



SHIRE OF MENZIES

MINUTES

**FOR THE ORDINARY MEETING OF COUNCIL
HELD ON**

Thursday 26 September 2013

Tjuntjuntjara Community

Commencing at 10.00am

**SHIRE OF MENZIES
NOTICE OF ORDINARY COUNCIL MEETING**

Dear Council Member,

The next Ordinary Meeting of the Shire of Menzies Council will be held on Thursday 26 September 2013 in the Shire of Menzies Council Chambers commencing at 10.00am.

N P Crawford
Chief Executive Officer

Date

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Menzies for any act or omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

**FINANCIAL INTEREST
(EFFECTIVE 1 JULY 1996)**

A financial interest occurs where a Councillor, or person with whom the Councillor is closely associated, has direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

Councillors should declare an interest:

- a) **In a written notice given to the CEO before the meeting: or**
- b) **At the meeting immediately before the matter is discussed**

A member who has declared an interest must not:

Preside at the part of the meeting relating to the matter: or
Participate in, or be present during any discussion or decision making procedure relating to the matter.

Unless the member is allowed to do so under Section 5.68 or 5.69, Local Government Act 1995

Ref: Local Government Act 1995 Division 6 – Disclosure of Financial Interest.
Specifically Sections 5.60, 5.61, 5.65 and 5.67

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MINUTES FOR ORDINARY MEETING OF COUNCIL

1. DECLARATION OF OPENING

The Shire President (Cr Gregory Dwyer) adjourned the meeting at 10.30am due to no quorum being present as they plane was late landing. He then opened the meeting at 12.18pm, welcomed the attendees, visitors and guests, and proceeded with the Agenda as planned.

2. ANNOUNCEMENT OF VISITORS

Ms Wendy Duncan – Member for Kalgoorlie

3. RECORD OF ATTENDANCE

3.1 PRESENT:

Councillors:	Cr G Dwyer	President
	Cr P J Twigg	Deputy President (phone 12.31 pm)
	Cr C Bennell	Councillor
	Cr J A Dwyer	Councillor
	Cr C K Purchase	Councillor (phone 12.19 pm)
	Cr I R Tucker	Councillor
Staff:	Mr N P Crawford	Chief Executive Officer
	Mr R Pepper	Manager Works and Services
	Ms B Povah	Incoming Deputy CEO
	Mrs D Crawford	CEO Ex Ass (phone 12.19 pm)

3.2 APOLOGIES

Staff: Ms R Jones Outgoing Deputy CEO

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

None

COUNCIL DECISION:	No: 0406
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That approval be granted for Cr Peter Twigg to attend the meeting by teleconference.

12.31

CARRIED: 5/0

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE.

Nil

7. DECLARATIONS OF INTEREST

CEO Peter Crawford declared a financial interest in Item 12.4.8

8. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

9. CONFIRMATION OF MINUTES

**9.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL
MEETING HELD 29 AUGUST 2013**

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0407
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Moved: Cr J Dwyer

Seconded: Cr I Tucker

That the minutes of the Ordinary Meeting of Council held on 29 August 2013 be confirmed as a true and accurate record.

12.25pm

CARRIED 6/0

10. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

11. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 PRESIDENT'S REPORT – TABLED AT THE MEETING

Wednesday 04/09/2013	Attended the Annual General Meeting of GNRBA Bio-Security Association, involvement with the Menzies Shire in eradication of cactus and wild dogs.
Thursday 05/09/2013	With the DCEO and Cr Dwyer, met with the President of WALGA, Troy Pickard, and Mark Batty, Executive Manager Environment and Waste WALGA for discussions on a range of topics regarding the Association and services.
Saturday 07/09/2013	Attended a community sausage sizzle and film screening of 'Wongi Warrior' at the Town Hall, produced by Youth With a Mission Perth – a volunteer organisation.
Tuesday 10/09/2013	Attended the yearly meeting of the Mt Walton East Intractable Waste Disposal Facility – Community Liaison Committee meeting in Coolgardie.
Wednesday 18/09/2013	Met with Fellow Councillors to discuss the outcomes of the score sheet of the CEO review and then meeting with the CEO with those results.

Wednesday 25/09/2013	Meeting with the CEO and personnel from Macarthur Minerals for discussions on haul road, rail siding, light industrial area and camp locations in town. Following on, to a meeting with Andrew Hirst from the St John Ambulance Service.
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**VOTING REQUIREMENTS:
Simple Majority Decision required**

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0408
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Moved: Cr J Dwyer

Seconded: C Bennell

That the President's Report (Attachment 11.1) as tabled, be received.

12.40pm

CARRIED: 6/0

12. REPORTS OF COMMITTEES AND OFFICERS

12.1 HEALTH AND BUILDING BUSINESS

12.1.1	AMALGAMATION OF LOTS IN MENZIES
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Ms Roslyn Mathews
FILE REF:	ADM 067
DISCLOSURE OF INTEREST:	None
DATE:	17 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 12.1.1A: Letter from Ms Mathews

SUMMARY:

For Council to consider the request to amalgamate two lots of land in Menzies.

BACKGROUND:

A letter has been received from a Ms Roslyn Mathews seeking Council's views on her proposal to amalgamate Lot 300 Niagara Street with Lot 299 (Reserve 5112) Gill Street in Menzies were she able to acquire the land from the Department of Regional Development and Lands (See Attachment 12.1.1A)

COMMENT:

Ms Mathews currently owns Lot 300 Niagara Street in Menzies and is contemplating making application to RDL to acquire Lot 299 which is listed as Reserve 5112. Her desire is to amalgamate the two lots into one.

The Department of Planning and Infrastructure which has had a Management Order over Lot 299 since 2011 has the land use listed as "Government Requirements".

Ms Mathews has been discussing the acquirement of the land with RDL but would first need to know Council's views on the amalgamation of the lots.

The request for the amalgamation of adjoining lots of land within the town site has been approved by Council in the past. However, there are some views that this is detrimental

to the development of the town in reducing the number of lots available for the market. While this may be a relevant argument in some areas, this particular request does have some grounds for exception.

These lots in question are situated in a semi remote area which is not serviced by utilities and is not expected that this status would change for many years, if ever.

Based on that information, it would be reasonable to agree to the amalgamation of these lots conditional on the owner being advised that any “camping” on the land complies with the directions of Council’s Health Building Surveyor.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER’S RECOMMENDATION:

No: 0409

Moved: Cr K Purchase

Seconded: Cr C Bennell

That Council supports an application from Ms Roslyn Mathews to amalgamate Lot 299 Niagara Street with Lot 300 (Reserve 5112) Gill Street in Menzies and that the erection of any buildings on the property is approved by the Shire of Menzies Health Building Surveyor prior to construction.

12.44pm

CARRIED 5/1

12. REPORTS OF COMMITTEES AND OFFICERS

12.2 FINANCE AND ADMINISTRATION BUSINESS

12.2.1 MONTHLY FINANCIAL REPORT – JULY 2013
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SUBMISSION TO:	Ordinary Meeting of Council 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	ADM 052
DISCLOSURE OF INTEREST:	The author has no interest in this item
DATE:	20 September 2013
AUTHOR:	Rose Jones, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Peter Crawford, Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	

ATTACHMENTS:

Attachment 12.2.1A: Monthly Statement of Financial Activity and associated reports, including the Compilation Report from UHY Haines Norton

SUMMARY:

Statutory Financial Reports are submitted to Council for receipt as a record of financial activity during the reporting month

BACKGROUND:

The monthly reports have been prepared by UHY Haines Norton to reflect revenue and expenditure transactions for the period to 30 July 2013.

COMMENT:

A Management Report is prepared by UHY Haines Norton to support the report and alert Council to matters of significance or trends outlined by the report presented.

CONSULTATION:

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations – Regulation 34

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:

No: 0410

Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council acknowledges receipt of the Statement of Financial Activity and associated reports for the period to 30 July 2013.

12.47pm

CARRIED: 6/0

Shire of Menzies
MONTHLY FINANCIAL REPORT
For the Period Ended 31st July 2013

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

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Shire of Menzies
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31st July 2013

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(b)	Var.
Operating Revenues		\$	\$	\$	\$	%	
Governance		3,400	283	1,427	1,144	80.17%	
General Purpose Funding		1,532,986	14,605	2,310	(12,295)	(532.25%)	▼
Law, Order and Public Safety		3,200	100	0	(100)	(100.00%)	
Health		500	42	0	(42)	(100.00%)	
Housing		59,600	4,967	4,991	24	0.48%	
Community Amenities		95,980	498	495	(3)	(0.61%)	
Recreation and Culture		17,400	1,450	21,871	20,421	93.37%	▲
Transport		693,269	0	136,935	136,935	100.00%	▲
Economic Services		137,300	7,276	8,758	1,482	16.92%	
Other Property and Services		80,806	2,376	0	(2,376)	(100.00%)	
Total (Ex. Rates)		2,624,441	31,597	176,787	145,190		
Operating Expense							
Governance		(430,992)	(34,667)	(52,180)	(17,513)	(33.56%)	▼
General Purpose Funding		(276,854)	(13,613)	(15,266)	(1,653)	(10.83%)	
Law, Order and Public Safety		(93,529)	(7,795)	(4,000)	3,795	94.88%	
Health		(40,689)	(3,391)	(2,488)	903	36.29%	
Education and Welfare		(15,000)	(1,250)	0	1,250	100.00%	
Housing		(41,750)	(832)	(4,480)	(3,648)	(81.43%)	
Community Amenities		(249,193)	(20,767)	(7,852)	12,915	164.48%	▲
Recreation and Culture		(387,551)	(38,714)	(18,734)	19,980	106.65%	▲
Transport		(2,911,810)	(238,901)	(418,033)	(179,132)	(42.85%)	▼
Economic Services		(1,319,711)	(121,730)	(108,182)	13,548	12.52%	▲
Other Property and Services		(4,000)	(126,585)	(33,205)	93,380	281.22%	▲
Total		(5,771,079)	(608,245)	(664,420)	(56,175)		
Funding Balance Adjustment							
Add back Depreciation		1,880,945	156,746	136,411	(20,335)	(14.91%)	▼
Adjust (Profit)/Loss on Asset Disposal	8	(7,306)	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
Net Operating (Ex. Rates)		(1,272,999)	(419,902)	(351,222)	68,680		
Capital Revenues							
Grants, Subsidies and Contributions	11	2,264,598	0	0	0		
Proceeds from Disposal of Assets	8	184,000	0	0	0		
Transfer from Reserves	7	1,168,000	0	0	0		
Total		3,616,598	0	0	0		
Capital Expenses							
Land and Buildings	8	(1,794,000)	0	0	0		
Plant and Equipment	8	(521,500)	0	0	0		
Furniture and Equipment	8	(43,000)	0	0	0		
Infrastructure Assets - Roads	8	(3,922,793)	(326,899)	(13,829)	313,070	2263.87%	▲
Infrastructure Assets - Other	8	(500,000)	(41,667)	0	41,667	100.00%	▲
Loan Principal	10	(30,000)	0	0	0		
Transfer to Reserves	7	(245,001)	0	0	0		
Total		(7,056,294)	(368,566)	(13,829)	354,737		
Net Capital		(3,439,696)	(368,566)	(13,829)	354,737		
Total Net Operating + Capital		(4,712,695)	(788,468)	(365,051)	423,417		
Opening Funding Surplus(Deficit)	3	2,455,006	2,455,006	2,391,550	(63,456)	(2.65%)	
Rate Revenue	9	2,257,689	0	15,651	15,651	100.00%	▲
Closing Funding Surplus(Deficit)	3	0	1,666,538	2,042,150	375,612		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. ▲ ▼

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

(a) Basis of Accounting

This statement is a special purpose financial report, prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

(b) The Local Government Reporting Entity

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

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

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

(c) Rounding Off Figures

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

(d) Rates, Grants, Donations and Other Contributions

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

(e) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(f) Cash and Cash Equivalents

Cash and cash equivalents comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities.

(g) Trade and Other Receivables

Trade receivables, which generally have 30 - 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectability of trade 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.

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(h) Inventories

General

Inventories are valued 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 of necessary to make the sale.

Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.

Land Held for Resale

Land purchased for development and/or resale is valued at the lower of the cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

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

(i) Fixed Assets

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

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

(j) Depreciation of Non-Current Assets

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

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

Buildings	5.00%
Furniture and Equipment	10.00%
Plant and Equipment - Heavy	15.00%
Plant and Equipment - Sundry	25.00%
Electronic Equipment	25.00%
Tools	20.00%
Infrastructure - Grids	4.00%
Infrastructure - Floodways	6.00%
Pavement	2.50%
Seal	6.67%
Curbing	2.00%
Other Infrastructure	2.00%

**Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Trade and Other Payables

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the local government prior to the end of the financial year 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 and are usually paid within 30 days of recognition.

(l) Employee Benefits

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

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

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

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

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

(m) Interest-bearing Loans and Borrowings

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

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

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

Borrowing Costs

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

(n) Provisions

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

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

(o) Current and Non-Current Classification

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

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Nature or Type Classifications

Rates

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

Operating Grants, Subsidies and Contributions

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

Non-Operating Grants, Subsidies and Contributions

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

Profit on Asset Disposal

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

Fees and Charges

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

Service Charges

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

Interest Earnings

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

Other Revenue / Income

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

Employee Costs

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

Materials and Contracts

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

Utilities (Gas, Electricity, Water, etc.)

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

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(q) Nature or Type Classifications (Continued)

Insurance

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

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

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

Other expenditure

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

(r) Statement of Objectives

In order to discharge its responsibilities to the community, the Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis and for each of its broad activities/programs.

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

GOVERNANCE

Administration and operation of facilities and services to members of council. Other costs that relate to the task of assisting elected members and electors on matters which do not concern specific council services.

GENERAL PURPOSE FUNDING

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY

Supervision of various by-laws, fire prevention and animal control.

HEALTH

Monitor and control health standards within the community, provide support and assistance with airstrips to enable all residents access to the Royal Flying Doctor for regular and emergency health services. Analytical services.

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(r) STATEMENT OF OBJECTIVE (Continued)

EDUCATION AND WELFARE

Support of education facilities within the Shire and of any external resources necessary to assist with education programmes for all residents.

HOUSING

Provision and maintenance of staff housing.

COMMUNITY AMENITIES

Maintain a refuse site for the settlement.

RECREATION AND CULTURE

Provide a library and museum and operation thereof. Maintain recreation centre, sports field, parks, gardens and other recreational facilities.

TRANSPORT

Construction and maintenance of roads, drainage works and traffic signs. Maintenance of settlement airstrip.

ECONOMIC SERVICES

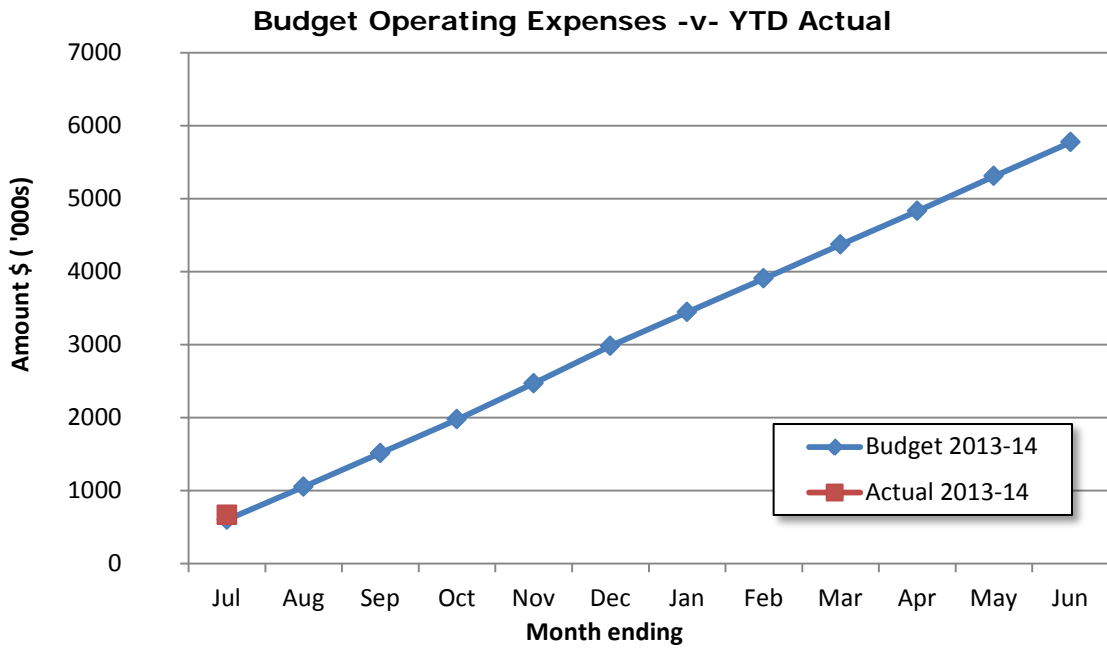
Building control, provision of power and water supplies. Supply and maintenance of television re-broadcast installation. Provision of radio communication. Maintenance of caravan park. Vermin control and area promotion.

OTHER PROPERTY & SERVICES

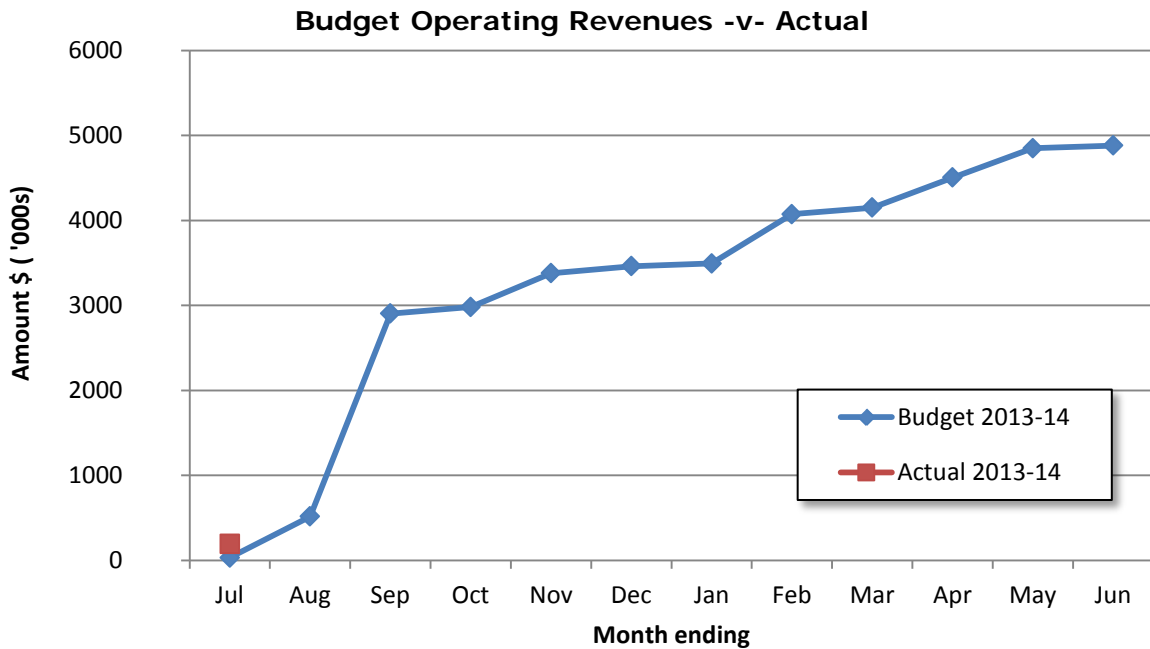
Private works operations, plant repairs and operations costs.

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 2 - Graphical Representation - Source Statement of Financial Activity

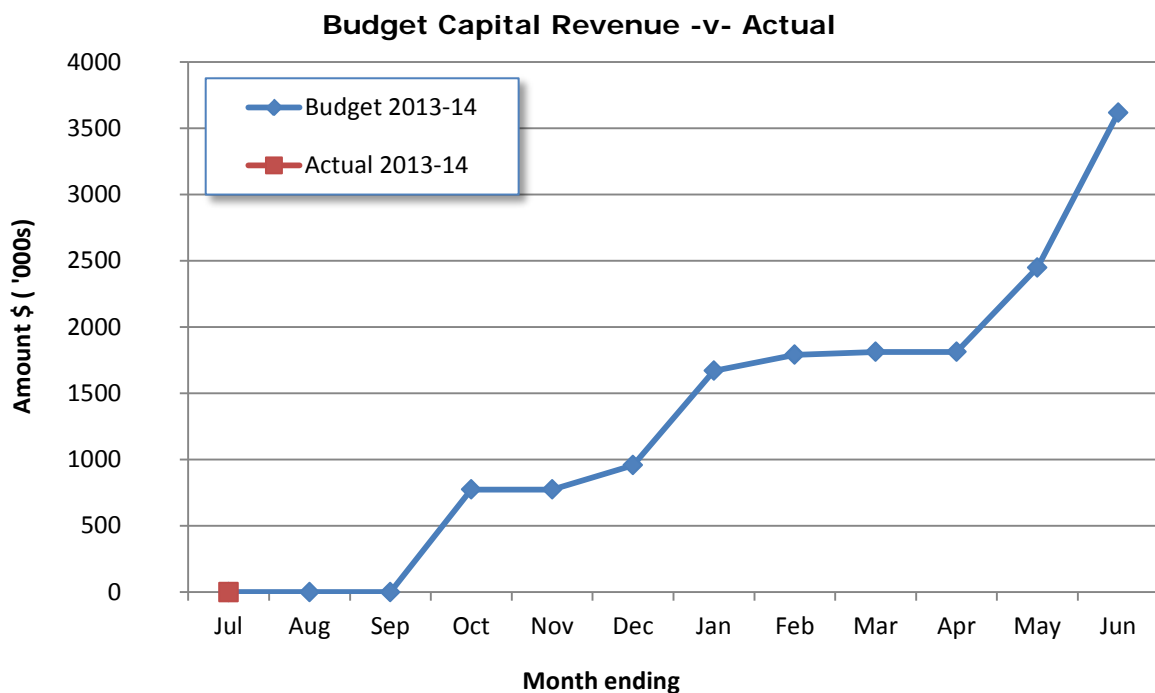
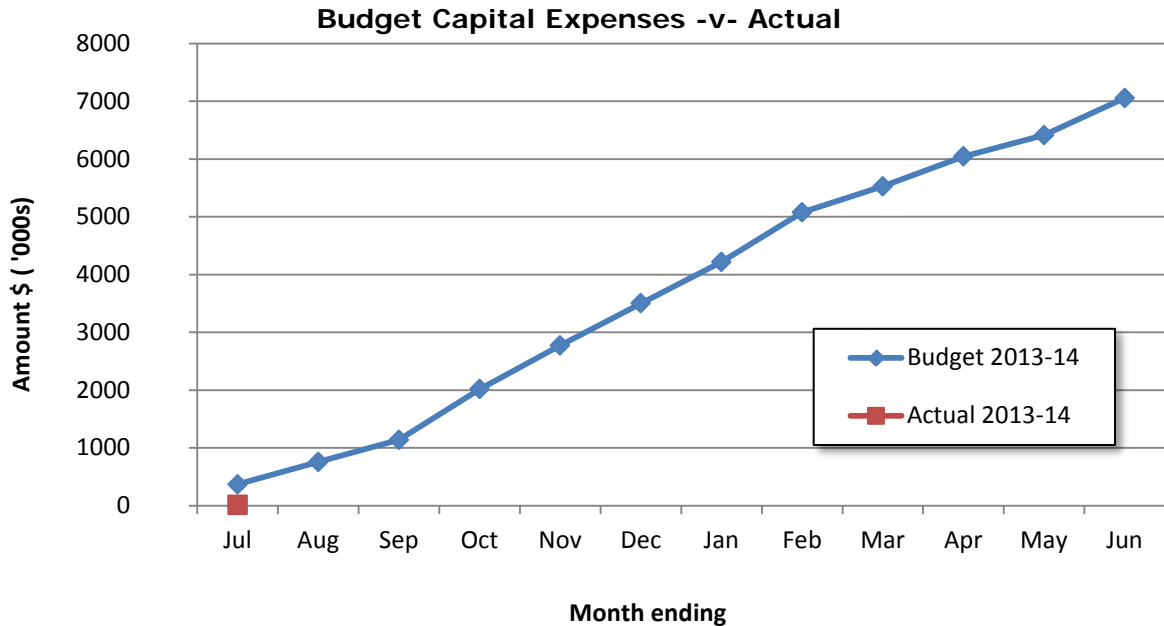


Comments/Notes - Operating Expenses



**Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013**

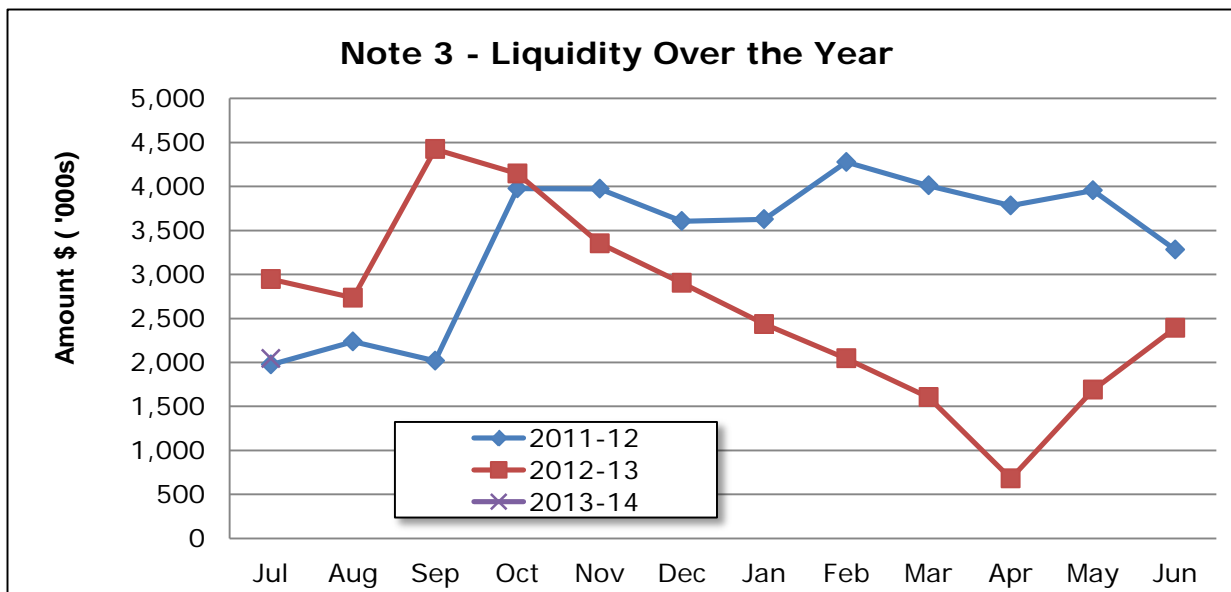
Note 2 - Graphical Representation - Source Statement of Financial Activity



Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 3: NET CURRENT FUNDING POSTION

		Positive=Surplus (Negative=Deficit)		
		YTD 31st July 2013	30th June 2013	YTD 31st July 2012
		\$	\$	\$
Current Assets				
	Cash Unrestricted	4	1,992,263	2,516,994
	Cash Restricted	4	2,530,972	2,530,972
	Receivables - Rates	6	599,783	602,987
	Receivables -Other	6	465,742	271,270
	Provision for Doubtful Debts		(581,962)	(581,962)
	Inventories		11,009	13,049
			5,017,807	5,353,310
				6,298,247
Less: Current Liabilities				
	Payables		(444,683)	(430,786)
	Provisions		(60,744)	(60,744)
			(505,427)	(491,530)
				(892,221)
	Less: Cash Reserves	7	(2,530,974)	(2,530,974)
	Add: Cash Backed Leave Provisions		60,744	60,744
				63,524
				(2,524,803)
	Net Current Funding Position		2,042,150	2,391,550
				2,944,747



Comments - Net Current Funding Position

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Account	Variable	114,529			114,529	NAB	Cheque Acc.
Cash Maximiser Account		377,154			377,154	NAB	
Trust	Variable			2,600	2,600	NAB	Cheque Acc.
Cash On Hand	Nil	580			580	N/A	On Hand
(b) Term Deposits							
Municipal Investment Reserves		1,500,000	2,530,972		1,500,000	NAB	Various
					2,530,972	NAB	Various
(c) Other Investments							
N/A					0		
Total		1,992,263	2,530,972	2,600	4,525,835		

Comments/Notes - Investments

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note5: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
Closing Funding Surplus (Deficit)				0	0	0	0

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

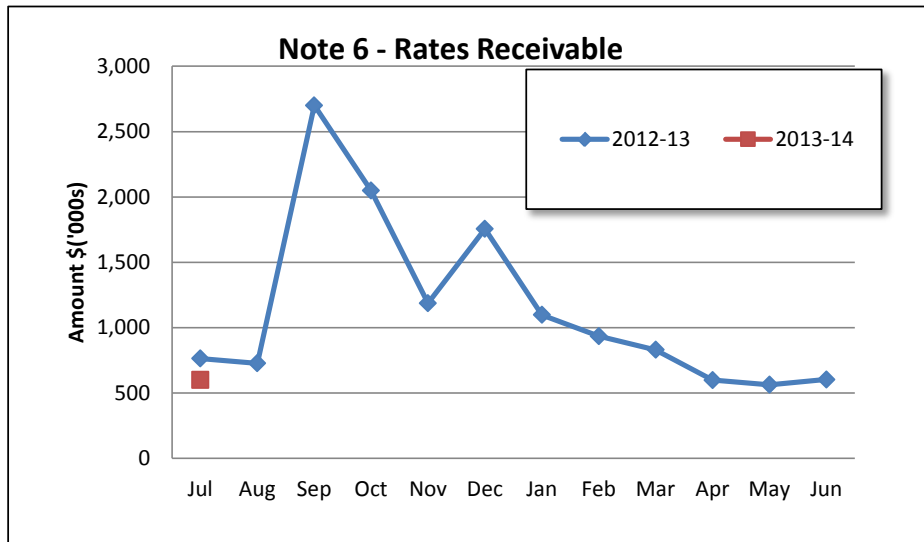
Note 6: RECEIVABLES

Receivables - Rates Receivable

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

Net Rates Collectable
 % Collected

	YTD 31st July 2013	YTD 30th June 2013
	\$	\$
Opening Arrears Previous Years	602,987	816,782
Levied this year	15,374	2,468,142
Less Collections to date	(18,578)	(2,681,937)
Equals Current Outstanding	599,783	602,987
Net Rates Collectable	599,783	602,987
% Collected	3.00%	81.64%



Comments/Notes - Receivables Rates

Provision for Doubtful Debts - \$0.00 for rates and \$0.00 for sundry debtors are not included in these totals but are disclosed separately at note 3.

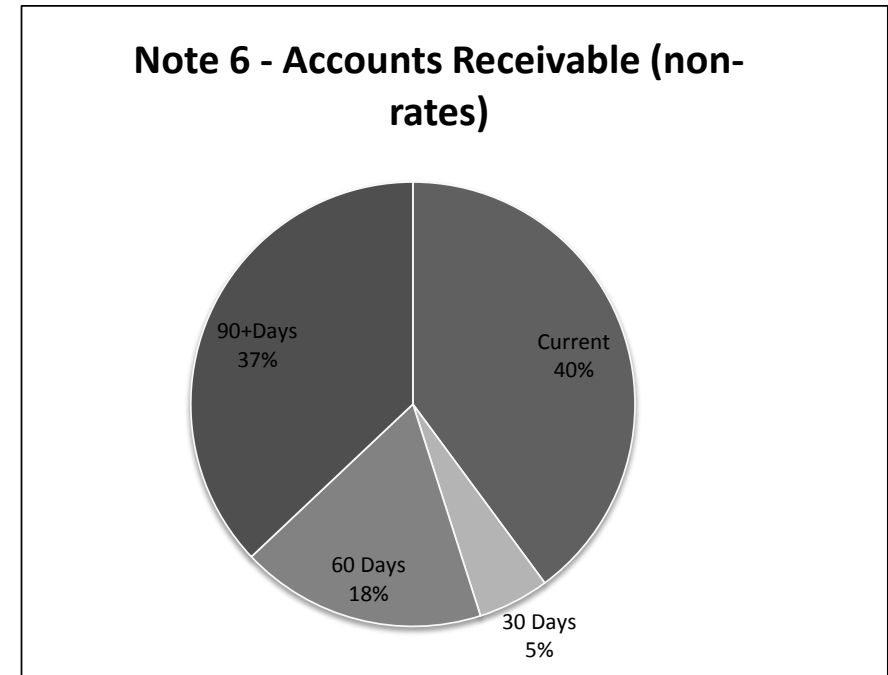
Receivables - General

Receivables - General

Total Receivables General Outstanding

Amounts shown above include GST (where applicable)

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	185,732	24,212	83,266	172,532
Total Receivables General Outstanding				465,742

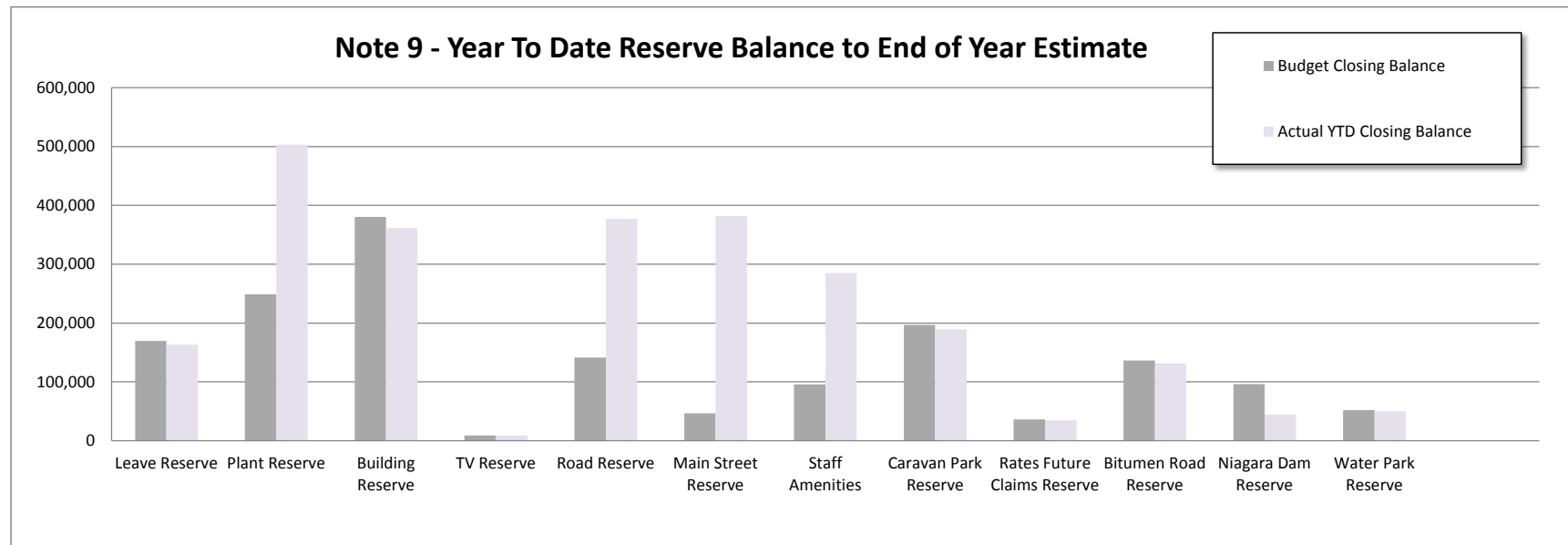


Comments/Notes - Receivables General

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 7: Cash Backed Reserve

2013-14											
Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Budget Closing Balance	Actual YTD Closing Balance	
	\$	\$	\$	\$	\$	\$	\$		\$	\$	
Leave Reserve	163,215	0	0	6,121	0	0	0		169,336	163,215	
Plant Reserve	503,192	0	0	113,554	0	(368,000)	0		248,746	503,192	
Building Reserve	361,428	0	0	18,860	0	0	0		380,288	361,428	
TV Reserve	8,688	0	0	326	0	0	0		9,014	8,688	
Road Reserve	376,948	0	0	14,135	0	(250,000)	0		141,083	376,948	
Main Street Reserve	381,980	0	0	14,324	0	(350,000)	0		46,304	381,980	
Staff Amenities	285,167	0	0	10,694	0	(200,000)	0		95,861	285,167	
Caravan Park Reserve	189,568	0	0	7,208	0	0	0		196,776	189,568	
Rates Future Claims Reserve	34,619	0	0	1,298	0	0	0		35,917	34,619	
Bitumen Road Reserve	131,527	0	0	4,932	0	0	0		136,459	131,527	
Niagara Dam Reserve	44,642	0	0	51,674	0	0	0		96,316	44,642	
Water Park Reserve	50,000	0	0	1,875	0	0	0		51,875	50,000	
	2,530,974	0	0	245,001	0	(1,168,000)	0		1,607,975	2,530,974	



Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 8: CAPITAL DISPOSALS AND ACQUISITIONS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Current Budget YTD 31st July 2013		
Cost	Accum Depr	Proceeds	Profit (Loss)		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
\$	\$	\$	\$		\$	\$	\$
				Plant and Equipment			
				0 Ford Territory	7,606	0	(7,606)
				0 Hino Dutro	15,000	0	(15,000)
				0 3 axle Dolly	20,000	0	(20,000)
				0 Utility	8,000	0	(8,000)
				0 Utility	1,700	0	(1,700)
				0 Caterpillar Grader	(45,000)	0	45,000
				0	0	0	0
0	0	0	0		7,306	0	(7,306)

Comments - Capital Disposal/Replacements

Comments	Summary Acquisitions	Current Budget YTD 31st July 2013		
		Annual Budget	Actual	Variance
		\$	\$	\$
	Land and Buildings	1,794,000	0	(1,794,000)
	Plant and Equipment	521,500	0	(521,500)
	Furniture and Equipment	43,000	0	(43,000)
	Infrastructure - Roads	3,922,793	13,829	(3,908,964)
	Infrastructure - Other	500,000	0	(500,000)
	Capital Totals	6,781,293	13,829	(6,767,464)

Comments - Capital Acquisitions

Comments	Buildings	Current Budget YTD 31st July 2013		
		Budget	Actual	Variance
		\$	\$	\$
	Land	20,000	0	(20,000)
	Houses x 4	1,350,000	0	(1,350,000)
	Garage 40 Mercer Street	20,000	0	(20,000)
	Public Toilets - Menzies	75,000	0	(75,000)
	Public Toilets - Menzies Hall	160,000	0	(160,000)
	Floor Coverings for Hall	4,000	0	(4,000)
	Upgrade Old Post Office	150,000	0	(150,000)
	Upgrade Kitchen - Admin Building	15,000	0	(15,000)
	Capital Totals	1,794,000	0	(1,794,000)

Comments	Plant & Equipment	Current Budget YTD 31st July 2013		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	Comm Dev Vehicle	24,000	0	(24,000)
	Grader	360,000	0	(360,000)
	Workshop Hoist	9,000	0	(9,000)
	Utility 1 - Motor Vehicle	40,000	0	(40,000)
	Utility 2- Motor Vehicle	48,500	0	(48,500)
	DCEO Vehicle	40,000	0	(40,000)
	Capital Totals	521,500	0	(521,500)

Current Budget

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 8: CAPITAL DISPOSALS AND ACQUISITIONS

Comments	Furniture & Equipment	YTD 31st July 2013		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	Chambers - Table & Sideboard	15,000	0	(15,000)
	Fridge & Dishwasher	3,000	0	(3,000)
	Defibulator	3,000	0	(3,000)
	Computer Equipment CRC	10,000	0	(10,000)
	Upgrade Security Locks	12,000	0	(12,000)
	Capital Totals	43,000	0	(43,000)

Comments	Roads	Current Budget YTD 31st July 2013		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	Menzies Northwest - improve alignments and seal	220,710	0	(220,710)
	Menzies Northwest - instal culverts & drainage	350,000	0	(350,000)
	Menzies Northwest - upgrade seal	1,000,000	0	(1,000,000)
	Menzies Northwest - improve alignments and seal	129,250	0	(129,250)
	Evanston-Menzies	352,682	0	(352,682)
	Yarri	133,723	0	(133,723)
	Menzies Northwest - improve alignments and seal	495,307	0	(495,307)
	Tjuntjuntjorra Access Road - R2R	340,000	0	(340,000)
	Town Street - kerbing	100,000	0	(100,000)
	Town Streets - Footpaths	92,550	0	(92,550)
	Tjuntjuntjorra Access Road - improvements & sheeting	217,508	0	(217,508)
	Mount Menzies access road	10,000	0	(10,000)
	Main Street Upgrade	350,000	0	(350,000)
	Yakadunia Road	31,063	0	(31,063)
	Oak Valley Road	80,000	0	(80,000)
	Traffic Counter	20,000	0	(20,000)
	Evanston-Menzies Rd (Carry over)	0	710	710
	Kooynie Yarri Rd (Carry over)	0	819	819
	Yakadunia Rd RTR(Carry over)	0	12,300	12,300
		0	0	0
	Capital Totals	3,922,793	13,829	(3,908,964)

Comments	Other Infrastructure	Current Budget YTD 31st July 2013		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	Water Park - Menzies	450,000	0	(450,000)
	War Memorial Park Development	50,000	0	(50,000)
	Capital Totals	500,000	0	(500,000)

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 9: RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Budget Rate Revenue \$	Budget Interim Rate \$	Budget Back Rate \$	Budget Total Revenue \$
Differential General Rate											
GRV	0.0652	30	198,484	0	17,164	0	17,164	12,334	0	0	12,334
UV	0.0225	18	1,066,172	0	0	0	0	23,989	0	0	23,989
	0.0225			0							
UV	0.1268	849	16,963,688	0	0	0	0	2,114,126	7,540	0	2,121,666
Sub-Totals		897	18,228,344	0	17,164	0	17,164	2,150,449	7,540	0	2,157,989
Minimum Rates											
	Minimum \$										
GRV	200	243	39,796	0	(1,513)	0	(1,513)	51,000	0	0	51,000
UV	220	8	26,284	0	0	0	0	24,400	0	0	24,400
	200	122	334,980	0				1,760	0	0	1,760
UV	220	550	419,836	0	0	0	0	122,540	0	0	122,540
Sub-Totals		923	820,896	0	(1,513)	0	(1,513)	199,700	0	0	199,700
							15,651			2,357,689	
Write offs							0			(100,000)	
Totals							15,651			2,257,689	

Comments - Rating Information

All land except exempt land in the Shire of Menzies is rated according to its Gross Rental Value (GRV) in town sites or Unimproved Value (UV) in the remainder of the Shire.

The differential rates detailed above for the 2013/14 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Housing								
Loan 17 - Teacher's Units	32,141	0	0	30,000	0	2,141	0	1,750
	32,141	0	0	30,000	0	2,141	0	1,750

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2013-14 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE GRANTS								
Grants Commission	WALGGC		914,812	0	914,812	0	0	914,812
Federal Roads	WALGGC		342,924	0	342,924	0	0	342,924
HOUSING								
Staff Housing Grants	CLGF		937,108	0	0	937,108	0	937,108
LAW, ORDER, PUBLIC SAFETY								
Fire Prevention Grant	DFES		2,000	0	2,000	0	0	2,000
COMMUNITY AMENITIES								
Other Community Amenities	Dept. of Reg. Develop.		90,000	0	90,000	0	0	90,000
RECREATION AND CULTURE								
Menzies Water Park	CSRFF		120,000			120,000	0	120,000
Toilets Hall	CLGF		160,000			160,000		160,000
Old Post Office	CLGF		150,000			150,000		150,000
TRANSPORT								
MRWA ROAD FUNDING								
Direct Grants	MRWA Direct		136,935	0	136,935	0	0	136,935
BLACKSPOT FUNDING								0
Commodity Route	MRWA RRG		233,667	0	233,667	0	0	233,667
OTHER ROAD/STREETS GRANTS								
Roads To Recovery	Building Program		1,197,974	0	322,667	875,307	0	1,197,974
Other	Other		22,183	0	0	22,183	0	22,183
ECONOMIC SERVICES								
Lake Ballard Marketing Plan	Lotterywest		50,000	0	50,000	0	0	50,000
TOTALS			4,357,603	0	2,093,005	2,264,598	0	4,357,603

Operating	2,093,005	0
Non-operating	2,264,598	0
	<u>4,357,603</u>	<u>0</u>

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 12: TRUST FUND

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

Description	Opening Balance 1-Jul-13	Amount Received	Amount Paid	Closing Balance 30-Jun-13
Housing Bonds	\$ 2,600	\$	\$ 0	\$ 2,600
	2,600	0	0	2,600

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 13: MAJOR VARIANCES

Comments/Reason for Variance

13.1 OPERATING REVENUES

13.1.1 GOVERNANCE

13.1.2 GENERAL PURPOSE FUNDING

Some unbudgeted Interim mining rates raised

13.1.3 LAW, ORDER AND PUBLIC SAFETY

13.1.4 HEALTH

13.1.5 HOUSING

13.1.6 COMMUNITY AMENITIES

13.1.7 RECREATION AND CULTURE

13.1.8 TRANSPORT

13.1.9 ECONOMIC SERVICES

13.1.10 OTHER PROPERTY AND SERVICES

13.2 OPERATING EXPENSE

13.2.1 GOVERNANCE

E042023 includes maintenance work to Administration Building
E042070 includes GVROC subscriptions to be transferred to E042025

13.2.2 GENERAL PURPOSE FUNDING

13.2.3 LAW, ORDER AND PUBLIC SAFETY

13.2.4 HEALTH

13.2.5 HOUSING

E091010 - Staff Housing Maintenance over budget as a result of work on old police station & house

13.2.6 COMMUNITY AMENITIES

13.2.7 RECREATION AND CULTURE

13.2.8 TRANSPORT

E121010 - Road maintenance includes work on Capital jobs to be transferred

13.2.9 ECONOMIC SERVICES

E132014 Community Development Officer - no expenditure as position not yet filled
E132060 - Caravan Park maintenance includes power account from previous year but still over budget

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 13: MAJOR VARIANCES

Comments/Reason for Variance

13.2.10 OTHER PROPERTY AND SERVICES

E142100 CEO Salaries now included with administration salaries
E142400 Insurance below budget as second instalment not yet paid
E143400 Depot maintenance includes salaries for Supervision / Management staff
E144203 Vehicle Reg & Insurance below budget - insurance not yet paid

13.3 CAPITAL REVENUE

13.3.1 GRANTS, SUBSIDIES AND CONTRIBUTIONS

I111015 CLGF Grant - Toilets - hall
I116101 CLGF Grant - Old Post Office
It now appears likely that we will not receive 2012-13 CLGF funding as a result of changes to the funding program.

13.3.2 PROCEEDS FROM DISPOSAL OF ASSETS

13.3.3 PROCEEDS FROM NEW DEBENTURES

13.3.4 PROCEEDS FROM SALE OF INVESTMENT

13.3.5 PROCEEDS FROM ADVANCES

13.3.6 SELF-SUPPORTING LOAN PRINCIPAL

13.3.7 TRANSFER FROM RESERVES (RESTRICTED ASSETS)

13.4 CAPITAL EXPENSES

13.4.1 LAND HELD FOR RESALE

13.4.2 LAND AND BUILDINGS

13.4.3 PLANT AND EQUIPMENT

13.4.4 FURNITURE AND EQUIPMENT

13.4.5 INFRASTRUCTURE ASSETS - ROADS

13.4.6 INFRASTRUCTURE ASSETS - OTHER

13.4.7 PURCHASES OF INVESTMENT

13.4.8 REPAYMENT OF DEBENTURES

13.4.9 ADVANCES TO COMMUNITY GROUPS

13.4.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)

Shire of Menzies
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31st July 2013

Note 13: MAJOR VARIANCES

Comments/Reason for Variance

13.4.11 TRANSFER FROM RESERVES (RESTRICTED ASSETS)

13.5 OTHER ITEMS

13.5.1 RATE REVENUE

13.5.2 OPENING FUNDING SURPLUS(DEFICIT)

12. REPORTS OF COMMITTEES AND OFFICERS

12.3 WORKS AND SERVICES BUSINESS

NIL

12. REPORTS OF COMMITTEES AND OFFICERS

12.2 FINANCE AND ADMINISTRATION BUSINESS

12.4.1	AFFIXING OF THE COMMON SEAL – FINANCIAL ASSISTANCE AGREEMENT – ROYALTIES FOR REGIONS
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM408
DISCLOSURE OF INTEREST:	None
DATE:	18 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:
Appendix 12.4.1A: Financial Assistance Agreement for Royalties for Regions

SUMMARY:
For Council to approve the affixing of the Common Seal to the Financial Assistance Agreement for Royalties for Regions with the Department of Regional Development and Lands (RDL).

BACKGROUND:
The Country Local Government Fund allocation for 2011/2012 from Royalties for Regional through RDL requires that the Financial Assistance Agreement be signed by the Shire President and the Chief Executive Officer and affix the Common Seal to the document.

COMMENT:
Due to time constraints, the President and CEO have both signed and affixed the Common Seal to the agreement and forwarded the document to RDL.

Council are now requested to ratify the actions of the President and CEO in affixing the Common Seal to the Financial Assistance Agreement with RDL.

CONSULTATION:
None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter but it is provided for under Delegation 2.1 – Use of the Common Seal

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:

NO: 0411

Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Council ratifies the actions of the Shire President and Chief Executive Officer in affixing the Common Seal to the Financial Assistance Agreement for a Royalties for Regions Project between the Department of Regional Development and Lands and the Shire of Menzies for the Country Local Government Funds program.

12.51pm

CARRIED: 6/0

12. REPORTS OF COMMITTEES AND OFFICERS

12.2 FINANCE AND ADMINISTRATION BUSINESS

12.4.2	LOCAL GOVERNMENT REFORM
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Serpentine Jarrahdale
FILE REF:	ADM 425
DISCLOSURE OF INTEREST:	None
DATE:	17 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

Attachment 12.4.2A: Letter from Serpentine Jarrahdale Shire

SUMMARY:

For Council to consider supporting the Shire of Serpentine Jarrahdale's request to object to the state government's plans regarding amendments to the *Local Government Act 1995*

BACKGROUND:

The State Government has alluded to changes that it plans to make to the *Local Government Act 1995* in relation to the local government reform process which centres around amalgamations.

COMMENT:

The Shire of Serpentine Jarrahdale has objected strongly to these changes in particular as they are scheduled to be amalgamated with the City of Armadale. At present, the focus is on the metropolitan area but country local governments are scheduled to be looked at in a few years (See Attachment 12.4.2A).

While amalgamations of local governments are deemed by the state government to be voluntary at present, it is most certain that these "forced" marriages will become the norm if the removal of the "Dadour" provisions from Schedule 2.1 of the *Local Government Act 1995* is implemented.

All local government's recognise that reform is essential to enable sustainability in the industry, however, if the Dadour provisions are removed it will remove any opportunity for rate payers to express their opinions on the matter of amalgamations.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council; has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

None at present but any forced amalgamation will obviously come at a cost

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0412
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Moved: Cr J Dwyer

Seconded: Cr C Bennell

That Council advises the Minister for Local Government and the Shadow Minister for Local Government that it opposes the removal of the "Dadour provisions" from Schedule 2.1 of the *Local Government Act 1995*, the removal of which effectively takes away the right for the community to determine their future regarding amalgamations

12.56pm

CARRIED: 5/1

12. REPORTS OF COMMITTEES AND OFFICERS

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.3 COUNCILLORS INFORMATION BULLETIN 08/13
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	C/9/2
DISCLOSURE OF INTEREST:	None
DATE:	19 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

ATTACHMENTS:

None

SUMMARY:

For Council to receive the Information Bulletin.

BACKGROUND:

The Information Bulletin 08/13 containing general and confidential information was previously circulated to Councillors.

COMMENT:

The intent of the Information Bulletin is to keep Council updated with the latest information relevant to the role of elected members.

Due to some confidential documents contained therein, the Information Bulletin is not for the general public's viewing and should be kept secure at all times.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine local government policies; and

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

The Information Bulletin is designed to keep Councillors updated with information relevant to their roles as elected members.

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0413
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Moved: Cr I Tucker

Seconded: Cr C Bennell

That Council acknowledges receipt of Information Bulletin 08/13 for the period ended 31 August 2013.

12.59pm

CARRIED: 6/0

12. REPORTS OF COMMITTEES AND OFFICERS

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.4	GOLDFIELDS ESPERANCE TOURISM ALLIANCE
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM 281
DISCLOSURE OF INTEREST:	None
DATE:	2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Item 12.4.6 of Ordinary Meeting held Thursday, 29 August 2013

ATTACHMENTS:

None

SUMMARY:

For Council to consider endorsing the draft Goldfields Esperance Tourism Alliance.

BACKGROUND:

The following Item was presented at the Ordinary Meeting of Council on Thursday, 29 August 2013 but was deferred until the September 2013 Meeting in order for Councillors to have more time to think about the matter.

12.4.6	GOLDFIELDS ESPERANCE TOURISM ALLIANCE
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SUBMISSION TO:	<i>Ordinary Meeting of Council, 29 August 2013</i>
LOCATION:	<i>Shire of Menzies</i>
APPLICANT:	<i>Shire of Menzies</i>
FILE REF:	<i>ADM281</i>
DISCLOSURE OF INTEREST:	<i>None</i>
DATE:	<i>6 August 2013</i>
AUTHOR:	<i>Peter Crawford, Chief Executive Officer</i>
SIGNATURE OF AUTHOR:	

**PREVIOUS MEETING
REFERENCE:**

None

ATTACHMENTS:

Attachment 12.4.6A: Draft Goldfields Esperance Tourism Plan

SUMMARY:

For Council to consider endorsing the draft Goldfields Esperance Tourism Alliance.

BACKGROUND:

It is believed that the Goldfields Esperance Tourism Alliance (See Attachment 12.4.6A) was formed back 2011 by the Goldfields Esperance Development Commission. The purpose of the alliance was to promote the Goldfields Esperance region to the wider community and provide feedback to Tourism WA and the Tourism Council.

COMMENT:

The Shire of Menzies is currently aligned with a number of tourism bodies in the region, notable the Golden Quest Discovery Trail, Goldfields Tourism Network, Northern Goldfields Tourism Group and Australia's Golden Outback, all of which the Shire makes an annual contribution to. As well, the Shire contributes to other organisations by way of adverts etc in annual publications. It makes becoming a partner to another organisation somewhat stifling when it is not needed.

The Goldfields Esperance Tourism Alliance (GETA) does not have a local government representative on its board but does however, claim to be in partnership with GVROC, a claim that recently received somewhat dubious support. The alliance is recognised in the GEDC Strategic Development Plan 2011-2021 and is stated to contribute to state government strategies.

Contained within GETA's draft plan are projects involving the Shire of Menzies and the district. It is unclear as to how the projects as noted in the plan were chosen, indeed, two of the projects do not have a nominated body listed as the key agency responsible for driving those particular projects.

As the list of projects itemised in the draft plan have never been presented to Council, it cannot be assumed that these projects are representative of Council's priorities.

As can be seen in Attachment 12.4.5A the status of the following items is such:

- #1 Will be commenced in the 2013/14 year
- #2 Not Council property
- #3 Not Council property
- #4 Works in progress
- #5 Building has been handed back to Brookfield Rail
- #6 No key agency identified
- #7 Works in progress
- #8 No key agency identified
- #9 Not Council property

Council has been proactive in getting involved in projects that are under their control but reluctant to become a partner to outside interests that may require funding from the Shire for third party controlled concern.

It is also possible that in the current environment where funding to the tourism industry has been cut in the state budget, contributions to GETA may well be requested in the future in order for them to survive.

When it is considered that the tourism industry does not contribute measurably to the benefit of businesses in this Shire, it may well be prudent to consider not becoming a partner to the Goldfields Esperance Tourism Alliance.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

None at present

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

For Council to consider the report and provide direction to the Chief Executive Officer

ITEM DEFERRED TO SEPTEMBER MEETING.

COMMENT:

Since the date of that August Meeting, no feedback has been presented to the CEO on this matter. In view of the low priority of the subject, it appears to be of little benefit in pursuing the issue further.

CONSULTATION:

None

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0414
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Moved: Cr I Tucker

Seconded: Cr J Dwyer

That Council advises the Goldfields Esperance Development Commission that they do not wish to become a partner in the Goldfields Esperance Tourism Alliance.

1.00pm

CARRIED: 6/0

12. REPORTS OF COMMITTEES AND OFFICERS

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.5	MAIN STREET DEVELOPMENT
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	R/5/3
DISCLOSURE OF INTEREST:	None
DATE:	18 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Item 12.4.8 of Ordinary Meeting of Council held Thursday, 29 August 2013

ATTACHMENTS:

None

SUMMARY:

For Council to consider the design for the upgrade of the main street median strip

BACKGROUND:

The following Item was presented at the Ordinary Meeting of Council on Thursday, 29 August 2013 but was deferred until the September 2013 Meeting in order for staff to ascertain from Main Roads what their restrictions were regarding the upgrading of the median strip in the main street.

12.4.8	MAIN STREET DEVELOPMENT
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SUBMISSION TO:	<i>Ordinary Meeting of Council, 29 August 2013</i>
LOCATION:	<i>Shire of Menzies</i>
APPLICANT:	<i>Shire of Menzies</i>
FILE REF:	<i>R/5/3</i>
DISCLOSURE OF INTEREST:	<i>None</i>
DATE:	<i>22 August 2013</i>
AUTHOR:	<i>Peter Crawford, Chief Executive Officer</i>

SIGNATURE OF AUTHOR:

**PREVIOUS MEETING
REFERENCE:**

None

ATTACHMENTS:

Attachment 12.4.8A: Drawings of proposed main street median strip upgrade

SUMMARY:

For Council to consider the design for the upgrade of the main street median strip

BACKGROUND:

The partial upgrade of the main street has been completed with the footpaths paved and line marking installed. A number of small tasks remain outstanding but will be carried out when the median strip is constructed.

COMMENT:

Attached as Attachment 12.4.8A is a number of differing designs of how the median strip could look when finished. As the main street is under the care and control of Main Roads WA, they need to be consulted as to what they will or will not approve.

It is a MRWA condition that any upgrading works to the median strip entail the removal of trees as the trees do not fit the safety criteria. The GUIDE TO ROAD DESIGN published by Austroads 2009 sets the national standards which all state and federal road authorities adhere to and gives examples of planting clearances to road pavements. Their recommendation is that even small trees are not planted unless the tree has a minimum distance from pavements of 3 metres. The Menzies median strip would have to be some 7 metres wide before the existing trees could remain.

Trees such as are currently in the median strip are too big and would never get approval to be planted under any circumstances. Another factor is the safety issue and it is accepted that any structure in the median strip is of a frangible nature in the event of a vehicle coming into contact with such an object.

As none of the current designs will be acceptable to MRWA, new design will have to be drafted and submitted for endorsement, a process that may take some considerable time before approval is issued to commence work.

It is requested that Council provides some direction to the Chief Executive Officer in the design of the median strip so as to enable the necessary technical drawings and specifications to be prepared.

CONSULTATION:

Various staff – Main Roads WA

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

Provision for this project has been made in the current Budget

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

That Council views the various median strip plans and selects a suitable design for the Main Street in Menzies.

ITEM DEFERRED TO SEPTEMBER MEETING

COMMENT:

The Manager Works and Services met with MRWA management and discussed the main street upgrading concepts with them. Their advice was that for the design to be approved, it would need to include the following criteria:

- They would see the removal of trees as a pre requisite to any upgrading of the median strip
- Any median strip structure to be of a frangible nature
- A minimum of 5 metres distance between the existing parking lines and any kerbing in the median strip
- Any vegetation in the median strip to have either very low water usage or be housed in a sealed container
- Lighting levels on ground to be adequate

It has been mooted for some time that the trees will have to go as they are a safety hazard. The only possible way they can be retained is for the median strip to be left as it is with no improvements.

The 5 metre distance would not be an issue as there is adequate room already.

With regards the low water usage plants, this can be overcome by the use of small in ground tanks which would capture the water and prevent it being leaked out into the surrounding road base. Alternatively, the use of native shrubs and bushes could be reasonably successful.

The lighting levels may be an issue and further information on this matter will be reported at the meeting.

A design incorporating all these points will be commissioned by Bret Howson, Bret is ex MRWA and will know all the criteria to have the project approved which will eliminate a continuous flow of queries coming back from MRWA. The design will be presented at the October 2013 Meeting of Council.

CONSULTATION:

Ms Kellie Keable – Operations manager, MRWA

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no Policies in relation to this matter

FINANCIAL IMPLICATIONS:

Funding for this project has been provided for in the current budget

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0415
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Moved: Cr I Tucker

Seconded: Cr J Dwyer

That Council notes the action taken in this matter

1.10pm

CARRIED: 6/0

12. REPORTS OF COMMITTEES AND OFFICERS

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.6	POLICY MANUAL – ANNUAL REVIEW
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM 355
DISCLOSURE OF INTEREST:	None
DATE:	19 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Item 11.4.5 of Ordinary Meeting held Thursday 29 November 2012

ATTACHMENTS:

Appendix 12.4.6A: Draft Policy Manual Review

SUMMARY:

For Council to consider the review of the Policy Manual

BACKGROUND:

The Policy Manual contains a provision that the CEO is to carry out an administrative review of the Manual each year when the Delegations Register is reviewed, and for Council to fully review every 2 years.

The current Policy Manual had a major review in November 2012 and is now due for just a general review (See Appendix 12.4.6A).

COMMENT:

In reviewing the policies, the approach was taken that the Policy had to be relevant by controlling a matter for the future, in either its operation or prevention. The Policy also had to be current, achievable and useful.

Unlike delegations, policy is not governed or defined by legislation. The introduction carefully defines the difference between a delegation and a policy, as well as closely defining several other terms –

“Authority” means the permission or requirement for a Committee or an officer to act in accordance with:

- the Local Government Act or other legislation or regulation,

- a delegation made by Council,
- a policy made by Council, or
- a specific decision by Council.

“Delegation” means the authority for a Committee or the CEO to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected members, rather than an organisational responsibility.

“Policy”, as the context requires, means either:

- a procedural direction to officers to implement Council’s wishes or instructions in a particular way; or
- the authority for officers to act, where that authority is not considered to be a delegation, but more procedural in nature.

“Instruction” means the requirement for a staff member to act in accordance with a direction given by a senior officer of the Shire.

“Council” means the elected members of the local government, as a body

“Shire” means, as the context requires –

- the corporate entity of the local government, or
- the physical area of the local government

Department of Local Government guidelines on Delegations refer to “acting through”. Effectively, Policy is the instructions of Council acting through staff – how they are to implement specific authorities and actions.

Accordingly, the Policy Manual is a critical document, and is essential that it be current and clear. Together with the Delegations Register, they are the day-to-day instruction manuals primarily to the CEO, but also to other staff exercising delegated authority, and to staff carrying out normal operational tasks to complete their functions in a particular way. These are Council’s instruction and non-compliance with them is non-compliance with a Council instruction.

Policies which have had minor changes are:

- 5.7 Superannuation
A change that has been made to the Policy to encourage employees to contribute to their own super is to require that they contribute a minimum of 5% to enable them to take advantage of the Shire’s extra contribution of 7.75%
- 5.9 Leave Accruals – Annual and Long Service
The accrual of annual leave in Clause 2 is has been reduced from two years to one to ensure that the employee does not accumulate too much leave which would then seriously inconvenience the Shire if all leave was to be taken at once.

Unless required by the Local Government Act in relation to a specific matter, policies can be made, amended or revoked at any time, by simple majority of Council and do not need to be advertised. As noted above however, care does need to be taken. In this respect they are quite different to Planning Policy, which has a legislative framework, and must be advertised.

Please note that the Statement is the actual Policy adopted by Council, and other information is guidance, background and explanation of the Policy Statement.

CONSULTATION:

Mr Niel Mitchel – Consultant
Shire Management Staff

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no specific Policy in relation to this matter, however, reference is made to the practice of an administrative review each year and a full review by Council every second year.

FINANCIAL IMPLICATIONS:

Various policies provide financial benefit to elected members and to employees

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

That Council Resolves that the Reviewed Policy Manual of September 2013, be adopted in its entirety, and all previous policies be revoked,

COUNCIL DECISION:

NO: 0416

Moved: Cr C Bennell

Seconded: Cr J Dwyer

That Council accepts the report of the CEO on the administrative review of the Policy Manual noting that no further amendments are required at this time.

1.24pm

CARRIED: 6/0

Reason for the change was that the revised recommendation was a late presentation to show that the review was an administration review and not a Council review

12. REPORTS OF COMMITTEES AND OFFICERS

12.4 MANAGEMENT AND POLICY BUSINESS

12.4.7	REVIEW OF DELEGATION REGISTER
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM 046
DISCLOSURE OF INTEREST:	None
DATE:	20 September 2013
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	Item 11.4.1 of Ordinary Meeting held Thursday, 25 October 2012

ATTACHMENTS:

Appendix 12.4.7A: Delegation Register

SUMMARY:

For Council to consider approving and adopting the Delegation Register

BACKGROUND:

In exercising their responsibilities under the Local Government Act 1995, a local government has many tasks that have legislative actions and compliance requirements. A number of these responsibilities can be delegated to other bodies within the Act.

In accordance with Sections 5.18 and 5.46(1) of the Local Government Act 1995, these delegations must be reviewed once per year.

COMMENT:

A Council can delegate certain powers of authority to committees and other bodies but most significantly, to the Chief Executive Officer to enable the CEO to carry out the day to day operations of the local government. Many delegations are often then sub delegated from the CEO to other authorised staff members.

A register of those delegations must be kept and reviewed at least once annually by the local government (See Appendix 12.4.7A)

The Delegation Register has been comprehensively reviewed and no updates are recommended.

CONSULTATION:

Senior Shire Management Staff

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.
- Section 5.18 – Requires the local government to keep a register of delegations made to committees and to review that register at least once annually
- Section 5.46 – The CEO is to keep a register of delegations made to the CEO and other authorised staff and to review that register at least once annually.

POLICY IMPLICATIONS:

Council has no policies in relation to this matter as this responsibility is a legislative requirement.

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Will support the senior management of the Shire in operating efficiently.

VOTING REQUIREMENTS:

Absolute Majority Decision required

COUNCIL DECISION/OFFICER'S RECOMMENDATION:	NO: 0417
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Moved: Cr J Dwyer

Seconded: Cr C Bennell

That Council resolves to adopt the list of Delegations as detailed below:

1. **DELEGATIONS FROM COUNCIL TO COMMITTEES**
 - 1.1 Local Government Act Committees
 - 1.2 Local Emergency Management Committee
2. **DELEGATIONS FROM COUNCIL TO CHIEF EXECUTIVE OFFICER**
 - 2.1 Use of Common Seal
 - 2.2 Acquisition of Assets and Goods/Services – Tenders for Supply
 - 2.3 Disposal of Assets
 - 2.4 Creditors – Payment of accounts
 - 2.5 Investment of surplus funds
Delegation Schedule 2.5 – Investments
 - 2.6 Debtors - Write-off of minor amounts

- 2.7 Fire fighting – Emergency plant hire**
- 2.8 Control of Building Matters**
 - Delegation Schedule 2.8 – Issue of Building Licences*
- 2.9 Mining tenements, exploration licences etc**
- 3. DELEGATIONS FROM COUNCIL TO OTHER OFFICERS**
 - 3.1 Alteration to Restricted and Prohibited Burning Periods**
 - 3.2 Control of Environmental Health Matters**
 - Delegation Schedule 3.2 – Septic Tank Licences*
 - 3.3 Control of Food Matters**
- 4. DELEGATIONS FROM CEO TO OTHER OFFICERS**
 - 4.1 Employment and Management of Staff**
- 5. OTHER STATUTORY MATTERS NOT BEING DELEGATIONS**
 - 5.1 Media Releases**

1.30pm

ABSOLUTE MAJORITY

1.30 pm **The Presiding Member requested that the Deputy Shire President, Cr Peter Twigg assume the chair as the President was suffering a temporary illness.**

1.30pm **Meeting adjourned for lunch**

2.27pm: The Shire President resumed the meeting with all previous Members at Tjuntjuntjarra being present but without Cr Purchase and the CEO's Executive Assistant in Menzies being present due to communication issues.

Also present were Ms Wendy Duncan and Mr Lyn Webb

2.30pm: Cr K Purchase left the meeting due to no communications with Menzies

2.30 pm Ms Duncan and Mr Webb left the Meeting

12. REPORTS OF COMMITTEES AND OFFICERS

12.4 MANAGEMENT AND POLICY BUSINESS

The Chief Executive Officer declared a financial interest in this Item to the extent that he may be the recipient of a salary increase.

12.4.8	CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW
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SUBMISSION TO:	Ordinary Meeting of Council, 26 September 2013
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	Personnel Files
DISCLOSURE OF INTEREST:	None
DATE:	26 September 2013
AUTHOR:	Gregory Dwyer, President
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	27 June 2013 Item 12.4.1

ATTACHMENTS:

Attachment 12.4.8A: Extract from CEO's Contract of Employment, Section "Performance Reviews".

SUMMARY:

For Council to consider the results of the CEO Appraisal conducted between Councillors and the President.

BACKGROUND:

The Local Government Act requires that the performance of the CEO (and all other employees) is reviewed at least annually during the term of their employment. The Performance Review of the CEO became due on the 25 June 2013.

The President either distributed review forms or conducted reviews over the phone as individual sessions with the five Councillors.

Individual scores were transferred to final score sheet with each questions score averaged out to have a final value set for each of the 15 questions with a score of **2.79** based on the following criteria:

- 1: Excellent
- 2: Very Good
- 3: Satisfactory
- 4: Needs Improvement
- 5: Poor

Council met via in person and teleconference on the 18 September 2013 to consider the final score sheet and discuss those scores. Following the meeting the President met with the CEO to discuss the outcome of the Review.

COMMENT:

At the Ordinary Meeting of Council, Thursday 27 June 2013, Item 12.4.1 Council approved to conduct the CEO Review in house with all Councillors to be involved.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

May result in an increase to the CEO's salary

STRATEGIC IMPLICATIONS:

Annual review of an employee's performance is a valuable tool in assessing performance and setting goals consistent with the strategic goals of Council.

VOTING REQUIREMENTS:

Simple Majority Decision required

COUNCIL DECISION:

NO: 0418

Moved Cr J Dwyer

Seconded Cr I Tucker

That Council move behind closed doors to discuss the CEO's performance Review

CARRIED 5/0

2.31 pm *The CEO, DCEO and MWS left the Meeting*

COUNCIL DECISION:

NO: 0419

Moved Cr C Bennell

Seconded Cr I Tucker

That Council come out from behind closed doors

CARRIED 5/0

No Resolutions were made behind closed doors.

OFFICER RECOMMENDATION:

- 1. Council endorses the review process and receives the final Score Sheet for the CEO's Review for the year ended 25 June 2013.**
- 2. Council and the CEO discuss and set Key Performance Indicators for the period 25 June 2013 to 25 July 2014.**
- 3. Council moves behind Closed Doors to discuss the CEO's Review and on completion advise the outcomes to the CEO**

COUNCIL DECISION:

NO: 0420

Moved: Cr I Tucker

Seconded: Cr C Bennell

- 1. Council endorses the review process and receives the final Score Sheet for the CEO's Review for the year ended 25 June 2013.**
- 2. The Shire President and the CEO discuss and set Key Performance Indicators for the period 25 June 2013 to 25 July 2014.**
- 3. Council moves behind Closed Doors to discuss the CEO's Review and on completion advise the outcomes to the CEO**

Time: 2.46 pm

CARRIED: 4/0

Reason for the change: The performance review findings were good, KPI's to be set by the CEO and President. Also, discussions with Councillors re KPI's. Due to problems with the teleconference and two Councillors not able to attend for this Item, other Councillors were reluctant to discuss remuneration without the full

Council being present. President will ring individual Councillors for their comments and advise the CEO of the Council decision

2.48 pm CEO returned to the Meeting

2.50 pm DCEO, MWS, Ms Duncan and Mr Webb returned to the Meeting

- 13. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil

- 14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

This Item, MENZIES NURSING POST was deferred until the October Meeting

- 15. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS**
Nil

- 16. NEXT MEETING**

The next Ordinary Meeting of Council will be held on Thursday 24 October 2013 at Shire of Menzies Council Chambers commencing at 10.00am.

COUNCIL DECISION:

NO: 0422

Moved: Cr J Dwyer

Seconded: Cr I Tucker

That Crs Peter Twigg and Chris Bennell be granted approval to attend the October meeting by teleconference.

3.07pm

CARRIED: 5/0

Cr P Twigg left the meeting at 3.25pm

- 17. CLOSURE OF MEETING**

There being no further business, the Presiding Member closed the meeting at 3.36 pm

- 18. CERTIFICATION BY CHAIRMAN**

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 26 September 2013 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held on 31 October 2013.

Signed _____

Dated: _____ 2013