



# AGENDA FOR THE ORDINARY COUNCIL MEETING

17 APRIL 2024



**Ordinary Council Meeting Notice Paper**

**17 April 2024**

An Ordinary Meeting of Council is called for Wednesday, 17 April 2024 in the Council Chambers, Victoria Street, Mingenew, commencing at 5:00 pm. Members of the public are most welcome to attend.

**Matt Fanning**  
**Chief Executive Officer**  
12 April 2024

**DISCLAIMER**

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

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

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

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

<b>Petitions</b> A formal process where members of the community present a written request to the Council.	<b>Deputations</b> A formal process where members of the community request permission to address Council or Committee on an issue.	<b>Presentations</b> 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
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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](mailto: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](mailto:governance@mingenew.wa.gov.au) to arrange your presentation.

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

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

### PROCEDURE FOR PETITIONS

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

- be addressed to the Shire President.

## MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 APRIL 2024

- 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 17 APRIL 2024 COMMENCING AT 5:00PM.

- 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
- 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 21 FEBRUARY 2024

OFFICER RECOMMENDATION - ITEM 7.1

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 21 February 2024 be confirmed as a true and accurate record of proceedings.

7.2 SPECIAL COUNCIL MEETING HELD 20 MARCH 2024

OFFICER RECOMMENDATION - ITEM 7.2

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 20 March 2024 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 SHIRE OF MINGENew LOCAL EMERGENCY MANAGEMENT COMMITTEE

10.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING  
HELD 11 MARCH 2024

OFFICER RECOMMENDATION - 10.1.1

Council receives the Minutes of the Shire of Mingenew Local Emergency Management Committee Meeting held on 11 March 2024.

*NOTE: The Local Emergency Management Arrangements were endorsed by Council at the 20 March 2024 Special Council meeting.*

10.2 SHIRE OF MINGENew BUSH FIRE ADVISORY COMMITTEE

10.2.1 MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 11  
MARCH 2024

OFFICER RECOMMENDATION - 10.1.1

Council receives the Minutes of the Shire of Mingenew Bush Fire Advisory Committee Meeting held on 11 March 2024.

10.2.2 ELECTION OF CAPTAINS AND DEPUTY CAPTAINS FOR BRIGADES

COMMITTEE RECOMMENDATION - 10.2.2

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

Yandanooka

- a) Captain: Justin Bagley
- b) Deputy Captain: Jarrad Spencer

Lockier

- a) Captain: Daniel Michael
- b) Deputy Captain: Paul Flanders

Guranu

- a) Captain: Ben McTaggart
- b) Deputy Captain: Robert Holmes

Mingenew North

- a) Captain: Alex Pearse
- b) Deputy Captain: Andrew Green

Mingenew Town

- a) Captain: Anthony Smyth
- b) Deputy Captain: Jarrad Kupsch

10.2.3 NOMINATIONS FOR SHIRE OF MINGENEW BUSHFIRE CONTROL OFFICERS

COMMITTEE RECOMMENDATION - 10.2.3

That the following persons be nominated to the position of Bushfire Control Officer for the Shire of Mingenew:

Murray Thomas and Paul Flanders.

10.3 SHIRE OF MINGENEW AUDIT & RISK COMMITTEE

10.3.1 MINUTES OF THE AUDIT & RISK COMMITTEE MEETING HELD 13 MARCH 2024

OFFICER RECOMMENDATION - 10.3.1

Council receives the Minutes of the Shire of Mingenew Audit & Risk Committee Meeting held on 13 March 2024.

*NOTE: The 2023 Compliance Audit Report was adopted by Council at the 20 March 2024 Special Council meeting.*



**11.0 CHIEF EXECUTIVE OFFICER**  
Nil.

## 12.0 CORPORATE SERVICES

### 12.1 FINANCIAL REPORTS FOR THE PERIOD ENDING 29 FEBRUARY 2024 AND 31 MARCH 2024

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	FM.FRP
Date:	12 April 2024
Author:	Helen Sternick, Manager Corporate Services
Authorising Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

#### Summary

Council is required by legislation to consider and adopt the Monthly Financial Report, including Statement of Financial Activity for the period ended 29 February 2024 and 31 March 2024, as required by Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996*.

#### **OFFICER RECOMMENDATION – ITEM 12.1**

Council receives:

- 1) the Monthly Financial Report, including the Statement of Financial Activity, for the period ending 29 February 2024, as included at Attachment 12.1.1;
- 2) the Monthly Financial Report, including the Statement of Financial Activity, for the period ending 31 March 2024, as included at Attachment 12.1.2.

#### Attachments

12.1.1 Monthly Financial Report for the period ending 29 January 2024

12.1.2 Monthly Financial Report for the period ending 31 March 2024

#### Background

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

The Monthly Financial Report for the period ended 29 February 2024 and 31 March 2024 includes the following:

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

## MINGENew SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 APRIL 2024

- Budget Amendments

### Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 29 February 2024	
Municipal Funds – Corporate cheque account	\$1,911,754
Cash on Hand	\$100
Trust Fund	\$1
Term Deposit – Reserves	\$1,142,398

Summary of Funds as per bank statements – Shire of Mingenew as at 31 March 2024	
Municipal Funds – Corporate cheque account	\$2,151,245
Cash on Hand	\$100
Trust Fund	\$1
Term Deposit – Reserves	\$1,142,398

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

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2023/24 financial year.

### Consultation

Nil.

### Statutory Environment

*Local Government Act 1995 Section 6.4*

*Local Government (Financial Management) Regulations 1996*

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

(1A) In this regulation —

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

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

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

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

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

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

[(a) deleted]

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity must be shown according to nature classification.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be

—

(a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

### **Policy Implications**

Nil.

### **Financial Implications**

No financial implications are indicated in this report.

### **Strategic Implications**

Strategic Community Plan 2023-2033 Strategies

14 Operating with a high standard of good governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs

## 12.2 LIST OF PAYMENTS FOR THE PERIOD 1 FEBRUARY TO 31 MARCH 2024

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
Disclosure of Interest: Nil  
File Reference: FM.CRD  
Date: 12 April 2024  
Author: Maria Snowden-Giles, Payroll/Finance Officer  
Authorising Officer: Helen Sternick, Manager Corporate Services  
Voting Requirements: Simple Majority

### Summary

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

### OFFICER RECOMMENDATION – ITEM 12.2

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

\$317,173.81	Municipal EFTs
\$30,515.00	Municipal EFT Purchasing Cards (Fuel Cards)
\$91,542.05	Municipal Direct Debit Department of Transport (Licencing) Payments
\$102,446.64	Municipal Direct Debit Other
\$3,332.75	Municipal Direct Debit Purchasing Cards (Credit and Fuel Cards)
\$142,916.09	Net Salaries
\$687,926.34	Total Payments

### Attachments

12.2.1 List of Payments – 1 February to 31 March 2024

### Background

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

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

The list is to include details for each account paid, incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

### Comment

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

### Consultation

Nil.

### Statutory Environment

*Local Government Act 1996, Section 6.4*

*Local Government (Financial Management) Regulations 1996*

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

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

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

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

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

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

**Policy Implications**

Payments have been made under delegation.

**Financial Implications**

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

**Strategic Implications**

Strategic Community Plan 2023 - 2033 Strategies

14 Operating with a high standard of good governance and transparency

15 Financial practices are responsive to compliance requirements and revenue needs.

### 12.3 DISASTER RECOVERY FUNDING ARRANGEMENTS - TC SEROJA

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** GS.PR.G.16  
**Date:** 12 April 2024  
**Author:** Helen Sternick, Manager Corporate Services  
**Authorising Officer:** Matt Fanning, Chief Executive Officer  
**Voting Requirements:** Simple Majority

#### Summary

Provision of a summary report advising of the total amount claimed from the Essential Public Asset Reconstruction (EPAR) and Category C works under the event, Severe Tropical Cyclone Seroja, funded by the Department of Fire and Emergency Services (DFES).

#### Key Points

- Department of Fire and Emergency Services' approved estimated cost of repairs was \$3,367,209 for EPAR
- Actual EPAR expenditure and claim \$2,769,982.72
- Total EPAR amount received \$2,590,804.71
- Received \$38,616.29 under the Category C program

#### **OFFICER RECOMMENDATION – ITEM 12.3**

Council notes the amounts received from the Disaster Recovery Funding Arrangements specifically the Essential Public Asset Reconstruction (EPAR), \$2,769,982.72, and Category C, \$38,616.29, programs.

#### Attachments

12.3.1 Mingenew Summary of Claims

#### Background

On the evening of 11 April 2021 Severe Tropical Cyclone Seroja made landfall between Kalbarri and Port Gregory in the Shire of Northampton. The dangerous system brought destructive winds and heavy rainfall to coastal areas and continued inland impacting additional communities, including Mingenew.

Severe Tropical Cyclone Seroja was proclaimed an eligible disaster under the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) on 14 April 2021, pursuant to clause 5.1 of the Disaster Recovery Funding Arrangements (DRFA), issued by the Commonwealth Government Department of Home Affairs. The State Government provided financial assistance to communities who were affected through joint State and Commonwealth disaster relief and recovery arrangements.

DRFAWA is jointly funded by the State and Commonwealth Governments and administered by the Department of Fire and Emergency Services (DFES), with assistance from other agencies. Through DRFAWA, the Western Australian and Commonwealth Governments provided assistance to the Shire of Mingenew, who suffered from the direct impact of a proclaimed disaster event.

**Comment**

DFES approved the estimated EPAR cost of repairs, being \$3,367,209. After the approval, the repair works commenced in July 2021 after appointing consultants to manage the repair works. Progress claims were submitted regularly during the progression of the repair works. The final repair works were completed by 30 June 2023 and the final progress claim was approved by DFES in March 2024.

The total amount of the EPAR claim was \$2,769,982.72. Under the funding agreement Council was required to contribute \$179,178.01 towards the repairs works, resulting in a total amount of \$2,590,804.71 being received.

The EPAR expenditure includes:

- consultants to project manage;
- contractors to supervise;
- contractors to repair roads; and
- shire own resources to repair roads.

The total amount of the Category C claim was \$40,735.59. Unfortunately, a portion of our own resources was not accepted in the claims due to ineligibility, resulting in the total amount of \$38,616.29 being received.

The approved Category C expenditure includes:

- removal of asbestos and footings from the Tennis Clubhouse; and
- push-up debris and building materials at the Transfer Station.

**Consultation**

Nil.

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Strategic Community Plan 2023-2033 Strategies

14 Operating with a high standard of good governance and transparency



## 13.0 GOVERNANCE AND COMMUNITY

### 13.1 STANDARDISED MEETING PROCEDURES DISCUSSION PAPER

Location/Address:	Shire of Mingenew
Name of Applicant:	WALGA
Disclosure of Interest:	Nil
File Reference:	GV.CMT / LE.LLW.2
Date:	12 April 2024
Author:	Erin Greaves, Governance and Community Manager
Authorising Officer:	Helen Sternick, Acting Chief Executive Officer
Voting Requirements:	Simple Majority

#### Summary

Council has an opportunity to provide feedback on WALGA's Discussion Paper on Standardised Meeting Procedures that are in development by the Department of Local Government, Sport and Cultural Industries. A proposed response to WALGA and the Department is provided for Council consideration.

#### Key Points

- As part of the DLGSC's Local Government Reform package, standardised meeting procedures are in development to provide consistency and make it easier for members of the public to participate in and observe council and/or committee meetings
- The Shire of Mingenew, like most other local governments, rely on Local Laws and policy to determine the conduct at meetings
- DLGSC have issued a Consultation Paper and a survey (closing 29 May 2024)
- WALGA have recently issued a Discussion Paper to help guide feedback on the reform and are seeking responses by Monday 29 April 2024 to determine an advocacy position on behalf of the sector
- Staff have prepared responses for Council consideration

#### **OFFICER RECOMMENDATION – ITEM 13.1**

**Council receives the Standardised Meetings Discussion Paper prepared by WALGA and endorses the responses provided in the attached Standardised Meeting Procedures Discussion Paper Response.**

#### Attachments

13.1.1 Shire of Mingenew Response to Standardised Meeting Procedures Discussion Paper

13.1.2 Shire of Mingenew Standing Orders Local Law 2017

#### Background

The following is an extract from the Department of Local Government, Sport and Cultural Industries (DLGSC) Consultation Paper:

"The State Government is implementing a number of reforms to the *Local Government Act 1995* (the Act) to improve transparency and accountability in local government in Western Australia and deliver benefits to ratepayers and residents.

Standardising council and committee procedures is part of these reforms. Establishing a consistent approach to all local government council and committee meetings will make it easier and simpler for people to participate in and observe council meetings, wherever they are held.

## MINGENew SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 APRIL 2024

Establishing one standard is expected to simplify and improve training for council members and local government staff. It can also strengthen the enforcement of breaches of meeting procedures (for instance, if a person repeatedly and unreasonably disrupts a meeting).

Currently, it is usual practice for local governments to have local laws and policies in place to govern the conduct of council meetings. However, this approach means that there can be variation in how members of the public can engage with council meetings.

The *Local Government Amendment Act 2023* inserts section 5.33A, to allow standardised meeting procedures for all local governments to be made in the form of Regulations or model provisions.

The State Government intends under section 5.33A to make Regulations that apply to all local governments and an order of the Governor under section 3.17 of the Act to repeal all existing local government meetings procedures, standing orders or council meeting local laws.

It is intended that the new standard meeting procedures (also known as “standing orders”) apply to all council and committee meetings held by local governments. It is also intended that Regulations will contain consistent rules for how meetings are held.

It is envisaged that relevant elements of Parts 2 and 3 of the *Local Government (Administration) Regulations 1996* (the Regulations) would be incorporated into the new standardised meeting procedures.

The Department of Local Government, Sport and Cultural Industries (DLGSC) will also develop reference materials for council members, local government staff and communities to assist in ensuring consistency throughout the sector.”

WALGA has developed a Discussion Paper on the proposed standardised meeting procedures and is seeking early feedback from local governments in order to prepare a consolidated advocacy position that reflects the aggregated views of the sector. A formal response is requested by Monday, 29 April 2024.

The WALGA discussion paper is intended to be read in conjunction with the Department’s Consultation Paper.

### Comment

The Department’s Consultation Paper and WALGA’s Discussion Paper have been combined into the response document for readers to easily follow the main points of contention. An Officer’s Comment has been provided, along with the proposed recommendations for submission to WALGA.

Comments provide an overview of implications for the Shire, any issues that have arisen in the past regarding conduct at meetings and any other general comments. The Shire may wish to provide a formal response to the Department, in addition to WALGA.

Should Councillors have differing views or additional points to include in the response, an amendment to the motion would be required.

### Consultation

WALGA  
DLGSC

The Department’s survey is open to local governments, council members, CEOs, local government employees and members of the community until Wednesday, 29 May 2024 and can be accessed by clicking the following link - [online survey](#).

**Statutory Environment**

Local Government Act 1995

Local Government (Administration) Regulations 1996

Shire of Mingenew Standing Orders Local Law 2017

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Strategic Community Plan 2023-2033

14.2 Prepare and respond in a timely manner to Local Government Act reforms

17.1 Identify and promote incentives and alleviate barriers to create an environment for civic pride and participation on Council

## 14.0 WORKS

### 14.1 WORKS REPORT

Location/Address: Shire of Mingenew  
Name of Applicant: Shire of Mingenew  
Disclosure of Interest: Nil  
File Reference: GV.CMT  
Date: 12 April 2024  
Author: Shane Noon, Works Manager  
Authorising Officer: Matt Fanning, Chief Executive Officer  
Voting Requirements: Simple Majority

#### Summary

The report is to provide Council with information regarding the performance by Council's Roads and Parks & Gardens operational teams for the period.

#### Key Points

- Works program progressing under reduced resources
- No rain is reducing the effectiveness of maintenance works on roads
- Cat prime mover is experiencing continual breakdowns affecting the crew's productivity

#### **OFFICER RECOMMENDATION – ITEM 14.1**

Council receives and notes the Works Report – March 2024.

#### Background

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

#### Comment

#### ROAD RENEWAL AND NEW WORKS

- **Priority 2 Dry grading works**
  - Yandanooka West
    - Yandanooka West maintenance grading works are under way. The road from the Shire boundary to Mooriary Road has been dry graded with some gravel patching.
    - Shrubs cleared from back slopes and drainage reinstated.
- **Priority 1 wet grading completed**
  - Mooriary Road
    - The team is currently wet grading the bottom section of Mooriary Road. MRL have completed maintenance grading works from the camp site up to the Midland Road intersection. MRL have added a small amount of gravel to some of the soft sections on Mooriary Road. This section of road is quite loose.
    - Guide posts have been placed on all the culverts and pipes along Mooriary Road.



- Terra Mining road use
  - The road use agreement has been extended for 12 months.
  - It would appear that there is quite a lot of material being moved now as the trucks on the road appear to have increased.
  - The streets are being monitored and inspected 3 times a week.
  - There are some signs of deterioration in the roads.
  - The parking and the travel into the town streets has declined and the contractors have improved the compliance in regard to road signage.
- Sealed roads
  - Repairs done on the new seal Coalseam Road where a tractor screwed on the seal and lifted the seal.
  - Patching on Nanekine Road, seal patching was carried out where the surface was lifting on very old sections of seal. Reseal required or high level of maintenance in sections of this road in the near future.



- General comments,
  - The team have progressed quite well moving through the works.
  - The pump on the water tanker has blown the main seal at the back of the water pump. This has been sent to Geraldton for repairs.
  - While carrying out the removal of the pump it has been noticed that there is some cracked welds and rusting occurring in some areas. This tank will require some upgrading in the near future.



- Further gravel re-sheeting works are required on Strawberry North East Road 1.5 km in 2 sections. These works may require considering in the 2024 – 2025 Budget.
- Yandanooka West Road requires some gravel patching. The patching gravel has been laid out ready for the team once we complete the bottom section of Mooriary Road. This section of road will need to be considered for gravel re-sheeting in the 2024 2025 Budget.
- Image resources are investigating carrying out exploration works along the Yandanooka West Road. This will require works within the road reserve and road re-habitation as required. Currently working with the team to outline requirements once the scope of works is fully identified.
- Karara Mining are looking to undertake maintenance on the water line which runs along Enokurra Road and Will Road. Works in the road reserve are required and appropriate safety measures and re-habitation requirements will need to be met.

## URBAN SERVICES

- General garden and town maintenance
  - General maintenance is continuing.
    - The team has been quite busy doing the general maintenance. Weeding and pruning of the shrubs and plants in the prominent gardens has taken place. When conditions allow the team are spraying the weeds and mulching the gardens.
    - The main works have been carried out in the MIG building surrounds and the carpark opposite the Council administration.
    - Quite a few shrubs and trees in the urban gardens and around the Council Chambers have died. Some may come back with a heavy cut back and others will need to be removed.
    - Along the road to the rec centre there have been a number of large trees which appear to have died. Some may shoot back but unfortunately most of the ones that have died back are not going to reshoot.





- Main oval
  - The main oval is being maintained. The team are currently preparing the oval for the upcoming winter sports season.
  - Line marking for the season start has been completed.
- Hockey field
  - The hockey field still has some dry spots and we are working on addressing this issue.
  - One of the solutions is to place a new row of sprinklers along the south-western side of the oval to counter the wind blowing the water away and leaving these sections bare. This option requires capital works budgeting.
  - The team are preparing the field for the upcoming winter sports season.
  - Seed and fertilizer have been purchased to place on the field to encourage growth in the bare areas.
  - Line marking for the start of the upcoming season has been completed



- Race track
  - The race track is being looked at by an expert to provide feedback to improve the track.
  - There are also some trees that have been identified that effect the grass growing capacity in this area. This is not a new issue but one that has existed for a very long time.
  - The Shire is working with the Turf Club to come up with the best and cost effective solution for this area.
  - The plan recommended to rectify the issues faced with the race track are as follows (budget and costs need to be considered):
    - Mow the track as short as possible.
    - Allow the undesired grasses to grow back to a height of 120mm to 150mm.
    - Wik-wipe the undesired grasses with glyphosate.
    - Verticut the track would be preferred.
    - Spread kikuyu seed mixed with sand.
    - Top dress with sand (sand has already been carted in).
    - Water the entire track all year round as required if not raining.
    - Mow track short all year round, once per week. Keep the grass short and encourage the kikuyu and cooch grass to take over the inside ¾ of the track.
  - The above outlined program has significant cost implications for the maintenance of this track and will need to be considered as part of the annual budget process.
- Tennis Club
  - The tennis courts have been maintained. The team have brush cut and sprayed around the fence.
  - Evoke Living homes have requested the Shire to provide a defect list for the 6 months maintenance period. There are a number of items which have previously been raised with Evoke which will be going on this list with the expectation that the items will be rectified.
  - The Shire is currently preparing grant applications for upgrading the lights. There are a number of requirements that need to be met to be able to submit a viable grant application. We are working through the requirements to ensure we check each box.
  - Annual court renovations will be the next maintenance program that we will be preparing for early next financial year.
- Bowling Club
  - The green has been maintained and watered.



## MINGENew SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 APRIL 2024

- The club are planning to carry out the annual refurbishment in April this year which will give the green a good opportunity to rejuvenate and grass to cover the bare patches that will be created by the refurbishment.
- There are some mould patches along the northern side of the Bowling green. This will need to be treated and grass encouraged to grow back.
- General comment
  - The team have been working hard to keep the water up to the fields and open spaces. This has been quite challenging due to the dry conditions.
  - Investigations into extending the bore water reticulation to Shire houses and existing open spaces, which are currently using Water Corp water, are underway for budgeting purposes, with support from potential grant funding.

### INFRASTRUCTURE PROJECTS

- The Community garden
  - Preparation and ordering of materials are under way for the construction of the community garden.
- Mingenew Spring Project
  - Boundary pegging has been completed and scoping works are under way. The Shire is working with the Perth botanical gardens. Site visit is expected during the week of 6 May 2024.
- Waste Management
  - Operational waste management is being undertaken.
  - We have received quite a lot of waste material this month which required significant loader time to manage the tip face in accordance with regulation.
  - Options are being investigated as part of the contract quotation that is required. The current contract expires in September 2024.
  - Further survey works have been completed and sent to the consultant who is working on the required useful life closure plan for the site.
  - Works required:
    - Closure fill plan and footprint drawing (survey was required for these works)
    - Closure plan guided by the fill plan
    - Closure plan costings forecast for auditing requirements and budgeting.



## MINGENew SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 APRIL 2024

- Drum Muster clean up
  - We have commenced cleaning up the large mess left from the drum muster oil program.
  - These practices need to stop. The existing oil reciprocal will be relocated out to the waste facility beside the existing one. All clean used oils will need to be disposed of into these receptacles. The oil will then be collected by Wren Oil. This is a charge to the Shire.
  - Wren Oil is booked in to collect the oil on its next run north. Approximately 5,000L at this stage.



- Street beautification Project.
  - Draft plans are complete.
  - Currently working with Kings Park curators and DCBA on tree selection.
- Plant replacement
  - The new bob cat has arrived with the new attachments.
    - Staff have been trained on operating and maintaining the new plant and attachments by Westrac.
    - We are currently working through the Safe Work Method Statements (SWMS) for safe operation of the equipment especially the mulcher as this is a high risk item of plant.
    - We have received draft SWMS from Westrac which will form the base of our documentation. Once the appropriate documentation is in place we will get this equipment moving on the shoulders of the sealed roads.
    - The first road we will trial on will be Victoria Road to the Mingenew South Road. This area will give us a good guide before venturing out to Depot Hill Road.
  - 6 wheel water cart has been sold at auction for \$7,000
  - Mitsubishi Triton plant number P0626 has been sold for \$4,200
  - Investigations into obtaining a replacement 6 wheeler have commenced. This would be quite versatile for the workforce and obtaining staff with the appropriate licence is more effective. We need a back up water cart to ensure works can continue when we have water cart breakdowns.
  - A plant replacement program is being developed.
    - This will enable Council to make informed decisions on plant and plan for future purchases.



- Staff recruitment
  - We have completed interviews for the apprentice role in the parks and gardens area. We have a good candidate which I believe will fit into the role quite well. They are scheduled to commence in the role 6 May 2024
  - This will assist council in succession planning.

#### **Consultation**

Nil.

#### **Statutory Environment**

Local Government Act 1995

#### **Policy Implications**

Nil.

#### **Financial Implications**

All works have been completed to Budget.

#### **Strategic Implications**

Strategic Community Plan 2023-2033

- 1.2 Develop, deliver and review the Shire's local roads improvement plan and Shared Pathways Plan
- 1.4 Engage with industry stakeholders to ensure accountability for quality road standards
- 4.3 Delivery of well-maintained and accessible attractions and amenities
- 5.2 Offer career opportunities - "Grow Your Own" targeted at the local market
  - b Appoint a Horticulture trainee/apprentice
- 7.1 Utilise, activate and showcase community spaces to deliver successful local and regional events and programs
- 10.1 Community jointly engages in the management of invasive species and environmental initiatives
- 10.2 Fully compliant Mingenew Waste facility (Transfer Station)

15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15.1 POLICY POSITION ON NEW ASSETS

Cr HR McTaggart lodged the following notice of motion with Chief Executive Officer on 27 March 2024, in accordance with clause 3.10 of the Shire of Mingenew Standing Orders Local Law 2017.

NOTICE OF MOTION – CR HR MCTAGGART – ITEM 15.1

Council:

1. develops a policy for considering new community infrastructure that includes decision making criteria to take into consideration asset management principles including the proposed assets life cycle cost; and
2. advises all sporting and recreation clubs / groups that until such time that a Sport & Recreation Master Plan is established and endorsed, no new infrastructure will be considered to ensure new proposals align with this Plan.

CEO Comment

The Shire has undertaken to prepare a Sport & Recreation Master Plan, in consultation with local sporting and recreational groups, to ensure a wholistic, integrated, financially responsible and collaborative approach to infrastructure and programming decisions for relevant facilities with regard to local area needs.

The Shire's Asset Management Policy states:

*"The Shire of Mingenew delivers a variety of services to the community and in doing so, must ensure that the assets supporting these services are:*

- a) Managed in a way that promotes maximum performance for the most cost-effective 'Life Cycle' cost;*
- b) Meeting community expectations of time, quality, and value for money.*

*Achieving this objective in an affordable and sustainable manner requires a strategic and long-term approach to asset planning and management. The Shire aims to deliver this through:*

- a) Agreed levels of service that are cost effective and relevant;*
- b) The adoption of a continuous improvement approach to asset management;*
- c) Community and key stakeholder consultation in regard to expected levels of service; and*
- d) Endeavouring to achieve Asset Ratio benchmarks as set by the Department of Local Government, Sport and Cultural Industries (although these ratios are no longer required to be included in the Annual Financial Statements)"*

This current Asset Management Policy could be reviewed and updated to specify how Council should deal with requests for new assets / community infrastructure.

MINGENew SHIRE COUNCIL ORDINARY MEETING AGENDA – 17 APRIL 2024

16.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING  
Nil.

17.0 CONFIDENTIAL ITEMS  
Nil.

18.0 TIME AND DATE OF NEXT MEETING  
Next Ordinary Council Meeting to be held on Wednesday, 19 June 2024 commencing at 5.00pm.

19.0 CLOSURE  
The meeting was closed at \_\_\_\_pm.

These minutes were confirmed at an Ordinary Council meeting on 19 June 2024.

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

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