389	110,358	(131,397)	(241,755)
Capital Funding Total	2,937,405	110,358	106,203	(4,155)

SIGNIFICANT ACCOUNTING POLICIES

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.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$2.94 M	\$0.11 M	4%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$1.73 M	\$0.24 M	14%

Capital Expenditure Total
Level of Completion Indicators



0%
20%
40%
60%
80%
100%
Over 100%

Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

% of
Completion

Level of completion indicator, please see table at the end of this note for further detail.

			Adopted		Variance
	Account Description	Budget	YTD Budget	YTD Actual	(Under)/Over
Capital Expenditure					
Buildings - specialised					
0070	Old Railway Station	20,000	0	0	0
Buildings - specialised Total		20,000	0	0	0
Plant and equipment					
A102	Finance Manager Vehicle	38,000	0	0	0
PE002	Water Tanker	60,000	0	0	0
PE001	Traffic Counters	16,000	0	389	389
0176	Ride on Mower	20,000	0	0	0
Plant and equipment Total		134,000	0	389	389
Infrastructure - Roads					
0001	Roadworks Construction - Own Resources (Gravel Sheeting)	295,301	24,608	0	(24,608)
1221	R2R - Yandanooka NE Reconstruct	164,870	0	3,313	3,313
CS001	Coalseam Road Upgrade - LGCFRFund	894,432	0	0	0
RR65	RRG - Mingenew Mullewa Road	0	0	0	0
RR66	RRG - Mingenew Mullewa Road - PN21115505	343,002	85,750	81,007	(4,743)
1213	RRG - Coalseam Road - Widen & Realign	450,000	0	0	0
C001	RRG - Coalseam Road - Stage 2	441,000	0	20,157	20,157
Infrastructure - Roads Total		2,588,605	110,358	104,477	(5,882)
Infrastructure - Bridges					
1227	Yarragadee Bridge	47,000	0	0	0
1229	Lockier River Bridge	100,000	0	0	0
Infrastructure - Bridges Total		147,000	0	0	0
Infrastructure - Recreation Areas					
I001	Hockey Goals	7,800	0	0	0
Infrastructure - Recreation Areas Total		7,800	0	0	0
Infrastructure - Other					
T1126	Waste Transfer Station	10,000	0	0	0
I002	Public WIFI	10,000	0	0	0
0142	Mingenew Hill Walk Trail (Installation)	20,000	0	1,337	1,337
Infrastructure - Other Total		40,000	0	1,337	1,337
Grand Total		2,937,405	110,358	106,203	(4,155)

Repayments - Borrowings

Information on Borrowings Particulars	1 July 2019	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Education and welfare									
Loan 137 - Senior Citizens Building	66,645	0	0	0	21,685	66,645	44,960	0	2,500
Housing									
Loan 133 - Triplex	42,464	0	0	0	13,817	42,464	28,647	0	1,157
Loan 134 - Phillip Street	32,348	0	0	0	10,525	32,348	21,823	0	1,100
Loan 136 - Moore Street	80,671	0	0	0	26,248	80,671	54,423	0	2,198
Loan 142 - Field Street	37,228	0	0	0	12,121	37,228	25,107	0	1,014
Recreation and culture									
Loan 138 - Pavilion Fitout	63,980	0	0	0	20,817	63,980	43,163	0	2,300
Transport									
Loan 139 - Roller	15,683	0	0	0	5,103	15,683	10,580	0	550
Loan 141 - Grader	54,457	0	0	0	17,719	54,457	36,738	0	1,800
Loan 144 - Side Tipper	37,253	0	0	0	12,121	37,253	25,132	0	1,200
Loan 145 - Drum Roller	55,346	0	0	0	18,008	55,346	37,338	0	2,000
	486,077	0	0	0	158,164	486,077	327,913	0	15,819
Total	486,077	0	0	0	158,164	486,077	327,913	0	15,819
Current borrowings	158,164					158,166			
Non-current borrowings	327,913					327,911			
	486,077					486,077			

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

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.

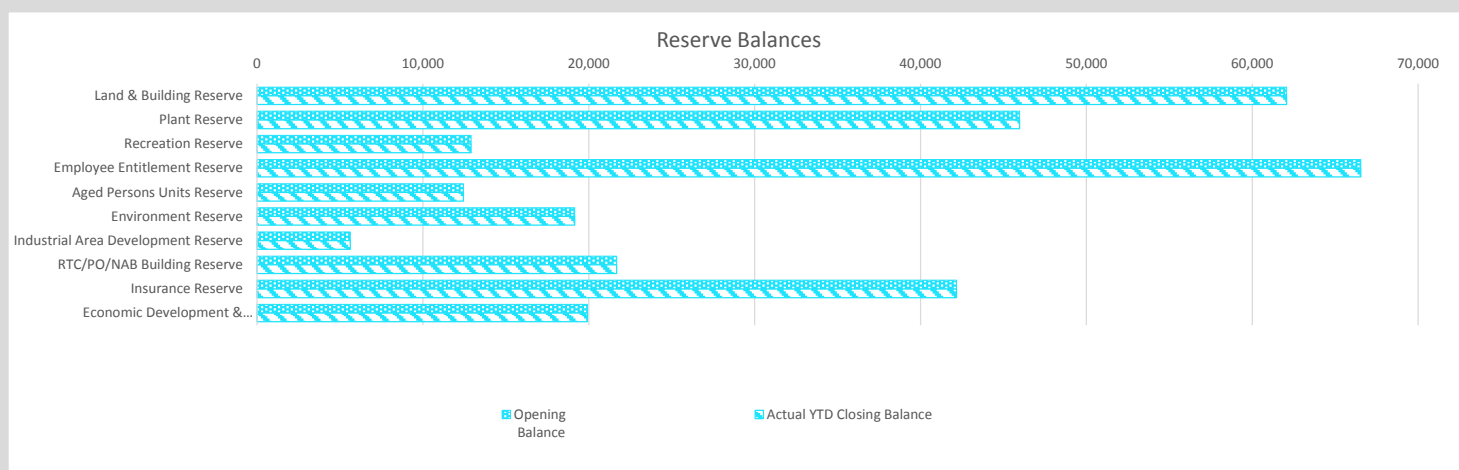
Borrowings

Principal Repayments	\$0
Interest Earned	(\$1,941)
Interest Expense	\$0
Reserves Bal	\$.31 M
Loans Due	\$.49 M

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Land & Building Reserve	62,066	1,500	0	10,000	0	(5,000)	0	68,566	62,066
Plant Reserve	45,978	3,875	0	32,413	0	0	0	82,266	45,978
Recreation Reserve	12,900	60	0	0	0	0	0	12,960	12,900
Employee Entitlement Reserve	66,544	1,250	0	0	0	0	0	67,794	66,544
Aged Persons Units Reserve	12,444	500	0	0	0	0	0	12,944	12,444
Environment Reserve	19,155	450	0	0	0	(10,000)	0	9,605	19,155
Industrial Area Development Reserve	5,626	125	0	0	0	0	0	5,751	5,626
RTC/PO/NAB Building Reserve	21,688	500	0	0	0	(10,000)	0	12,188	21,688
Insurance Reserve	42,171	1,100	0	0	0	0	0	43,271	42,171
Economic Development & Marketing Reserv	19,919	500	0	0	0	(10,000)	0	10,419	19,919
	308,491	9,860	0	42,413	0	(35,000)	0	325,764	308,491

KEY INFORMATION



Other Current Liabilities	Note	Opening Balance 1 July 2019	Liability Increase	Liability Reduction	Closing Balance 31 July 2019
		\$	\$	\$	\$
Provisions					
Annual leave		74,656	0	0	74,656
Long service leave		61,304	0	0	61,304
Contract Liabilities					
Lease liability		0	8,346	0	8,346

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at 11(a) and 11(b)

KEY INFORMATION

PROVISIONS

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

EMPLOYEE BENEFITS

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019

NOTE 12(a)

OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Operating Grant, Subsidies and Contributions Liability					Unspent Operating Grants, Subsidies and Contributions Revenue					
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 30-Jun	Current Liability 30-Jun	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Operating Grants and Subsidies											
General purpose funding											
Grants Commission - General	0	0	0	0	0	149,189	0	149,189	0	149,189	0
Grants Commission - Roads	0	0	0	0	0	146,361	0	146,361	0	146,361	0
Law, order, public safety											
DFES - LGGS Operating Grant	0	0	0	0	0	15,468	0	15,468	0	15,468	0
DFES - LGGS Administration Grant	0	0	0	0	0	4,400	0	4,400	0	4,400	0
Education and welfare											
Seniors Week Community Grant	0	0	0	0	0	1,000	0	1,000	0	1,000	0
Community amenities											
Department of Communities - Thank a Volunteer	0	0	0	0	0	2,000	167	2,000	0	2,000	0
Transport											
MRWA - Direct Grant	0	0	0	0	0	78,000	0	78,000	0	78,000	78,427
Street Lighting	0	0	0	0	0	2,500	0	2,500	0	2,500	0
	0	0	0	0	0	398,918	167	398,918	0	398,918	78,427
Operating Contributions											
Governance											
Reimbursements	0	0	0	0	0	3,000	250	3,000	0	3,000	0
Sundry Income	0	0	0	0	0	9,859	4,929	9,859	0	9,859	0
Housing											
Reimbursements	0	0	0	0	0	0	0	0	0	0	396
Recreation and culture											
Contributions	0	0	0	0	0	3,900	0	3,900	0	3,900	0
Economic services											
DrumMuster	0	0	0	0	0	1,000	83	1,000	0	1,000	0
Other property and services											
Reimbursements	0	0	0	0	0	0	0	0	0	0	753
	0	0	0	0	0	17,759	5,262	17,759	0	17,759	1,149
TOTALS	0	0	0	0	0	416,677	5,429	416,677	0	416,677	79,576

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019

NOTE 12(b)

NON-OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Non Operating Grants, Subsidies and Contributions Liability					Non Operating Grants, Subsidies and Contributions Revenue					
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 30-Jun	Current Liability 30-Jun	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual (b)
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Non-Operating Grants and Subsidies											
General purpose funding											
Grants Commission - Special Purpose Grant	46,666	0	0	46,666	46,666	0	0	0	0	0	0
Grants Commission - Special Purpose Grant	100,000	0	0	100,000	100,000	0	0	0	0	0	0
Transport											
WANDRRA - Flood Damage	0	0	0	0	0	11,714	0	11,714	0	11,714	0
MRWA - Regional Road Group	168,169	0	(54,004)	114,165	114,165	654,000	0	654,000	0	654,000	237,600
Roads to Recovery	0	0	0	0	0	164,870	0	164,870	0	164,870	0
LG Commodity Freight Roads Funds	0	0	0	0	0	894,432	0	894,432	0	894,432	0
Economic services											
Department Local Government, Sport & Cultural Industries - North Midlands Trails Master Plan	2,889	0	0	2,889	2,889	0	0	0	0	0	0
	317,724	0	(54,004)	263,720	263,720	1,725,016	0	1,725,016	0	1,725,016	237,600
Total Non-operating grants, subsidies and contributions	317,724	0	(54,004)	263,720	263,720	1,725,016	0	1,725,016	0	1,725,016	237,600

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019**

**NOTE 13
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 July 2019	Amount Received	Amount Paid	Closing Balance 31 Jul 2019
	\$	\$	\$	\$
Councillor Nomination Fees	160	0	0	160
BCITF Levy	1,249	0	0	1,249
BRB Levy	636	0	(635)	1
Autumn Committee	974	0	0	974
Community Bus	3,045	0	0	3,045
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mingenew Cemetery Group	4,314	0	0	4,314
Cool Room Bond	530	0	0	530
Outdoor Camera Bond	350	0	0	350
Other Bonds	200	0	0	200
Rates Incentive Prizes	100	0	0	100
Tree Planter - LCDC	88	0	0	88
Weary Dunlop Memorial	87	0	0	87
Joan Trust	6	0	0	6
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	432	0	0	432
Seniors Donations	50	0	0	50
	15,365	0	(635)	14,730

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2019**

**NOTE 14
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2019-20 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Community Amenities	60,732	930.33%	▲ Timing	Refuse charges invoiced earlier than anticipated
Transport	80,321	167.37%	▲ Timing	Received MRWA Direct Grant earlier than anticipated
Expenditure from operating activities				
Housing	10,870	58.41%	▲ Timing	Depreciation not raised due to finalisation of the 18/19 financial year; Less maintenance on houses than anticipated
Community Amenities	10,532	45.52%	▲ Timing	Depreciation not raised due to finalisation of the 18/19 financial year; Timing of processing contract services for refuse collection; Timing of employee costs, contracts and materials at public conveniences and cemetery
Recreation and Culture	56,347	55.27%	▲ Timing	Depreciation not raised due to finalisation of the 18/19 financial year; Timing of employee costs, contracts and materials at Parks, Gardens and Sporting complex
Transport	106,292	58.30%	▲ Timing	Depreciation not raised due to finalisation of the 18/19 financial year; Less maintenance road works than anticipated
Economic Services	13,939	42.62%	▲ Timing	Depreciation not raised due to finalisation of the 18/19 financial year; Timing of area promotion expense
Other Property and Services	(30,628)	(135.99%)	▼ Timing	Depreciation not raised due to finalisation of the 18/19 financial year; Timing of vehicle insurance and workers compensation payment; Timing of annual RAMM subscription; Timing of fuel purchases; Quarterly FBT payment
Investing Activities				
Non-operating Grants, Subsidies and Contributions	237,600	0.00%	▲ Timing	Received MRWA Regional Road Group Grants earlier than anticipated

ATTACHMENT: 12.2
List of Payments July 2019

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
	19/07/2019	SYNERGY	Rec Centre Power Account June 2019	M		1,233.40
FINRENT07	29/07/2019	FINRENT	Computer Security July 2019	M		656.57
PRINT0719	05/07/2019	DELAGE LANDEN	Printer Lease July 2019	M		356.80
PHONE0719	15/07/2019	BUSINESS 1300	After Hours Phone Service July 2019	M		99.00
NABCON0719	26/07/2019	NAB	NAB Connect Fees July 2019	M		36.24
NAB0719	31/07/2019	NAB	Bank Fees July 2019	M		50.00
NAB07191	31/07/2019	NAB	Bank Fees July 2019	M		25.80
8609	08/07/2019	CITY OF GREATER GERALDTON	Building Serivces	M		3,055.43
8610	08/07/2019	SYNERGY	Street Lights Power Account	M		6,647.60
8611	08/07/2019	WATER CORPORATION	13 Moore Street Water Account	M		43.10
8612	12/07/2019	SYNERGY	Rec Centre Power Account June 2019	M		2,264.95
DOT010719	03/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 01/07/2019	M		44.05
EFT12661	08/07/2019	Five Star Business & Communications	Billing Period for June 2019	M		442.12
EFT12662	08/07/2019	ABCO PRODUCTS	Cleaning Goods	M		285.99
EFT12663	08/07/2019	ATOM SUPPLY	Fire PPE	M		1,982.48
EFT12664	08/07/2019	AVON WASTE	Rubbish Collection Charges	M		4,939.11
EFT12665	08/07/2019	Afgri Equipment	Purchase of New Tractor	M		42,959.65
EFT12666	08/07/2019	BUNNINGS Group Limited	Purchase of Marquee	M		459.10

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12667	08/07/2019	Moore Stephens	Manuals	M		1,925.00
EFT12668	08/07/2019	BOC GASES	Depot Gas Bottle Hire Charges	M		46.24
EFT12669	08/07/2019	BPH	Plant Hire	M		27,159.00
EFT12670	08/07/2019	Courier Australia	Freight Charges	M		121.66
EFT12671	08/07/2019	CUTTING EDGES PTY LTD	Parts for Various Plants	M		3,399.90
EFT12672	08/07/2019	COATES HIRE OPERATIONS PTY LTD	Plant Hire Fees	M		424.49
EFT12673	08/07/2019	CHAMPION BAY TROPHIES	Trophy Mounting	M		108.50
EFT12674	08/07/2019	CLEANAWAY CO Pty Ltd	Tyre Removal from Transfer Station	M		6,365.70
EFT12675	08/07/2019	CATWEST	Cold Mix Charges	M		580.80
EFT12676	08/07/2019	DONGARA DRILLING & ELECTRICAL	Electrical Works Completed at Phillip Street House	M		3,044.50
EFT12677	08/07/2019	DONGARA PLUMBING	Plumbing Works Completed at APUs	M		2,234.00
EFT12678	08/07/2019	ELDERS LIMITED	Purchase of Cement	M		56.50
EFT12679	08/07/2019	GERALDTON MOWER & REPAIR SPECIALIST	Repairs done to Toro Mower	M		1,839.00
EFT12680	08/07/2019	GREENFIELD TECHNICAL SERVICES	Bridge Inspections	M		3,465.00
EFT12682	08/07/2019	IT Vision	Purchase Order Licence	M		7,285.49
EFT12683	08/07/2019	IRWIN PLUMBING SERVICES	Septic Tank Pump Out	M		676.50
EFT12684	08/07/2019	INFINITUM TECHNOLOGIES	IT Support Charges	M		1,848.00
EFT12685	08/07/2019	JASON SIGN MAKERS	Purchase of Signs	M		348.15
EFT12686	08/07/2019	LATERAL ASPECT	Service Fee May 2019	M		4,858.88

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12687	08/07/2019	LGIS	Regional Risk Coordination Programme	M		3,240.90
EFT12688	08/07/2019	Mingenew Tourist & Promotions	Donation	M		200.00
EFT12689	08/07/2019	STARICK TYRES	Tyres Account	M		2,790.70
EFT12690	08/07/2019	GERALDTON TOYOTA	Service of 1 MI	M		509.75
EFT12691	08/07/2019	MOOREVIEW PLANTS & TREES	Purchase of Plants	M		266.04
EFT12692	08/07/2019	MARKETFORCE	Advertisng Fees	M		716.75
EFT12693	08/07/2019	MINGENEW BAKERY	Bakery Account	M		803.40
EFT12694	08/07/2019	MINGENEW IGA X-PRESS & LIQUOR	IGA Account June 2019	M		1,272.74
EFT12695	08/07/2019	Mach 1 Auto One	Purchase of Items for Loader	M		33.60
EFT12696	08/07/2019	Mingenew Hotel Motel	Anzac Breakfast	M		990.00
EFT12697	08/07/2019	NORTH MIDLANDS AGRICULTURAL SOCIETY	Sponsorship	M		250.00
EFT12698	08/07/2019	Officeworks	Office Stationery	M		607.21
EFT12699	08/07/2019	Purcher International	Repairs to Community Bus	M		1,312.49
EFT12700	08/07/2019	PEMCO DIESEL PTY LTD	Mechanical Works Completed on MI 461	M		8,273.77
EFT12701	08/07/2019	PERENJORI HOTEL	Accomodation Costs	M		82.50
EFT12702	08/07/2019	LANDMARK	Pump	M		388.25
EFT12703	08/07/2019	SHIRE OF CHAPMAN VALLEY	Planning Services	M		4,137.60
EFT12704	08/07/2019	Shire Of Carnamah	Ranger Service Fees	M		2,808.57

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12705	08/07/2019	Kellie Anne Starick	Expenses Claimed	M		97.86
EFT12706	08/07/2019	Sunny Sign Company	Purchase of Signs	M		228.80
EFT12707	08/07/2019	SEASIDE SIGNS	Purchase of Signs	M		551.10
EFT12708	08/07/2019	STANLEY VICTOR Stribley	Fuel Reimbursement	M		110.61
EFT12709	08/07/2019	SUNCITY SIGNS & GRAPHICS	Site Visit Fees	M		352.00
EFT12710	08/07/2019	TOTALLY WORKWEAR	Purchase of Uniforms	M		1,314.43
EFT12711	08/07/2019	TARTS & CO CATERING	Purchase of Flowers	M		85.00
EFT12712	08/07/2019	Urbis	Professional Service Fees	M		137.50
EFT12713	08/07/2019	TOTAL UNIFORMS	Purchase of Uniforms	M		819.49
EFT12714	08/07/2019	WESTRAC PTY LTD	Purchase of parts for Grader	M		2,382.42
EFT12715	08/07/2019	MINGENEW FABRICATORS	Works Completed on MI 473	M		110.00
EFT12716	08/07/2019	Winc	Furniture Purchase	M		1,360.56
EFT12717	11/07/2019	INSTITUTE OF PUBLIC ACCOUNTANTS	Membership Fees	M		725.00
EFT12718	11/07/2019	TRAINWEST	Enrolment Fees	M		1,420.00
EFT12719	19/07/2019	Five Star Business & Communications	Billing Period for July 2019	M		374.31
EFT12720	19/07/2019	AUSTRALIA POST	June 2019 Postage Fees	M		31.05
EFT12721	19/07/2019	AMPAC	Debt Recovery	M		82.50
EFT12722	19/07/2019	ABCO PRODUCTS	Cleaning Materials	M		179.19
EFT12723	19/07/2019	ATOM SUPPLY	Fire PPE	M		660.05

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12724	19/07/2019	AVON WASTE	Rubbish Collection Charges	M		2,459.07
EFT12725	19/07/2019	Afgri Equipment	Grader Trophy	M		49.95
EFT12726	19/07/2019	AIT SPECIALISTS PTY LTD	Professional Services Provided	M		374.33
EFT12727	19/07/2019	BUNNINGS Group Limited	Various Building Materials	M		274.69
EFT12728	19/07/2019	Courier Australia	Freight Charges	M		49.28
EFT12729	19/07/2019	CHILD SUPPORT AGENCY	Payroll deductions	M		509.91
EFT12730	19/07/2019	ELDERS LIMITED	Purchase of Cement	M		210.00
EFT12731	19/07/2019	GREENFIELD TECHNICAL SERVICES	Road Plan Documents	M		13,293.50
EFT12732	19/07/2019	GNC CONCRETE AND PRECAST	Concrete Works	M		726.00
EFT12733	19/07/2019	IT Vision	Annual License Fees	M		39,857.40
EFT12734	19/07/2019	SHIRE OF IRWIN	Consultant Services	M		1,411.56
EFT12735	19/07/2019	INFINITUM TECHNOLOGIES	Purchase of Computers	M		7,607.25
EFT12736	19/07/2019	JASON SIGN MAKERS	Purchase of Signs	M		1,756.01
EFT12737	19/07/2019	LHAAC	Analytical Fees	M		396.00
EFT12738	19/07/2019	C & J LUCKEN TRANSPORT	Wet Hire Fees	M		12,540.00
EFT12739	19/07/2019	LATERAL ASPECT	Service Fee June 2019	M		4,324.83
EFT12740	19/07/2019	LUCINDAS EVERLASTING	Purchase of Flowers	M		314.00
EFT12741	19/07/2019	LGRCEU	Payroll deductions	M		20.50

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT12742	19/07/2019	Shire Of Mingenew	Payroll deductions	M		100.00
EFT12743	19/07/2019	MINGENEW SPORTS CLUB INC	Catering Fees	M		563.40
EFT12744	19/07/2019	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	Professional Services Provided in June 2019	M		3,000.00
EFT12745	19/07/2019	MINGENEW SPRING CARAVAN PARK	Accomodation Charges	M		274.00
EFT12746	19/07/2019	Mingenew Hotel Motel	Catering Fees	M		238.50
EFT12747	19/07/2019	McIntosh & Son	Mechanical Works Completed on MI 473	M		1,341.01
EFT12748	19/07/2019	PALM ROADHOUSE	Catering Costs	M		396.00
EFT12749	19/07/2019	PEMCO DIESEL PTY LTD	Mechanical Works Completed on MI 028	M		2,701.99
EFT12750	19/07/2019	RAMM SOFTWARE PTY LIMITED	Annual Support Fee	M		6,387.88
EFT12751	19/07/2019	Sm & Jc Rowe	Gravel Purchase	M		17,061.00
EFT12752	19/07/2019	Shire Of Carnamah	Ranger Service Fees	M		4,627.62
EFT12753	19/07/2019	Telstra Corporation	Telstra Account June 2019	M		1,805.64
EFT12754	19/07/2019	VELPIC	Monthly Velpic Fees	M		787.60
EFT12755	19/07/2019	THE IT VISION USER GROUP	Annual Subscription	M		748.00
EFT12756	30/07/2019	MINGENEW P & C	REFUND OF NBN CO LEASE PAYMENT	T		5,135.74
EFT12757	30/07/2019	LGIS	Motor Vehicle Insurance	M		44,427.96
EFT12758	30/07/2019	LGIS	Property Insurance	M		53,902.08
EFT12759	31/07/2019	Western Australian Treasury Corporation	Loan Repayment June 2019 Quarter	M		43,990.66

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
DOT020719	04/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 02/07/2019	M		960.80
DOT030719	05/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 03/07/2019	M		598.25
DOT040719	08/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 04/07/2019	M		27.70
DOT050719	09/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 05/07/2019	M		152.32
DOT080719	10/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 08/07/2019	M		8,549.25
DD8952.1	08/07/2019	Motorpass	Fuel Purchases June 2019	M		19,504.33
DD8954.1	07/07/2019	WA SUPER	Payroll deductions	M		2,072.36
DD8954.2	07/07/2019	Host Plus Superannuation Fund	Superannuation contributions	M		203.06
DD8954.3	07/07/2019	PRIME SUPER	Superannuation contributions	M		274.04
DD8954.4	07/07/2019	Australian Super	Superannuation contributions	M		675.01
DD8954.5	07/07/2019	LGIA Super	Superannuation contributions	M		951.92
DD8954.6	07/07/2019	Australlian Super	Superannuation contributions	M		214.75
DD8954.7	07/07/2019	Ioof Portfolio Service Superannuation Fund	Superannuation contributions	M		87.94
DD8954.8	07/07/2019	ANZ Smart Choice Super	Superannuation contributions	M		75.87
DD8954.9	07/07/2019	BT Super For Life	Superannuation contributions	M		207.71
DD8967.1	01/07/2019	NAB BUSINESS VISA	Credit Card June 2019	M		1,131.33
DD8983.1	31/07/2019	Department of Mines, Industry Regulation & Safety	Security Bond Payment	M		640.00
DD8985.1	21/07/2019	WA SUPER	Payroll deductions	M		2,335.23
DD8985.2	21/07/2019	PRIME SUPER	Superannuation contributions	M		278.83

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
DD8985.3	21/07/2019	Australlian Super	Superannuation contributions	M		675.01
DD8985.4	21/07/2019	LGIA Super	Payroll deductions	M		201.92
DD8985.5	21/07/2019	Australlian Super	Superannuation contributions	M		209.16
DD8985.6	21/07/2019	Ioof Portfolio Service Superannuation Fund	Superannuation contributions	M		104.97
DD8985.7	21/07/2019	ANZ Smart Choice Super	Superannuation contributions	M		27.73
DD8985.8	21/07/2019	BT Super For Life	Superannuation contributions	M		209.16
DD8985.9	21/07/2019	MLC SUPER FUND	Superannuation contributions	M		163.90
DOT090719	11/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 09/07/2019	M		1,193.30
DOT100719	12/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 10/07/2019	M		206.90
DOT110719	15/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 11/07/2019	M		312.90
DOT120719	16/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 12/07/2019	M		55.60
DOT150719	17/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions 15/07/2019	M		1,470.35
DOT160719	18/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 16/07/2019	M		2,539.10
DOT180719	22/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 18/07/2019	M		24,838.25
DOT220719	24/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 22/07/2019	M		2,362.10
DOT230719	25/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 23/07/2019	M		363.05
DOT240719	26/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 24/07/2019	M		3,185.40
DOT250719	29/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 29/07/2019	M		941.85

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DOT260719	30/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 26/07/2019	M		429.50
DOT270619	01/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 27/06/2019	M		409.70
DOT280619	02/07/2019	DEPARTMENT OF TRANSPORT	DoT Licensing Transactions: 28/06/2019	M		455.10
DOT290719	31/07/2019	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 29/07/2019	M		157.00
BPAY310719	31/07/2019	NAB	BPAY CHARGE	M		3.82
DD8954.10	07/07/2019	MARITIME SUPER	Superannuation contributions	M		68.13
DD8954.11	07/07/2019	MLC SUPER FUND	Superannuation contributions	M		159.13
DD8985.10	21/07/2019	Sun Super	Superannuation contributions	M		750.00
DD8985.11	21/07/2019	Host Plus Superannuation Fund	Superannuation contributions	M		241.48

REPORT TOTALS

Bank Code	Bank Name	TOTAL
M	MUNI - NATIONAL AUST BANK	520,277.67
T	TRUST- NATIONAL AUST BANK	5,135.74
TOTAL		525,413.41