

SHIRE OF KELLERBERRIN

MINUTES

Minutes of the Ordinary Council Meeting held at the Shire of Kellerberrin Council Chamber, 110 Massingham Street Kellerberrin on Tuesday 16th August 2016, commencing at 2:10 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISTORS:

2.10 pm – President, Cr. Forsyth declared the meeting open.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE:

Present:

Cr. Forsyth	President/Presiding Person
Cr. O'Neill	Deputy President
Cr. Leake	Member
Cr. White	Member
Cr. Reid	Member
Cr. Steber	Member
Cr. McNeil	Member
Mr Raymond Griffiths	Chief Executive Officer
Mrs Karen Oborn	Deputy Chief Executive Officer - Minutes
Mr Garry Tucker	Manager Development Services
Mr Mick Jones	Manager Works and Services
Mrs Natasha Giles	Community Development Officer (exited 2.35pm)

Apologies: Nil

Leave of Absence: Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTION TAKEN ON NOTICE: Nil

4. PUBLIC QUESTION TIME: Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE: Nil

6. DECLARATION OF INTEREST:

In accordance with Section 5.65 of the *Local Government Act 1995* the following disclosures of **Financial** interest were made at the Council meeting held on **16th August 2016**.

Date	Name	Item No.	Reason
16.08.16	Mr Garry Tucker	13.1	Prospective Purchaser of Fleet Vehicle

In accordance with Section 5.65 of the *Local Government Act 1995* the following disclosures of **Closely Association Person and Impartiality** interest were made at the Council meeting held on **16th August 2016**.

Date	Name	Item No.	Reason
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In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of **Proximity** interest were made at the Council meeting held on **16th August 2016**.

Date	Name	Item No.	Reason
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7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Shire of Kellerberrin Ordinary Council Meeting Minutes, 27th July 2016

COUNCIL RECOMMENDATION

MIN 138/16 MOTION: Moved Cr. Leake 2nd Cr. White

That the minutes of the Shire of Kellerberrin Ordinary Council Meeting held on Wednesday 27th July 2016, be confirmed as a true and accurate record

CARRIED 7/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION: Nil

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS: Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Reports of Committees/Councillors

MIN 139/16 MOTION: Moved Cr. Steber 2nd Cr. O'Neill

That the President's reports for August 2016 be received

CARRIED 7/0

11.1 CORPORATE SERVICE – AGENDA ITEM

Agenda Reference:	11.1.1
Subject:	Community Requests and Discussion Items
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin - Council
File Ref:	Various
Disclosure of Interest:	N/A
Date:	8 th August 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council during the Performance Appraisal process for the Chief Executive Officer requested time during the meeting to bring forward ideas, thoughts and points raised by the community.

July 2016 Council Meeting

MIN 109/16 MOTION - Moved Cr. Reid 2nd Cr. Leake

That Council;

- 1. Requests that Peak Transport demonstrate their need for the requirement for the use of Hammond Street for network 3 between Scott Street and Mitchell Street;***
- 2. Review the RAV access for Scaddan Street for the purposes of DKT;***
- 3. Review the RAV access to Humpleby Road for the purposes of Moylan's Toll and Premium Grains; and***
- 4. Investigates its legal responsibilities and liabilities with regards to road side camping/parking that occurs during the B&S event.***

CARRIED 7/0

June 2016 Council Meeting

MIN 95/16 MOTION - Moved Cr. Steber 2nd Cr. White

That Council note that;

- 1. Glen Luce Road will be attended to when drier,***
- 2. There has been positive feedback on Shire intention to improve tidiness of town sites.***

CARRIED 7/0

May 2016 Council Meeting

MIN 70/16 MOTION - Moved Cr. Steber 2nd Cr. Reid

That Council:

- 1. issue a household letter requesting that town yards are kept tidy and car bodies in particular be removed to improve the aesthetics of the town.***
- 2. Officers and Councillors undertake a review of both town sites to compile a list of properties requiring further attention should the owners not adhere to the above request.***

CARRIED 7/0

COMMENT

May 2016 – MIN 70/16

- 1 – Householders letter issues on the 20th May 2016
- 2 – Some Councillors have completed

June 2016 – MIN 95/16

- 1 –. Work has started but has been delayed with bad weather.

July 2016 – MIN 109/16

Letter issued to Peak transport requesting more information.
Currently in discussion with LGIS regarding B&S Event.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Financial Implications will be applicable depending on requests and decision of Council.

POLICY IMPLICATIONS

Policy Implications will depend on items brought forward by Council. During discussions the Policy Manual will be referred to prior to decision being finalised.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

Section 2.7. The role of the council

- (1) The council —
 - (a) directs and controls the local government’s affairs; and
 - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government’s finances and resources; and
 - (b) determine the local government’s policies.

Section 2.8. The role of the mayor or president

- (1) The mayor or president —
 - (a) presides at meetings in accordance with this Act;
 - (b) provides leadership and guidance to the community in the district;
 - (c) carries out civic and ceremonial duties on behalf of the local government;
 - (d) speaks on behalf of the local government;
 - (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
 - (f) liaises with the CEO on the local government’s affairs and the performance of its functions.
- (2) Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.

Section 2.9. The role of the deputy mayor or deputy president

The deputy mayor or deputy president performs the functions of the mayor or president when authorised to do so under section 5.34.

Section 2.10. The role of councillors

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district;
- (b) provides leadership and guidance to the community in the district;
- (c) facilitates communication between the community and the council;
- (d) participates in the local government's decision-making processes at council and committee meetings; and
- (e) performs such other functions as are given to a councillor by this Act or any other written law.

5.60. When person has an interest

For the purposes of this Subdivision, a relevant person has an interest in a matter if either —

- (a) the relevant person; or
- (b) a person with whom the relevant person is closely associated,

has —

- (c) a direct or indirect financial interest in the matter; or
- (d) a proximity interest in the matter.

[Section 5.60 inserted by No. 64 of 1998 s. 30.]

5.60A. Financial interest

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

5.60B. Proximity interest

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —
 - (a) a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b) a proposed change to the zoning or use of land that adjoins the person's land; or
 - (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
- (2) In this section, land (**the proposal land**) adjoins a person's land if —
 - (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No. 64 of 1998 s. 30.]

5.61. Indirect financial interests

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

5.62. Closely associated persons

- (1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —
- (a) the person is in partnership with the relevant person; or
 - (b) the person is an employer of the relevant person; or
 - (c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or
 - (ca) the person belongs to a class of persons that is prescribed; or
 - (d) the person is a body corporate —
 - (i) of which the relevant person is a director, secretary or executive officer; or
 - (ii) in which the relevant person holds shares having a total value exceeding —
 - (I) the prescribed amount; or
 - (II) the prescribed percentage of the total value of the issued share capital of the company,whichever is less;
- or
- (e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or
 - (ea) the relevant person is a council member and the person —
 - (i) gave a notifiable gift to the relevant person in relation to the election at which the relevant person was last elected; or
 - (ii) has given a notifiable gift to the relevant person since the relevant person was last elected;
- or
- (eb) the relevant person is a council member and since the relevant person was last elected the person —
 - (i) gave to the relevant person a gift that section 5.82 requires the relevant person to disclose; or
 - (ii) made a contribution to travel undertaken by the relevant person that section 5.83 requires the relevant person to disclose;
- or
- (f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

- (2) In subsection (1) —

notifiable gift means a gift about which the relevant person was or is required by regulations under section 4.59(a) to provide information in relation to an election;

value, in relation to shares, means the value of the shares calculated in the prescribed manner or using the prescribed method.

[Section 5.62 amended by No. 64 of 1998 s. 31; No. 28 of 2003 s. 110; No. 49 of 2004 s. 51; No. 17 of 2009 s. 26.]

5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —
- (a) an interest common to a significant number of electors or ratepayers;
 - (b) an interest in the imposition of any rate, charge or fee by the local government;
 - (c) an interest relating to a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers;
 - (d) an interest relating to the pay, terms or conditions of an employee unless —
 - (i) the relevant person is the employee; or
 - (ii) either the relevant person's spouse, de facto partner or child is the employee if the spouse, de facto partner or child is living with the relevant person;
 - [(e) deleted]*
 - (f) an interest arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects;
 - (g) an interest arising only because the relevant person is, or intends to become, a member, office bearer, officer or employee of a department of the Public Service of the State or Commonwealth or a body established under this Act or any other written law; or
 - (h) a prescribed interest.

- (2) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
- (a) any proposed change to a planning scheme for any area in the district;
 - (b) any proposed change to the zoning or use of land in the district; or
 - (c) the proposed development of land in the district,

then, subject to subsection (3) and (4), the person is not to be treated as having an interest in a matter for the purposes of sections 5.65, 5.70 and 5.71.

- (3) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
- (a) any proposed change to a planning scheme for that land or any land adjacent to that land;
 - (b) any proposed change to the zoning or use of that land or any land adjacent to that land; or
 - (c) the proposed development of that land or any land adjacent to that land,

then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

- (4) If a relevant person has a financial interest because any land in which the person has any interest other than an interest relating to the valuation of that land or any land adjacent to that land may be affected by —
- (a) any proposed change to a planning scheme for any area in the district;
 - (b) any proposed change to the zoning or use of land in the district; or
 - (c) the proposed development of land in the district,

then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

- (5) A reference in subsection (2), (3) or (4) to the development of land is a reference to the development, maintenance or management of the land or of services or facilities on the land.

[Section 5.63 amended by No. 1 of 1998 s. 15; No. 64 of 1998 s. 32; No. 28 of 2003 s. 111; No. 49 of 2004 s. 52; No. 17 of 2009 s. 27.]

[5.64. Deleted by No. 28 of 2003 s. 112.]

5.65. Members' interests in matters to be discussed at meetings to be disclosed

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- Penalty: \$10 000 or imprisonment for 2 years.
- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know —
- (a) that he or she had an interest in the matter; or
 - (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.66. Meeting to be informed of disclosures

If a member has disclosed an interest in a written notice given to the CEO before a meeting then —

- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

[Section 5.66 amended by No. 1 of 1998 s. 16; No. 64 of 1998 s. 33.]

5.67. Disclosing members not to participate in meetings

A member who makes a disclosure under section 5.65 must not —

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under section 5.68 or 5.69.

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

5.68. Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter —
- (a) may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if —
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest —

- (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
 - (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question of whether an application should be made to the Minister under section 5.69.

5.69. Minister may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the council or the CEO may apply to the Minister to allow the disclosing member to participate in the part of the meeting, and any subsequent meeting, relating to the matter.
- (2) An application made under subsection (1) is to include —
 - (a) details of the nature of the interest disclosed and the extent of the interest; and
 - (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may allow, on any condition determined by the Minister, the disclosing member to preside at the meeting, and at any subsequent meeting, (if otherwise qualified to preside) or to participate in discussions or the decision making procedures relating to the matter if —
 - (a) there would not otherwise be a sufficient number of members to deal with the matter; or
 - (b) the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.
Penalty: \$10 000 or imprisonment for 2 years.

[Section 5.69 amended by No. 49 of 2004 s. 53.]

5.69A. Minister may exempt committee members from disclosure requirements

- (1) A council or a CEO may apply to the Minister to exempt the members of a committee from some or all of the provisions of this Subdivision relating to the disclosure of interests by committee members.
- (2) An application under subsection (1) is to include —
 - (a) the name of the committee, details of the function of the committee and the reasons why the exemption is sought; and
 - (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may grant the exemption, on any conditions determined by the Minister, if the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.
Penalty: \$10 000 or imprisonment for 2 years.

[Section 5.69A inserted by No. 64 of 1998 s. 34(1).]

5.70. Employees to disclose interests relating to advice or reports

- (1) In this section —
employee includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest.
Penalty: \$10 000 or imprisonment for 2 years.

5.71. Employees to disclose interests relating to delegated functions

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

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

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

STRATEGIC PLAN IMPLICATIONS:

The Strategic Plan will be the driver and provide Guidance for Council in their decision making process for the community requests.

**CORPORATE BUSINESS PLAN IMPLICATIONS
(Including Workforce Plan and Asset Management Plan Implications)**

LONG TERM PLAN IMPLICATIONS: Nil (not applicable at this date and therefore unknown)

COMMUNITY CONSULTATION:

Council
Community Members.

STAFF RECOMMENDATION

That Council note that no requests or ideas to be actioned.

COUNCIL RECOMMENDATION

MIN 140/16 MOTION - Moved Cr. Reid 2nd Cr. Steber

That Council, on the finalisation of titles for the Skackleton Road re-alignment ensure that all road signs in relation to the realignment, be checked for accuracy and signs are correct.

CARRIED 7/0

2.35pm - Mrs Natasha Giles exited Council Chambers

Agenda Reference:	11.1.2
Subject:	Authorised & Registration Officers
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ENG 01
Disclosure of Interest:	N/A
Date:	9 th August 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

To authorise employees to act of behalf of Council as an Authorised and/or Registration Officer of Council.

COMMENT

Council annually reviews the Authorised and Registration Officers for Council to act on behalf of Council under the provision of the provided Legislation.

FINANCIAL IMPLICATIONS

- Cost of advertising within the Government Gazette

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS –

The following legislation is referred to for Council's Authorised and Registration Officers;

- Caravan Park and Camping Ground Act 1995
- Shire of Kellerberrin Cemetery Local Law 2003
- Local Government Property Local Law 2006
- Local Government Act 1995
- Litter Act 1979
- Control of Vehicles (Off-Road Areas) Act 1978
- Bush Fires Act 1954
- Cat Act 2011
- Dog Act 1976
- Local Government (Miscellaneous Provisions) Act 1960
- Food Act 2008
- Building Act 2011

STRATEGIC PLAN IMPLICATIONS – Nil

STRATEGIC PLAN IMPLICATIONS:

Shire of Kellerberrin Strategic Plan

CORPORATE BUSINESS PLAN IMPLICATIONS (Including Workforce Plan and Asset Management Plan Implications)

LONG TERM PLAN IMPLICATIONS: Nil (not applicable at this date and therefore unknown)

COMMUNITY CONSULTATION –

Chief Executive Officer
Personal Assistant

ABSOLUTE MAJORITY REQUIRED - YES

STAFF RECOMMENDATION

That Council

- 1. adopts the Authorised Officers Schedule as presented
- 2. adopts the Registration Officers Schedule as presented

BY ABSOLUTE MAJORITY

COUNCIL RECOMMENDATION

MIN 141/16 MOTION - Moved Cr. Reid 2nd Cr. Steber

That Council

- 1. adopts the Authorised Officers Schedule as presented*
- 2. adopts the Registration Officers Schedule as presented*

*CARRIED 7/0
BY ABSOLUTE MAJORITY*

Agenda Reference:	11.1.3
Subject:	Kellerberrin Speedway Club – DSR Small Grant Application
Location:	Shire of Kellerberrin
Applicant:	Kellerberrin Speedway Club
File Ref:	FIN-21, SPREC32
Disclosure of Interest:	N/A
Date:	8th August, 2016
Author:	Mrs Natasha Giles – Community Development Officer

BACKGROUND

The Kellerberrin Speedway Club applied for funding through the Wheatbelt Development Commissions “Royalties for Regions – Wheatbelt Regional Grants Scheme” in March 2016.

They applied for \$184,744 in funding to go towards the planned redevelopment of the track and facilities.

Their application was unsuccessful but they were encouraged to apply again when the next round opens as the Wheatbelt Development Commission can see merit in their application and the future benefit and impact to the region through holding and securing larger events.

Since lodging their application with the Wheatbelt Development Commission the Kellerberrin Speedway Club has carried out a number of upgrades to the facilities and track thus reducing the scope and cost of the project.

COMMENT

The Kellerberrin Speedway Club is in the process of submitting an application for Department of Sport and Recreation (DSR) funding through the Community Sporting and Recreation Facilities Fund (CSRFF) program to the Shire of Kellerberrin for endorsing. They are applying for funding to assist with the staged redevelopment of the track and facilities at the speedway.

The Kellerberrin Speedway is looking to upgrade the track and associated club facilities to a higher standard for drivers, spectators and crew members, to ensure safety during the event and spectator satisfaction.

The funds the club is applying for will provide the opportunity to upgrade the track, fix the current kitchen, servery, bar and entertainment area whilst also upgrading the ablution facilities for spectators and new ablution facilities for drivers and crew staff. Additionally fencing upgrades will occur to ensure the facility meets new Occupational Health and Safety guidelines.

In upgrading the facilities it secures the services of the Perth TQ Car Club and gives the ability to attract all forms of speedway racing and gives the ability to attract all forms of speedway racing and continue to develop junior speedway. It also provides the opportunity for further attraction of additional state events.

It was decided by the Kellerberrin Speedway Club to increase chances of securing funding it was in their best interest to stage the redevelopment of the facility. They will also be reapplying for funding through the Wheatbelt Development Commissions “Royalties for Regions” funding but this time through the Community Chest Scheme (Smaller Grant Scheme) for \$50,000.

Department of Sport and Recreation have CSRFF Small Grants open now and due at the end of August. These grants can fund projects up to \$200,000 with a maximum grant amount payable of \$66,666. The Speedway Club are seeking funds to the value of approximately \$60,000 for the planned upgrades.

The Kellerberrin Speedway Club is seeking Council support with their application to Department of Sport and Recreation (DSR) funding through the Community Sporting and Recreation Facilities Fund (CSRFF) for their staged redevelopment of the track and facilities.

FINANCIAL IMPLICATIONS

Shire of Kellerberrin

- In Kind/Cash to value of approximately \$20,000

Wheatbelt Development Commission – Community Chest Fund

- \$50,000

Kellerberrin Speedway Club

- \$30,000

Perth TQ Car Club

- \$20,000

Department of Sport and Recreation – CSRFF program

- \$60,000

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

STRATEGIC PLAN IMPLICATIONS - Nil

FUTURE PLAN IMPLICATIONS - Nil

COMMUNITY CONSULTATION

Chief Executive Officer

Department Sport and Recreation (Jennifer Collins)

Community Development Officer

Kellerberrin Speedway Club

Wheatbelt Development Commission (Ben Robins)

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

1. *Council endorse the CSRFF Small Grant Application for the Kellerberrin Speedway Club – Track & Facilities Upgrade Project*
2. *That Council authorizes the lodgement of Kellerberrin Speedway Club CSRFF Application with the Department of Sport and Recreation by the 31st August 2016.*
3. *That should the funding be declined the project be reviewed by Council.*
4. *That Council will assist and review any future funding applications made by the Kellerberrin Speedway Club especially any applications made with the Wheatbelt Development Commission.*

COUNCIL RECOMMENDATION

MIN 142/16 MOTION - Moved Cr. McNeil 2nd Cr. Leake

1. ***Council endorse the CSRFF Small Grant Application for the Kellerberrin Speedway Club – Track & Facilities Upgrade Project***
2. ***That Council authorizes the lodgement of Kellerberrin Speedway Club CSRFF Application with the Department of Sport and Recreation by the 31st August 2016.***
3. ***That should the funding be declined the project be reviewed by Council.***
4. ***That Council will assist and review any future funding applications made by the Kellerberrin Speedway Club especially any applications made with the Wheatbelt Development Commission.***

CARRIED 7/0

Agenda Reference:	11.1.4
Subject:	Kellerberrin Hockey Club – DSR Small Grant Application
Location:	Shire of Kellerberrin
Applicant:	Kellerberrin Men’s Hockey Club & Kellerberrin Ladies Hockey Club
File Ref:	FIN-21, SPREC26
Disclosure of Interest:	N/A
Date:	8 th August, 2016
Author:	Mrs Natasha Giles – Community Development Officer

BACKGROUND

Shire of Kellerberrin Ordinary Council Meeting Minutes – 18th August 2015

MIN 146/15 MOTION - Moved Cr. O’Neill 2nd Cr. Steber

1. **Council endorse the CSRFF Small Grant Application for the Kellerberrin Hockey Club – Lights Project**
2. **That Council authorizes the lodgement of Kellerberrin Hockey Club CSRFF Application with the Department of Sport and Recreation by the 31st August 2015.**
3. **That should the funding be declined the project be reviewed by Council.**

CARRIED 6/0

The application made to Department of Sport and Recreation (DSR) funding through the Community Sporting and Recreation Facilities Fund (CSRFF) program in August 2015 was unsuccessful.

Since submitting last year’s application for funding through DSR the hockey club has held a number of successful fundraising events and the Woman’s Hockey Club successfully secured \$8,500 in funding through CBH Grass Roots Project scheme.

Council has been provided information through the local Sport and Rec Committee that the Kellerberrin Hockey Club has been successful in their funding application to the value of \$1,000 towards the lighting project.

Shire of Kellerberrin outgoing correspondence – 18th March 2015

Council has been provided information through the local Sport and Rec Committee that the Kellerberrin Hockey Club has been successful in their funding application to the value of \$1,500 towards the lighting project.

Council is also aware that the Community Budget Submissions applications are not available until the end of March 2015.

Therefore Council has elected to undertake the following process;

1. *Have a Lighting Consultant attend the site to assess the opportunity of upgrading lights on the current towers to see if this would provide the appropriate lux levels for Hockey considering the globe improvements that are currently available*
2. *Should the consultant advise that this option isn't viable then Council will have the two centre poles installed with the lighting specifications as provided by the consultant.*

Taking all of the above into consideration Council has sincere debate regarding the project and the possible funding to complete the project.

Council has decided to allocated a maximum of \$10,000 towards the project, therefore should the project costs be above Council's and the Hockey Clubs funds Council will provide the Hockey Club with a self-supporting loan to fund the balance.

Council wishes to ensure the Kellerberrin Hockey Club that this decision hasn't been made lightly and that Council is disappointed that the Hockey Club hasn't made further in roads regarding grant applications and fundraising as stated in previous letters. The indication to Council is the club has raised \$4,000 in three years towards this project.

Council has made this decision to ensure that the lights are erected and operational for the finals series as requested and future benefit to the Hockey Club.

COMMENT

The application made to Department of Sport and Recreation (DSR) funding through the Community Sporting and Recreation Facilities Fund (CSRFF) program in August 2015 was unsuccessful.

Since submitting last year's application for funding through DSR the hockey club has held a number of successful fundraising events and the Woman's Hockey Club successfully secured \$8,500 in funding through CBH Grass Roots Project scheme.

Council has been provided information through the local Sport and Rec Committee that the Kellerberrin Hockey Club has been successful in their funding application to the value of \$1,000 towards the lighting project.

Department of Sport and Recreation have CSRFF Small Grants open now and due at the end of August. These grants can fund projects up to \$200,000 with a maximum grant amount payable of \$66,666. The Hockey Club are seeking funds to the value of approximately \$10,000 to \$12,000 for their lighting project.

Codi Mullen – Secretary of the Kellerberrin Ladies Hockey Club has spoken to Jen Collins from the Department of Sport and Recreation in regards to this project. Jen has provided feedback to Codi on areas of last year's application that require additional information or further expansion to their response.

The Kellerberrin Hockey Cub is seeking Council support with their application to Department of Sport and Recreation (DSR) funding through the Community Sporting and Recreation Facilities Fund (CSRFF) for their lighting tower project.

Appendix 1 to this Agenda is a copy of the quote they have received from Auspray for the lighting poles and footings only.

FINANCIAL IMPLICATIONS

Shire of Kellerberrin

- Capital Budget \$10,000
- Self-supporting loan of balance if required

Income Description	Income Amount
CBH Grass Root Project funding	\$8,500.00
Kellerberrin Hockey Club NAB Term Deposit	\$6,933.79
Kellerberrin Ladies Hockey Club NAB Account	\$4,000.00
Shire of Kellerberrin	\$10,000.00
CSRFF Funding (TBC)	\$10,000.00
Totals	\$39,433.79

Accurate expenditure amounts for the project will be provided by the Kellerberrin Hockey Club at the council meeting. They are currently awaiting on detailed updated quotes from:

- Greenlite Electrical Contractors
- Woodstock Electrical Services
- Wongan Concrete Services

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

STRATEGIC PLAN IMPLICATIONS - Nil

FUTURE PLAN IMPLICATIONS - Nil

COMMUNITY CONSULTATION

Chief Executive Officer
Department Sport and Recreation (Jennifer Collins)
Community Development Officer
Kellerberrin Woman's Hockey Club (namely Miss Codi Mullen, Secretary, Kellerberrin Ladies Hockey Club)

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

1. *Council endorse the CSRFF Small Grant Application for the Kellerberrin Hockey Club – Lights Project*
2. *That Council authorizes the lodgement of Kellerberrin Hockey Club CSRFF Application with the Department of Sport and Recreation by the 31st August 2016.*
3. *That should the funding be declined the project be reviewed by Council.*

COUNCIL RECOMMENDATION

MIN 143/16 MOTION - Moved Cr. Steber 2nd Cr. Reid

1. ***Council endorse the CSRFF Small Grant Application for the Kellerberrin Hockey Club – Lights Project***
2. ***That Council authorizes the lodgement of Kellerberrin Hockey Club CSRFF Application with the Department of Sport and Recreation by the 31st August 2016.***
3. ***That should the funding be declined the project be reviewed by Council.***

CARRIED 7/0

Agenda Reference:	11.1.5
Subject:	July 2016 Cheque List
Location:	Shire of Kellerberrin
Applicant:	N/A
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	8 th August 2016
Author:	Miss Codi Mullen, Administration Officer

BACKGROUND

Accounts for payment from 1st July 2016 – 31st July 2016

Trust Fund

EFT

TRUST TOTAL \$ 300.00

Municipal Fund

Cheque Payments

34079 – 34098 \$ 46,688.61

EFT Payments

6099 - 6190 \$ 491,077.52

Direct Debit Payments \$ 91,211.41

TOTAL MUNICIPAL \$ 491,377.92

COMMENT

During the month of July 2016, the Shire of Kellerberrin made the following significant purchases:

LGIS Insurance Broking	\$ 63,045.19
LGIS Insurances for 16/17	
Colas WA Pty Ltd	\$ 59,715.92
Doodlakine Sth Rd + Shackleton Rd Failure Patch + Yoting Rd Culvert Patch	
LGIS Property	\$ 37,319.46
Property Renewal First Instalment 16/17	
It Vision Australia Pty Ltd	\$ 32,852.60
Renew Synergy soft & Universe Annual Licence Fees 16/17	
LGIS Workcare	\$ 26,217.05
LGIS Workcare - First Instalment 16/17	
Great Southern Fuel Supplies	\$ 19,601.67
Fuel Purchases throughout June 16	
CE and H Smith	\$ 19,585.20
hire of truck and trailer for gravel haulage June 16	
Innes & Co	\$ 8,260.00
gravel and spoils haulage month May	
Sam Williams	\$ 16,487.62
Gravel and spoils haulage for May 16	
LGIS Liability	\$ 15,011.26
LGIS Insurances 16/17	
Youlie and Son Spreading Services	\$ 14,693.80
Grade and Roll roads June 16	
Synergy	\$ 13,311.05
Power consumption for various properties April - June 16	
Drill Maintenance Australia Pty Ltd	\$ 13,200.00
300 Tonne - 14mm Aggregate	
SG Fleet	\$ 11,423.12
Monthly Lease Payment	
Exteria	\$ 8,580.00
Amuse Seats QUOTE: EXTQ6181-A - Centenary Park Upgrade	

Western Australian Treasury Corporation	\$ 8,171.09
Loan No. 116A Interest payment	
Avon Waste	\$ 7,998.70
Domestic & Commercial Refuse Collection May 2016	
Alleasing Pty Ltd	\$ 7,610.77
Lease Gym Equipment	
Youlie and Son Spreading Services	\$ 7,488.80
Grader and roller hire May 16	
Sam Williams	\$ 7,045.50
Truck hire for June 2016 - 61hours	
WA Local Government Superannuation Plan Pty Ltd	\$ 6,716.07
Payroll Deductions & Superannuation Contributions	
WA Local Government Superannuation Plan Pty Ltd	\$ 6,566.47
Payroll Deductions & Superannuation Contributions	
Wongan Concrete Services	\$ 5,585.80
supply 18 mts stabilised sand for culverts	
Kellerberrin & Districts Club	\$ 5,130.30
Monthly Repayment Solar Panels June & July 2016	
Western Australian Treasury Corporation	\$ 5,076.25
Loans- GFEE	
Mcleods Barristers And Solicitors	\$ 4,772.58
Doodlakine Quarry Lease- Professional Fees	
DKT Rural Agencies	\$ 4,483.10
Chemical Order, Replacement Honda 9hp Motor/Pump and pip, globes	
Perth Energy	\$ 4,088.24
Power consumption from 10/05/2016 - 09/06/2016	

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Shire of Kellerberrin 2016/2017 Operating Budget

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
 - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
 - (b) Petty cash systems.
- (2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (3) Payments made by a local government —
 - (a) Subject to sub-regulation (4), are not to be made in cash; and
 - (b) Are to be made in a manner which allows identification of —
 - (i) The method of payment;
 - (ii) The authority for the payment; and
 - (iii) The identity of the person who authorised the payment.
- (4) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

[Regulation 11 amended in Gazette 31 Mar 2005 p. 1048.]

12. Payments from municipal fund or trust fund

- (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.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

[Regulation 12 inserted in Gazette 20 Jun 1997 p. 2838.]

13. Lists of accounts

- (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;
 - (b) The amount of the payment;
 - (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;
 - (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.

STRATEGIC COMMUNITY PLAN IMPLICATIONS - Nil

CORPORATE BUSINESS PLAN IMPLCATIONS - Nil
(Including Workforce Plan and Asset Management Plan Implications)

TEN YEAR FINANCIAL PLAN IMPLCATIONS - Nil

COMMUNITY CONSULTATION - Nil

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

That Council notes that during the month of July 2016, the Chief Executive Officer has made the following payments under council's delegated authority as listed in appendix A to the minutes.

1. *Municipal Fund payments totalling **\$491,377.92** on vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling **\$300.00** on vouchers EFT, CHQ, Direct payments*

COUNCIL RECOMMENDATION

MIN 144/16 MOTION - Moved Cr. O'Neill 2nd Cr. Steber

That Council notes that during the month of July 2016, the Chief Executive Officer has made the following payments under council's delegated authority as listed in appendix A to the minutes.

- 1. Municipal Fund payments totalling \$491,377.92 on vouchers EFT , CHQ, Direct payments***
- 2. Trust Fund payments totalling \$300.00 on vouchers EFT, CHQ, Direct payments***

CARRIED 7/0

Agenda Reference:	11.1.6
Subject:	Financial Management Report, Direct Debit List and Visa Card Transactions for the month July 2016
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	2 August 2016
Author:	Jennine Ashby, Senior Finance Officer

BACKGROUND

Please see below the Direct Debit List and Visa Card Transactions for the month of July 2016.

Enclosed is the Monthly Financial Report for the month of July 2016.

Municipal Fund – Direct Debit List

Date	Name	Details	\$	Amount
1-Jul-16	Westnet	Monthly Charge Static IP address	\$	4.99
1-Jul-16	National Australia Bank	Merchant Fees	\$	116.70
1-Jul-16	National Australia Bank	Merchant Fees	\$	134.90
1-Jul-16	Alleasing	Gym Equipment Lease	\$	7,610.77
4-Jul-16	National Australia Bank	VISA Transactions	\$	518.72
8-Jul-16	Shire of Kellerberrin	EFT Payment	\$	2,000.00
8-Jul-16	Shire of Kellerberrin	EFT Payment	\$	56,085.89
14-Jul-16	Shire of Kellerberrin	Payroll	\$	47,144.72
14-Jul-16	Shire of Kellerberrin	Payroll - Click Super	\$	8,311.94
15-Jul-16	SG Fleet	Monthly Lease Payment	\$	11,423.12
20-Jul-16	Shire of Kellerberrin	EFT Payment	\$	780.00
21-Jul-16	Shire of Kellerberrin	EFT Payment	\$	2,050.00
26-Jul-16	Shire of Kellerberrin	EFT Payment	\$	392,048.69
27-Jul-16	National Australia Bank	Connect Fee Access and Usage	\$	60.74
28-Jul-16	National Australia Bank	Audit Certificate Fee	\$	70.00
28-Jul-16	Shire of Kellerberrin	Payroll - Click Super	\$	8,456.39
28-Jul-16	Shire of Kellerberrin	Payroll	\$	47,704.19
29-Jul-16	National Australia Bank	Interest Charged - Muni	\$	67.46
29-Jul-16	National Australia Bank	Merchant Fees	\$	117.28
29-Jul-16	National Australia Bank	Merchant Fees	\$	166.99
29-Jul-16	National Australia Bank	BPAY Charges	\$	11.04
29-Jul-16	National Australia Bank	Account Fees - Municipal	\$	52.10
29-Jul-16	National Australia Bank	Account Fees - Trust	\$	61.40

TOTAL \$ 584,998.03

Trust Fund – Direct Debit List

Date	Name	Details	\$	Amount
31-Jul-16	Department Transport	Direct Debit - Licensing Payments July 16	\$	55,404.20
TOTAL			\$	<u>55,404.20</u>

Visa Card Transactions

Date	Name	Details	\$	Amount
07-Jul-16	Woolworths	Diesel Fuel - KE1	\$	50.02
11-Jul-16	Puma Energy - Mundaring	Diesel Fuel - KE1	\$	130.02
18-Jul-16	Succulent Foods	Meals	\$	65.00
28-Jul-16	Child Protect Family Support	WWC Check - P Arthur	\$	83.00
28-Jul-16	National Australia Bank	Card Fee	\$	9.00
TOTAL - CEO			\$	<u>337.04</u>

05-Jul-16	Mount Bay Water Apartments	Accommodation - R Griffiths	\$	755.16
05-Jul-16	Mount Bay Water Apartments	Accommodation - Cr White	\$	755.16
11-Jul-16	Gull Tammin Roadhouse	Unleaded Fuel - KE 002	\$	34.64
11-Jul-16	Puma Parks	Unleaded Fuel - KE 002	\$	47.00
28-Jul-16	National Australia Bank	Card Fee	\$	9.00
TOTAL - DCEO			\$	<u>1,600.96</u>

TOTAL VISA TRANSACTIONS \$ 1,938.00

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

➤ Financial Management of 2016/2017

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

- (1A) In this regulation —
- committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.
- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (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 December be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

STRATEGIC PLAN IMPLICATIONS - Nil

CORPORATE BUSINESS PLAN IMPLICATIONS - Nil

TEN YEAR FINANCIAL PLAN IMPLICATIONS - Nil

COMMUNITY CONSULTATION – Nil

ABSOLUTE MAJORITY REQUIRED – No

STAFF RECOMMENDATION

- 1) *That the Financial Report for the month of July 2016 comprising;*
 - (a) *Statement of Financial Activity*
 - (b) *Note 1 to Note 9*
- 2) *That the Direct Debit List for the month of July 2016 comprising;*
 - (a) *Municipal Fund – Direct Debit List*
 - (b) *Trust Fund – Direct Debit List*
 - (c) *Visa Card Transactions*

Be adopted.

COUNCIL RECOMMENDATION

MIN 145/16 MOTIONS - Moved Cr. White 2nd Cr. McNeil

- 1) ***That the Financial Report for the month of July 2016 comprising;***
 - (a) Statement of Financial Activity***
 - (b) Note 1 to Note 9***
- 2) ***That the Direct Debit List for the month of July 2016 comprising;***
 - (a) Municipal Fund – Direct Debit List***
 - (b) Trust Fund – Direct Debit List***
 - (c) Visa Card Transactions***

Be adopted.

CARRIED 7/0

11.2 DEVELOPMENT SERVICES – AGENDA ITEM

Agenda Reference:	11.2.1
Subject:	Building Returns: July 2016
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	BUILD06
Disclosure of Interest:	Nil
Date:	8 th August 2016.
Author:	Mr Garry Tucker, Manager Development Services

BACKGROUND

Council has provided delegated authority to the Chief Executive Officer, which has been delegated to the Building Surveyor to approve of proposed building works which are compliant with the Building Act 2011, Building Code of Australia and the requirements of the Shire of Kellerberrin Town Planning Scheme No.4.

COMMENT

1. One application was received for a "Building Permit" during the July 2016 period. A copy of the "Australian Bureau of Statistics appends.
2. One "Building Permit" was issued in the July 2016 period. See attached form "Return of Building Permits Issued".

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

There is income from Building fees and a percentage of the levies paid to other agencies. le: "Building Services Levy" and "Construction Industry Training Fund" (when construction cost exceeds \$20,000)

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

- Building Act 2011
- Shire of Kellerberrin Town Planning Scheme 4

STRATEGIC COMMUNITY PLAN IMPLICATIONS - Nil

CORPORATE BUSINESS PLAN IMPLCATIONS - Nil (Including Workforce Plan and Asset Management Plan Implications)

TEN YEAR FINANCIAL PLAN IMPLCATIONS - Nil

COMMUNITY CONSULTATION

Building Surveyor
Owners
Building Contractors

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

That Council

1. *Acknowledge the "Return of Proposed Building Operations" for the July 2016 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the July 2016 period.*

COUNCIL RECOMMENDATION

MIN 146/16 MOTION - Moved Cr. Leake 2nd Cr. Steber

That Council

1. **Acknowledge the "Return of Proposed Building Operations" for the July 2016 period.**
2. **Acknowledge the "Return of Building Permits Issued" for the July 2016 period.**

CARRIED 7/0

11.3 WORKS & SERVICES – AGENDA ITEMS

Nil Items

2.45pm - Mr Garry Tucker exited Council chambers.

COUNCIL RECOMMENDATION

MIN 147/16 MOTION - Moved Cr. O'Neill 2nd Cr. Reid

That Council receive Late Items

CARRIED 7/0

Agenda Reference:	13.1
Subject:	Sale of Plant – Fleet Vehicles & Water Tanker
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	ENG 43
Record Ref:	ITD4
Disclosure of Interest:	N/A
Date:	15 th August 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council on the 25th of July advertised in the Pipeline an Invitation to tender on Councils Fleet Vehicles and Semi Water Tanker Trailer. Submission period closed as of Monday the 15th August 2016 at 12:00 noon.

Council has received the following offers for the advertised vehicles:

- 5th August 2016 received an email from Mr Quentin Tiller to purchase Council's Ford Ranger Wildtrack for \$43,000 Including GST on a "as is where is basis"
- 15th August 2016 received a written offer from Mr Garry Tucker to purchase Council's Ford XR6 (KE003) for \$14,000 including GST on a "as is where is basis"
- 15th August 2016 received a written offer from Mr. John Nicholls to purchase Council's Semi Water Tanker Trailer previously utilised by Council's outside staff. Mr. Nicholls offered \$3,900 inclusive of GST for the outright purchase of the above vehicle on a "as is where is basis".

COMMENT

Council provides the community the opportunity annually to purchase Council's Fleet Vehicles and other plant that is now surplus to Council's requirements.

Council has been looking to on sell the Water Tanker for some time as the water tanker in question no longer gets used by councils outside staff.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Shire of Kellerberrin 2016/2017 Budget

Vehicle	Description	Trade-In Valuation	Vehicle Dealership	Private Tender Offer	Tenderor
KE 1	Toyota Prado	\$59,100	Great Southern Toyota	N/A	N/A
KE 002	Holden Caprice	\$38,000	Merredin Toyota	N/A	N/A
KE 2	Ford Wildtrack	\$45,000	Midway Ford	\$43,000	Quentin Tiller
KE 003	Ford XR6	\$13,000	Merredin Toyota	\$14,000	Garry Tucker
KE 00	Ford XR6	\$13,500	Merredin Toyota	N/A	
KE 2707	Water Tanker	N/A	N/A	\$3,900	John Nicholls

Council hasn't allocated any income or expenditure associated with the sale of water tanker.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – Part 3, Division 3

Section 3.58

- (2) *Except as stated in this section, a local government can only dispose of property to;*
- a. the highest bidder at public auction; or
 - b. the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property; gives local public notice of the proposed disposition*
- i. *describing the property concerned;*
 - ii. *giving details of the proposed disposition; and*
 - iii. *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the date specified in the notice is first given;*
- and*
- b. *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include;*
- a. *the names of all other parties concerned;*
 - b. *the consideration to be received by the local government for the disposition; and*
 - c. *the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*

3.59. Commercial enterprises by local governments

- (1) *In this section —*

acquire *has a meaning that accords with the meaning of “dispose”;*

dispose *includes to sell, lease, or otherwise dispose of, whether absolutely or not;*

land transaction *means an agreement, or several agreements for a common purpose, under which a local government is to —*

- (a) *acquire or dispose of an interest in land; or*
- (b) *develop land;*

major land transaction *means a land transaction other than an exempt land transaction if the total value of —*

- (a) *the consideration under the transaction; and*
- (b) *anything done by the local government for achieving the purpose of the transaction,*

is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that —

- (a) *in the last completed financial year, involved; or*
- (b) *in the current financial year or the financial year after the current financial year, is likely to involve,*

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of “land transaction”.

(2) *Before it —*

- (a) *commences a major trading undertaking;*
- (b) *enters into a major land transaction; or*
- (c) *enters into a land transaction that is preparatory to entry into a major land transaction,*

a local government is to prepare a business plan.

(3) *The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —*

- (a) *its expected effect on the provision of facilities and services by the local government;*
- (b) *its expected effect on other persons providing facilities and services in the district;*
- (c) *its expected financial effect on the local government;*
- (d) *its expected effect on matters referred to in the local government’s current plan prepared under section 5.56;*
- (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
- (f) *any other matter prescribed for the purposes of this subsection.*

(4) *The local government is to —*

- (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;*
 - (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

- (b) *make a copy of the business plan available for public inspection in accordance with the notice.*

(5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*

* Absolute majority required.

- (5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.
- (6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.
- (7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.
- (8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.
- (9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.
- (10) For the purposes of this section, regulations may —
 - (a) prescribe any land transaction to be an exempt land transaction;
 - (b) prescribe any trading undertaking to be an exempt trading undertaking.

[Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Our Vision

The Shire of Kellerberrin will be diverse and welcoming to all members of the community and visitors. We will be open to various cultures and industries and we will strive to provide a community that is safe. Our focus will be to develop a community that is prosperous and economically sustainable, rich and vibrant.

Our Vision is:

*To welcome diversity, culture and industry;
promote a safe and prosperous community
with a rich, vibrant and sustainable lifestyle for all to enjoy.*

Our Focus Areas

Our vision will be achieved in five (5) key focus areas. These focus areas identify what we will be concentrating on to get us to where we want to be and to achieve our long term goal of being a diverse, cultural, safe, prosperous, vibrant and sustainable community. The key focus areas are:

4 Economic Development

Refers to the economic opportunities which Council will strive to enhance to create a prosperous, sustainable and viable community

To retain the population and diverse demographics in the region through ongoing economic development and the creation of economic and commercial opportunities to boost the local economy.

Economic issues, such as employment, population retention and growth and improving the local economy are key factors that concern the sustainable development of our community.

Theme 4: Prosperity						
To develop a community that fosters and encourages long term prosperity and growth and presents a diverse range of opportunities.						
4.1	<i>We are a sustainable, economically diverse and strong community.</i>	4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.	✓	✓	✓
		4.1.2	To work with local businesses to improve and enhance the quality of service provided.	✓	✓	✓
		4.1.3	<i>To identify economic trends and create employment and business opportunities for the local community.</i>	✓	✓	✓

Strategic Priority 4.1
We are a sustainable, economically diverse and strong community

An Overview	
The key issues currently faced by our community are the decline in employment and population, and the need to improve the status of our local economy.	
There is a strong desire to retain the population and demographics in the region and to boost our local economy through the creation of commercial, retail and industrial opportunities.	
Our Objective	
<ul style="list-style-type: none"> To create an environment that will encourage economic growth and employment opportunities. 	
Our Desired Outcomes	
<ul style="list-style-type: none"> A community that is economically sustainable, able to offer a range of diverse opportunities to local residents, commercial, retail and industrial operators. 	
Our Goals	
4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.
4.1.2	To work with local businesses to improve and enhance the quality of service provided.
4.1.3	To identify economic trends and create employment and business opportunities for the local community.

Our Delivery Strategy	
Goal 4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.

Council's Role	<ul style="list-style-type: none"> ▪ To identify opportunities to enhance the local economy. ▪ To collaborate and facilitate discussions with external / private parties on business, commercial and industrial ventures in the Shire. ▪ To undertake long term economic development and marketing planning for the Shire, focussing on the local and regional economy and opportunities. ▪ Work with external government and non-government agencies to develop programs and initiatives to promote economic development in the region and identify new ventures / opportunities to create economic opportunities.
Anticipated Results	<ul style="list-style-type: none"> ▪ Effective communication and network / relationship building with external private parties and government / non-government agencies. ▪ Improved economic profile for the region. ▪ Creation of opportunities for the Shire that will booster the local economy. ▪ Improved participation by the community. ▪ A stronger and more sustainable community.
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development
Goal 4.1.2	To work with local businesses to improve and enhance the quality of service provided.
Council's Role	<ul style="list-style-type: none"> ▪ To establish relationships with local business providers to identify and understand key issues and opportunities to assist in the promotion of services. ▪ To facilitate discussions with external agencies and government departments to identify opportunities to enhance and assist local business providers within the community. ▪ To develop initiatives with external parties to educate and improve the welfare of local businesses.
Anticipated Results	<ul style="list-style-type: none"> ▪ Improved relationships between external parties and Council ▪ Identification of employment and commercial opportunities to improve the local economy
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development
Goal 4.1.3	To identify economic trends and create employment and business opportunities for the local community.
Council's Role	<ul style="list-style-type: none"> ▪ To work with local business communities and education and health service providers to identify what is required to improve and enhance services. ▪ To facilitate discussions with external parties and government agencies to identify ways of improving economic, education and training opportunities within the community.

	<ul style="list-style-type: none"> ▪ To establish relationships with external parties and government / non-government agencies to identify opportunities, programs and initiatives that will benefit the community. ▪ To seek funding from external parties / government agencies to support the development and implementation of economic and employment programs and initiatives.
Anticipated Results	<ul style="list-style-type: none"> ▪ Improved relationship between Council and external parties ▪ Greater opportunity for collaboration with external parties on key local economic initiatives and programs ▪ Increased level of funding and support from external parties to promote economic and employment initiatives.
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development

**CORPORATE BUSINESS PLAN IMPLICATIONS - NIL
(Including Workforce Plan and Asset Management Plan Implications)**

TEN YEAR FINANCIAL PLAN IMPLICATIONS - NIL

COMMUNITY CONSULTATION

Chief Executive Officer
Manager Works and Services

ABSOLUTE MAJORITY REQUIRED – YES

STAFF RECOMMENDATION

That Council in accordance to section 3.58 (2) of the Local Government Act:

1. *Authorises the sale of the following vehicles;*
 - a. *KE 2707- Semi Water Tanker Trailer - \$3,900 (Inc GST) – Mr John Nicholls*
 - b. *KE 003 – 2015 Ford XR6 Sedan - \$14,000 (Inc GST), Mr Garry Tucker*
2. *delegates authority to the Chief Executive Officer to execute the transfer of vehicle documents for KE 2707 – Semi Water Tanker Trailer & KE 003 – Ford XR6 Sedan*
3. *Retain the ownership of KE 2707 & KE 003 vehicle registration plates.*

COUNCIL RECOMMENDATION

MIN 148/16 MOTION - Moved Cr. O'Neill 2nd Cr. Steber

That Council in accordance to section 3.58 (2) of the Local Government Act:

- 1. Authorises the sale of the following vehicles;***
 - a. KE 2707- Semi Water Tanker Trailer - \$3,900 (Inc GST) – JFH Nicholls & Son of 18984 Great Eastern Highway, Kellerberrin.***
 - b. KE 003 – 2015 Ford XR6 Sedan - \$14,000 (Inc GST), Mr Garry Tucker of 29 Hammond Street, Kellerberrin.***
- 2. delegates authority to the Chief Executive Officer to execute the transfer of vehicle documents for KE 2707 – Semi Water Tanker Trailer & KE 003 – Ford XR6 Sedan***
- 3. Retain the ownership of KE 2707 & KE 003 vehicle registration plates.***

CARRIED 7/0

3.05 pm - Meeting adjourned for Council to undertake inspection of road works, Doodlakine Quarry, Industrial Area and infrastructure works.

5.10 pm - Meeting recommenced with all members present at time of adjournment present.

CLOSURE OF MEETING

The President thanked all members for the attendance and closed the meeting at 5.15 pm

NEXT MEETING DATES

Ordinary Council Meeting, 20th September 2016