

SHIRE OF KELLERBERRIN

MINUTES

Minutes of the Ordinary Council Meeting held at the Shire of Kellerberrin Council Chamber, 110 Massingham Street Kellerberrin on Tuesday 18th October 2016, commencing at 2:05 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISTORS:

2.05 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. Steber	Member
Cr. McNeil	Member (Entered 2.45pm)
Mr Raymond Griffiths	Chief Executive Officer
Mrs Karen Oborn	Deputy Chief Executive Officer - Minutes
Mr Garry Tucker	Manager Development Services
Mrs Natasha Giles	Community Development Officer (Exited 3.05pm)

Apologies:

Mr Mick Jones	Manager Works and Services
Cr. Reid	Member

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 **18th October 2016**.

Date	Name	Item No.	Reason

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 **18th October 2016**.

Date	Name	Item No.	Reason

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 **18th October 2016**.

Date	Name	Item No.	Reason

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Shire of Kellerberrin Ordinary Council Meeting Minutes, 20th September 2016

COUNCIL RECOMMENDATION

MIN 161/16 MOTION: Moved Cr. Steber 2nd Cr. Leake

That the minutes of the Shire of Kellerberrin Ordinary Council Meeting held on Tuesday 20th September 2016, be confirmed as a true and accurate record

CARRIED 5/0

7.2 Shire of Kellerberrin Bush Fire Advisory Committee Meeting Minutes, 27th September 2016

COUNCIL RECOMMENDATION

MIN 162/16 MOTION: Moved Cr. O'Neill 2nd Cr. Leake

That the minutes of the Shire of Kellerberrin Bush Fire Advisory Committee Meeting held on Tuesday 27th September 2016, be adopted.

CARRIED 5/0

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 163/16 MOTION: Moved Cr. Steber 2nd Cr. Leake

That the President's reports for October 2016 be received

CARRIED 5/0

2.45 pm – Cr Wendy McNeil entered Council Chambers

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:	9 th September 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.

September 2016 Council Meeting

MIN 151/16 MOTION - Moved Cr. Steber 2nd Cr. Leake

That Council;

- Write to the CRC regarding the defensive driving training course and future opportunities with RAC withdrawing the course availability, with CDO to follow up.
- Request the Manager Works and Services reviews the issues raised by the Doodlakine Community Committee members being;
 - Main Street Intersection pot holes
 - Tolley Road pot holes
 - Mather Road between Quarry and Town
 - Town Vacant blocks and roadsides fuel loading and limiting the exposure.

CARRIED 7/0

August 2016 Council Meeting

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

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

COMMENT

September 2016 – MIN 151/16

Council's town crew has attended Doodlakine and attended to the front entrance and attended to move the vacant blocks within the town site.

The tree pruning machine has been two Mather road.

August 2016 – MIN 140/16

The road signs have been checked and installed with the correct road names.

July 2016 – MIN 109/16

Letter issued to Peak transport requesting more information.
Currently in discussion with LGIS regarding B&S Event.
B & S held over the weekend 8th and 9th October.

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 164/16 MOTION - Moved Cr. White 2nd Cr. Leake

That Council;

- ***Look into the requirement for a bin at the Baandee Look Out on Bruce Rock Road and look to incorporate into the upgrade being undertaken for the Pipeline Trail;***
- ***Approach the Bruce Rock Shire regarding installing a sign pointing to Kellerberrin from Kokerbin rock;***
- ***Develop documented guidelines regarding the conditions for using Council land for fundraising purposes through community ‘cropping’, including an option for Council to lease the properties out commercially, if permissible, in the event there are no community groups wishing to use the land.***

CARRIED 6/0

3.05 pm – Ms Natasha Giles exited Council Chambers

Agenda Reference:	11.1.2
Subject:	Annual Christmas/New Year Office Closure
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	PUB-02
Disclosure of Interest:	N/A
Date:	28 th September 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council's October 2015 Ordinary Meeting of Council

MIN 168/15 MOTION - Moved Cr. O'Neill 2nd Cr. McNeil

That Council approve the closure of the Administration Office for the following inclusive dates over the Christmas/New Year Holiday period and that local advertising be completed;

<i>Thursday, 24 December 2015</i>	<i>Public Service Day</i>
<i>Friday, 25 December 2015</i>	<i>Public Holiday (Christmas Day)</i>
<i>Monday, 28 December 2015</i>	<i>Public Holiday (Boxing Day)</i>
<i>Tuesday, 29 December 2015</i>	<i>RDO/Annual Leave</i>
<i>Wednesday, 30 December 2015</i>	<i>RDO/Annual Leave</i>
<i>Thursday, 31 December 2015</i>	<i>RDO/Annual Leave</i>
<i>Friday, 1 January 2016</i>	<i>Public Holiday (New Year's Day)</i>

CARRIED 6/0

Council has previously, kindly considered an application from staff to close the Administration Office during the Christmas/New Year period. This has been considered and approved by the Council in consideration of the low level of business expected to be transacted and staff reducing any Time in Lieu provisions and Rostered Days Off entitlements for the month of December and/or January.

COMMENT

The Christmas/New Year period gazetted Public Holidays are as follows;

Christmas Day	Monday 26 th December 2016
Boxing Day	Tuesday 27 th December 2016
New Year's Day	Monday 2 nd January 2017
"Public Service" Holiday (in lieu)	Friday 23 rd December 2016

The days in question, are the days in between Christmas and New Years i.e. Friday 23rd December 2016 through to Friday 31st December 2016. The additional holiday "in lieu", which Local Government employees are entitled to can be utilised on one of these four days, should Council approve the proposal. This decreases the "juggling" of rosters and staffing levels to provide for the additional days. The remaining four days can be taken as either flexitime, Rostered Day Off (RDO), Annual Leave or Time in Lieu entitlements.

The practice of closing the Office of Council is a common one for small rural local governments and, given the expected low level or demand for Council Business to be conducted, it is a sincere request from the Staff to have the Office closed for travelling to families for the festive period.

In addition, should Council approve, extensive local advertising in local newsletters and a notice included with creditor payments will provide sufficient notice of the office closure, should Council approve the request. Emergency contacts for Council staff will be provided for inclusion in all notices of local advertising.

FINANCIAL IMPLICATION (ANNUAL BUDGET)

Nil - against Council's Budget, other than normal entitlements for staff, in reference to Annual Leave and Rostered Days Off, debits and a small cost for local advertising.

POLICY IMPLICATIONS

ADVERTISING OF PUBLIC NOTICES		POLICY 2.11
PURPOSE	To provide guidance to staff to the approved advertising mediums for Local Public Notices and State wide Public Notices as required by the Local Government Act 1995.	
POLICY	<p>That the following media be recognised and approved as advertising mediums appropriate for the following classifications of Public Notices:</p> <p>Local Public Notices Wheatbelt Mercury – being a registered newspaper circulating generally throughout the District. Council's Public Notice board – for exhibition of a local public notice. Pipeline Newsletter – for local Advertising to district residents.</p> <p>Public Notices are to be advertised on as many occasions as the Local Government Act stipulates or at least once in each of the approved media.</p> <p>State wide Public Notice West Australian Newspaper – being a registered newspaper circulating generally throughout the State.</p> <p>Public Notices are to be advertised on as many occasions as the Local Government Act stipulates or at least once.</p> <p>General All advertising notices to be authorised by the Chief Executive Officer or in his/her absences the authorised Officer as delegated by the Chief Executive Officer.</p> <p>Thought is to be given as to the days in which advertisements are to be run to minimise costs.</p> <p>The Chief Executive Officer is responsible for implementing this policy.</p>	
DATE OF ADOPTION: November 2006		REVIEWED OCTOBER 2014

OFFICE HOURS		POLICY 2.16
PURPOSE	To detail the hours of operation for the Councils Office.	
POLICY	<p>The Office of the Shire of Kellerberrin is to be open to the public on normal working days as follows:</p> <p>Monday to Friday 8:30am to 4:30pm General Receipting Monday to Friday 8:30pm to 5:00pm General Office</p> <p>The Chief Executive Officer is responsible for ensuring that the Office of the Shire of Kellerberrin is open to the public in accordance with this policy.</p>	
DATE OF ADOPTION: November 2006		REVIEWED OCTOBER 2015

Public Service Days		POLICY 4.30
PURPOSE	To allow Council employees the entitlement to two Public Service Days per year.	
POLICY	<p>Those Council employees are entitled to two Public Service Days per year. These days will be incorporated into the Christmas/New Year and Easter breaks.</p> <p>Public Service Days should be taken during the Christmas/New Year and Easter breaks. Subject to work rosters the day in lieu must be taken within a fortnight of it falling due.</p> <p>The Chief Executive Officer is responsible for implementing this policy.</p>	
DATE OF ADOPTION: December 2010		AMENDED: October 2014

STATUTORY IMPLICATIONS

Nil, other than to, advertise the closure of normal Council business during the described period.

STRATEGIC COMMUNITY PLAN IMPLICATIONS – Nil

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

LONG TERM PLAN IMPLICATIONS – Nil

COMMUNITY CONSULTATION - Nil

ABSOLUTE MAJORITY REQUIRED - Yes

STAFF RECOMMENDATION

That Council approve the closure of the Administration Office for the following inclusive dates over the Christmas/New Year Holiday period and that local advertising be completed;

<i>Friday, 23rd December 2016</i>	<i>Public Service Day</i>
<i>Monday, 26th December 2016</i>	<i>Public Holiday (Christmas Day)</i>
<i>Tuesday, 27th December 2016</i>	<i>Public Holiday (Boxing Day)</i>
<i>Wednesday, 28th December 2016</i>	<i>RDO/Annual Leave</i>
<i>Thursday, 29th December 2016</i>	<i>RDO/Annual Leave</i>
<i>Friday, 30th December 2016</i>	<i>RDO/Annual Leave</i>
<i>Monday, 2nd January 2017</i>	<i>Public Holiday (New Year’s Day)</i>

COUNCIL RECOMMENDATION

MIN 165/16 MOTION - Moved Cr. O’Neill 2nd Cr. McNeil

That Council approve the closure of the Administration Office for the following inclusive dates over the Christmas/New Year Holiday period and that local advertising be completed;

<i>Friday, 23rd December 2016</i>	<i>Public Service Day</i>
<i>Monday, 26th December 2016</i>	<i>Public Holiday (Christmas Day)</i>
<i>Tuesday, 27th December 2016</i>	<i>Public Holiday (Boxing Day)</i>
<i>Wednesday, 28th December 2016</i>	<i>RDO/Annual Leave</i>
<i>Thursday, 29th December 2016</i>	<i>RDO/Annual Leave</i>
<i>Friday, 30th December 2016</i>	<i>RDO/Annual Leave</i>
<i>Monday, 2nd January 2017</i>	<i>Public Holiday (New Year’s Day)</i>

CARRIED 6/0

Agenda Reference:	11.1.3
Subject:	Staff and Council Christmas Party Function
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	PUB-00
Disclosure of Interest:	N/A
Date:	28 th September 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Previously Council has resolved the following in relation to its annual Christmas function:

2015 Christmas Party Function

That Council

- 1. Host a Christmas Party Function at the ex-golf club clubhouse on Wednesday the 23rd December 2015 as a barbeque function commencing at 6.00 pm.*

2014 Christmas Party Function

MIN 141/14 MOTION - Moved Cr. Steber 2nd Cr. Bee

That Council

- 1. Host a Christmas Party Function at the Ex-Golf Club Clubhouse on Tuesday the 23rd December 2014 as a barbeque function commencing at 6.00 pm.*
- 2. Incorporates Mr Tom Applegate and Mr Trevor Galvin retirement function, within the same event.*

CARRIED 7/0

2013 Christmas Party Function

MIN 166/13 MOTION - Moved Cr. Clarke 2nd Cr. Daley

That Council host a Christmas Party Function at the Shire Office on Friday 6th December 2013 as a barbeque function commencing at 6.00 pm.

CARRIED 6/0

2012 Christmas Party Function

MIN 202/12 MOTION - Moved Cr. O'Neill 2nd Cr. Daley

That Council host a Christmas Party Function at the Shire Office on Thursday 13 December 2012 as a barbeque function commencing at 6.00 pm.

CARRIED 6/0

2011 Christmas Party Function

MIN 232/11 MOTION - Moved Cr. Bee 2nd Cr. O'Neill

That Council host a Christmas Party Function at the Shire Office on Thursday 15 December 2011 as a barbeque function commencing at 6.00 pm.

CARRIED 5/0

REASON: Cuolahan Pavilion and the adjoining area should not be used due to the construction of the Recreation Centre.

2010 Christmas Party Function

Item did not go to Council

COMMENTS

Whilst Council is under no obligation to do so, it has become traditional for Council to host a combined Christmas function that is enjoyed by elected members, staff and their families. It is suggested that a barbeque function be held at the ex-golf club clubhouse along similar timelines to previous years though consideration may need to be given to the day Council holds the function.

Generally, a barbeque is well received, easy to cater and organise and extremely cost effective.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Cost of Christmas Function.

2016/2017 Budget Document

041051 Refreshments and Receptions – Budget Allocation \$13,829

\$5,199 for Council Meetings (including Committee & Community Meetings)

\$8,000 for Council Functions - Christmas Function, Citizenship Ceremonies.

\$2,000 for Other costs.

POLICY IMPLICATIONS – Nil

STATUTORY IMPLICATIONS – Nil

STRATEGIC COMMUNITY PLAN IMPLICATIONS – Nil

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

LONG TERM FINANCIAL PLAN IMPLICATIONS – Nil

COMMUNITY CONSULTATION - Nil

STAFF RECOMMENDATION

That Council hosts a Christmas Party Function for Staff, Councillors and Families, at the ex-golf club clubhouse on Thursday the 22nd December 2016 as a barbeque function commencing at 6.00 pm.

COUNCIL RECOMMENDATION

MIN 166/16 MOTION - Moved Cr. O'Neill 2nd Cr. White

That Council hosts a Christmas Party Function for Staff, Councillors and Families, at the ex-golf club clubhouse on Thursday the 22nd December 2016 as a barbeque function commencing at 6.00 pm.

CARRIED 6/0

Agenda Reference:	11.1.4
Subject:	Council Meeting Dates 2017 – Public Notice
Location:	Shire of Kellerberrin – Council Chambers
Applicant:	Administration, Shire of Kellerberrin
File Ref:	ADM-41
Disclosure of Interest:	Nil
Date:	10 th October 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

In accordance with the Local Government Act 1995 (as amended) and the Local Government (Administration) Regulations 1996, Council is required to adopt a Schedule of its Ordinary Meeting date/s including Time, Place and Public Question Time.

Council's October 2015 Ordinary Meeting of Council
--

MIN 170/15 MOTION - Moved Cr. McNeil 2nd Cr. White

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2016 incorporating meeting location/venue, meeting commencement time and Public Question Time.

***Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month***

***January 2016 – No Meeting
Tuesday, 16 February 2016 – Kellerberrin Council Chambers
Tuesday, 15 March 2016 – Kellerberrin Council Chambers
Tuesday, 19 April 2016 – Kellerberrin Council Chambers
Tuesday, 17 May 2016 – Kellerberrin Council Chambers
Tuesday, 21 June 2016 – Kellerberrin Council Chambers
Tuesday, 19 July 2016 – Kellerberrin Council Chambers
Tuesday, 16 August 2016 – Kellerberrin Council Chambers
Tuesday, 20 September 2016 – Doodlakine Hall
Tuesday, 18 October 2016 – Kellerberrin Council Chambers
Tuesday, 15 November 2016 – Kellerberrin Council Chambers
Tuesday, 20 December 2016 – Kellerberrin Council Chambers***

CARRIED 6/0

REASON: To swap the October and September meeting venue to ensure there is no clash with harvest and council elections

MIN 140/14 MOTION - Moved Cr. Bee 2nd Cr. Daley

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2015 incorporating meeting location/venue, meeting commencement time and Public Question Time.

***Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month***

- January 2015 – No Meeting***
- Tuesday, 17 February 2015 – Kellerberrin Council Chambers***
- Tuesday, 17 March 2015 – Kellerberrin Council Chambers***
- Tuesday, 21 April 2015 – Kellerberrin Council Chambers***
- Tuesday, 19 May 2015 – Kellerberrin Council Chambers***
- Tuesday, 16 June 2015 – Kellerberrin Council Chambers***
- Tuesday, 21 July 2015 – Kellerberrin Council Chambers***
- Tuesday, 18 August 2015 – Kellerberrin Council Chambers***
- Tuesday, 15 September 2015 – Kellerberrin Council Chambers***
- Tuesday, 20 October 2015 – Doodlakine Hall***
- Tuesday, 17 November 2015 – Kellerberrin Council Chambers***
- Tuesday, 15 December 2015 – Kellerberrin Council Chambers***

CARRIED 7/0

ORDINARY COUNCIL MEETING DATES TIME PLACE

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2014 incorporating meeting location/venue, meeting commencement time and Public Question Time.

***Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month***

- January 2014 – No Meeting***
- Tuesday, 18 February 2014 – Kellerberrin Council Chambers***
- Tuesday, 18 March 2014 – Kellerberrin Council Chambers***
- Tuesday, 22 April 2014 – Kellerberrin Council Chambers***
- Tuesday, 20 May 2014 – Kellerberrin Council Chambers***
- Tuesday, 17 June 2014 – Kellerberrin Council Chambers***
- Tuesday, 15 July 2014 – Kellerberrin Council Chambers***
- Tuesday, 19 August 2014 – Kellerberrin Council Chambers***
- Tuesday, 16 September 2014 – Kellerberrin Council Chambers***
- Tuesday, 21 October 2014 – Doodlakine Hall***
- Tuesday, 18 November 2014 – Kellerberrin Council Chambers***
- Tuesday, 16 December 2014 – Kellerberrin Council Chambers***

CARRIED 6/0

REASON: Council wished to have a Council Meeting in Doodlakine.

ORDINARY COUNCIL MEETING DATES TIME PLACE

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2013 incorporating meeting location/venue, meeting commencement time and Public Question Time.

Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month

January 2013 – No Meeting
Tuesday, 19 February 2013 – Kellerberrin Council Chambers
Tuesday, 19 March 2013 – Kellerberrin Council Chambers
Tuesday, 16 April 2013 – Kellerberrin Council Chambers
Tuesday, 21 May 2013 – Kellerberrin Council Chambers
Tuesday, 18 June 2013 – Kellerberrin Council Chambers
Tuesday, 16 July 2013 – Kellerberrin Council Chambers
Tuesday, 20 August 2013 – Kellerberrin Council Chambers
Tuesday, 17 September 2013 – Kellerberrin Council Chambers
Tuesday, 15 October 2013 – Kellerberrin Council Chambers
Tuesday, 19 November 2013 – Kellerberrin Council Chambers
Tuesday, 17 December 2013 – Kellerberrin Council Chambers

CARRIED 6/0

ORDINARY COUNCIL MEETING DATES TIME PLACE

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2012 incorporating meeting location/venue, meeting commencement time and Public Question Time.

Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month

January 2012 – No Meeting
Tuesday, 21 February 2012 – Kellerberrin Council Chambers
Tuesday, 20 March 2012 – Kellerberrin Council Chambers
Tuesday, 17 April 2012 – Kellerberrin Council Chambers
Tuesday, 15 May 2012 – Kellerberrin Council Chambers
Tuesday, 19 June 2012 – Kellerberrin Council Chambers
Tuesday, 17 July 2012 – Kellerberrin Council Chambers
Tuesday, 21 August 2012 – Kellerberrin Council Chambers
Tuesday, 18 September 2012 – Kellerberrin Council Chambers
Tuesday, 16 October 2012 – Kellerberrin Council Chambers
Tuesday, 20 November 2012 – Kellerberrin Council Chambers
Tuesday, 18 December 2012 – Kellerberrin Council Chambers

CARRIED 5/0

COMMENT

Council is required under legislation, to advertise its meetings advising of the date, commencement time, public question time and location of the meeting once each year. It is generally this time of the year that Council should consider its Schedule of Ordinary Meetings for the 2016 calendar year.

Council needs to remain mindful of continuing on with its meetings in an efficient and timely manner to complete required and presented business. Council meetings are conducted in a businesslike and professional manner which allows for more informal discussion to occur. This reduces the necessity to have Special Council meetings for specific issues with these matters being included as part of the monthly agenda.

Special Council meetings can be called with little notice given if required however to deal with any items that requires a decisions out of Council meeting times.

Items for consideration when adopting times and dates for the upcoming year are but not limited to;

- o Preferred Council Information/Briefing Sessions (time allowance and when)
- o Luncheon arrangements, if commenced with at an earlier time
- o Business commitments of individual Council Members (actual meeting start time)
- o Time allocation for dealing with the Business of the Council including the agenda items
- o Allowance for Meeting Guests/Presentations/Petitions etc. (preferred time and length of presentation)
- o Desired format for Information Sessions, etc.

Council at any time though can decide to modify the commencement time of their meetings though appropriate notice to the community is required.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

2016/2017 Budget – expense account for statutory advertising and Members Travelling and Meeting Attendance Fees.

Cost of local advertising of Council meeting times. Current Budget general ledger expense account for advertising will be utilised.

POLICY IMPLICATIONS – NIL

STATUTORY IMPLICATIONS

Local Government Act (as amended) 1995

5.24. Question time for public

- (1) Time is to be allocated for questions to be raised by members of the public and responded to at —
 - (a) every ordinary meeting of a council; and
 - (b) such other meetings of councils or committees as may be prescribed.
- (2) Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to —

- (a) the matters to be dealt with at ordinary or at special meetings of councils;
 - (b) the functions of committees or types of committee;
 - (ba) the holding of council or committee meetings by telephone, video conference or other electronic means;
 - (c) the procedure to be followed at, and in respect of, council or committee meetings;
 - (d) methods of voting at council or committee meetings;
 - (e) the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made);
 - (f) the content and confirmation of minutes of council or committee meetings and the keeping and preserving of the minutes and any documents relating to meetings;
 - (g) the giving of public notice of the date and agenda for council or committee meetings;
 - (h) the exclusion from meetings of persons whose conduct is not conducive to the proper conduct of the meetings and the steps to be taken in the event of persons refusing to leave meetings;
 - (i) the circumstances and time in which the unconfirmed minutes of council or committee meetings are to be made available for inspection by members of the public; and
 - (j) the circumstances and time in which notice papers and agenda relating to any council or committee meeting and reports and other documents which could be —
 - (i) tabled at a council or committee meeting; or
 - (ii) produced by the local government or a committee for presentation at a council or committee meeting,
 are to be made available for inspection by members of the public.
- (2) Regulations providing for meetings to be held by telephone, video conference or other electronic means may modify the application of this Act in relation to those meetings to the extent necessary or convenient to facilitate the holding of those meetings in that way.

[Section 5.25 amended by No. 64 of 1998 s. 28.]

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings — s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,
 are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time,

place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Shire of Kellerberrin Standing Orders Local Law 2006

STRATEGIC PLAN IMPLICATIONS - Nil.

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

LONG TERM PLAN IMPLICATIONS – Nil

COMMUNITY CONSULTATION - Council

ABSOLUTE MAJORITY REQUIRED - Yes

STAFF RECOMMENDATION

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2017 incorporating meeting location/venue, meeting commencement time and Public Question Time.

Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month

January 2016 – No Meeting
Tuesday, 21 February 2016 – Kellerberrin Council Chambers
Tuesday, 21 March 2016 – Kellerberrin Council Chambers
Tuesday, 18 April 2016 – Kellerberrin Council Chambers
Tuesday, 16 May 2016 – Kellerberrin Council Chambers
Tuesday, 20 June 2016 – Kellerberrin Council Chambers
Tuesday, 18 July 2016 – Kellerberrin Council Chambers
Tuesday, 15 August 2016 – Kellerberrin Council Chambers
Tuesday, 19 September 2016 – Doodlakine Hall
Tuesday, 17 October 2016 – Kellerberrin Council Chambers
Tuesday, 21 November 2016 – Kellerberrin Council Chambers
Tuesday, 19 December 2016 – Kellerberrin Council Chambers

COUNCIL RECOMMENDATION

MIN 167/16 MOTION - Moved Cr. Steber 2nd Cr. Leake

That Council adopts the following Schedule of Council Ordinary Meeting dates for 2017 incorporating meeting location/venue, meeting commencement time and Public Question Time.

***Briefing Session: Councillors Briefing Session on Agenda 1:00 pm
Time: Meeting Commencement time 2:00 pm.
Public Question Time: commencing at 2:15 pm and limited to 15 minutes.
Place: Council Chambers 110 Massingham Street Kellerberrin
Meeting Day: every third Tuesday of the month***

***January 2017 – No Meeting
Tuesday, 21 February 2017 – Kellerberrin Council Chambers
Tuesday, 21 March 2017 – Kellerberrin Council Chambers
Tuesday, 18 April 2017 – Kellerberrin Council Chambers
Tuesday, 16 May 2017 – Kellerberrin Council Chambers
Tuesday, 20 June 2017 – Kellerberrin Council Chambers
Tuesday, 18 July 2017 – Kellerberrin Council Chambers
Tuesday, 15 August 2017 – Kellerberrin Council Chambers
Tuesday, 19 September 2017 – Kellerberrin Council Chambers
Tuesday, 17 October 2017 – Kellerberrin Council Chambers
Tuesday, 21 November 2017 – Kellerberrin Council Chambers
Tuesday, 19 December 2017 – Kellerberrin Council Chambers***

CARRIED 6/0

REASON: In discussion with Doodlakine residents, the Council will trial having all meetings in Kellerberrin for 2017

Agenda Reference:	11.1.5
Subject:	Policy Manual Review
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin - Council
File Ref:	Policy Manual
Disclosure of Interest:	N/A
Date:	04 th October 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council undertakes an annual review of its policies and determines new or updated Policies to guide its day to day operations and responsibilities in regards to its adopted structure and legislative requirements.

The annual review process ensures Council has current and applicable policies. This process take place no later than October each year.

COMMENT

Council's staff continually reviews its Policy Manual to ensure its current with the operations of the day.

Council has also incorporated the following new policies for Council's consideration;

- Records Management Policy

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

New policies or amendments to existing policies will have financial implications on Council's Budget depending upon which policy/s are added/deleted/amended.

POLICY IMPLICATIONS

Shire of Kellerberrin Policy Manual (October 2015) – Review various policies and update document. The Council is always considerate of its operational and legislative functions and for endorsement towards serving the function and role of the Council, seeks to state defined parameters of its policy review and adoption of any new policies and/or of its existing policies.

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: Nil (not applicable at this date and therefore unknown)

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 has a legislative requirement to consider and determine its Policies.

STAFF RECOMMENDATION

That Council

- 1. *Adopts the 2016-2017 Policy Manual as presented.*
- 2. *Instruct the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.*

COUNCIL RECOMMENDATION

MIN 168/16 MOTION - Moved Cr. White 2nd Cr. McNeil

That Council

- 1. ***Adopts the 2016-2017 Policy Manual as presented.***
- 2. ***Instruct the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.***

CARRIED 6/0

Agenda Reference:	11.1.6
Subject:	Central East Aged Care Alliance (CEACA) Inc Body
Location:	CEACA
Applicant:	CEACA - Shire of Kellerberrin
File Ref:	AGE03
Disclosure of Interest:	N/A
Date:	28 th September 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Shire of Kellerberrin's April 2015 Ordinary Meeting of Council.

MIN 59/15 MOTION - Moved Cr. McNeil 2nd Cr. Leake

That Council;

1. ***Endorse the actions of CEACA in the creation of Central Aged Care Alliance Inc.***
2. ***Endorse the Central Aged Care Alliance Inc Constitution as presented***
3. ***Advise the Executive Officer of the Wheatbelt East Regional Organisation of Councils of its endorsement of the draft constitution for Central East Aged Care Alliance Inc in order that further work leading to the establishment of Central East Aged Care Alliance Inc can be undertaken.***
4. ***Council appoint Cr. Rod Forsyth as its Delegate and Mr Raymond Griffiths, Chief Executive Officer as Deputy to the membership of the Central East Aged Care Alliance Inc body's Management Committee.***

CARRIED 4/0

COMMENT

Council has received advice of the Annual General Meeting being held on the 2nd November 2016 where Council will need to provide an updated delegate listing.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Council's makes a contribution of \$5,000 per financial year to CEACA for the operational expenditure to undertake such works as required.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Strategic Priority 2.1

Provide sustainable and well managed community assets and infrastructure for the long term enjoyment by our residents and visitors.

Goal 2.1.1	To maintain, upgrade and renew assets to ensure condition and performance remain at the level required.
Council's Role	<p>To implement asset management best practice principles into our day to day operations.</p> <p>To manage all assets in the most economical and efficient manner possible, from creation / acquisition through to disposal.</p> <p>To develop and implement a rolling program of renewal and replacement works to ensure assets are maintained at the most optimum condition possible.</p> <p>To source funding and grants to contribute to the renewal and</p>

	replacement works.
Goal 2.1.2	To ensure new assets are designed and operated to incorporate the principles of value for money and life cycle costing.
Council's Role	<p>To implement asset management and whole of life principles to ensure the acquisition / creation of new assets identify the anticipated whole of life costs.</p> <p>To operate and maintain assets in the most economical and efficient manner possible.</p> <p>To implement operation and maintenance strategies to ensure assets remain in its most optimum condition possible, throughout its entire life cycle.</p>
Goal 2.1.3	To collaborate with groups to investigate opportunities to improve road and transport network and connectivity between the Shire and beyond.
Council's Role	<p>To facilitate discussions with Road Authorities and external parties to improve condition of state roads.</p> <p>To lobby government agencies to provide an improved road and transportation system to the Shire.</p> <p>To develop a program to improve and enhance local roads and footpaths.</p> <p>To seek funding and grants from government and non-government sources to undertake road and footpath improvement works.</p>

TEN YEAR FINANCIAL PLAN IMPLICATIONS

COMMUNITY CONSULTATION

Chief Executive Officer
 Councillors
 Central East Aged Care Alliance
 WEROC Council
 WEROC Executive
 WEROC Executive Officers

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

That Council appoints Cr. Rod Forsyth as its Delegate and Mr Raymond Griffiths, Chief Executive Officer as Deputy to the membership of the Central East Aged Care Alliance Inc. body's Management Committee.

COUNCIL RECOMMENDATION

MIN 169/16 MOTION - Moved Cr. McNeil 2nd Cr. Steber

That Council appoints Cr. Rod Forsyth as its Delegate and Mr Raymond Griffiths, Chief Executive Officer as Deputy to the membership of the Central East Aged Care Alliance Inc. body's Management Committee.

CARRIED 6/0

Agenda Reference:	11.1.7
Subject:	CEACA, Sale of lots 1 and 31 Hammond Street
Location:	1 & 31 Hammond Street, Kellerberrin
Applicant:	CEACA - Shire of Kellerberrin
File Ref:	AGE-03
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	11 th October 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council's July Ordinary Meeting of Council – 27th July 2016

MIN 124/16 MOTION - Moved Cr. White 2nd Cr. Reid

That Council;

- 1. Commit to an allocation of \$20,000 per Independent Living Unit constructed in Kellerberrin as part of CEACA's Stage 2 project.***
- 2. Commit to an allocation of \$7,200 per each Land Assembly as part of CEACA's Stage 1 Project***
- 3. Commit to an allocation of \$7,200 per each Land Assembly as part of CEACA's Stage 2 Project***
- 4. Allocate a total of \$380,800 in its 2016/2017 Annual Budget to cover the commitments to CEACA for Land Assembly and Independent Living Units Construction through Stage 1 and Stage 2.***
- 5. Fund the \$380,800 through the raising of a loan over a ten year period.***

CARRIED 7/0
BY ABSOLUTE MAJORITY

Council's November Ordinary Meeting of Council – 18th November 2014

MIN 156/14 MOTION - Moved Cr. Bee 2nd Cr. Leake

That Council:

- 1. Endorse the Heads of Agreement between Access Housing and Central East Aged Care Alliance;***
- 2. Authorise the Committee to execute the agreement;***
- 3. Request the document be presented to the December WEROC Council meeting for final adoption.***

CARRIED 6/0

WEROC Council Meeting - 22nd October 2014

RESOLUTION: **Moved:Mr Powell** **Seconded: Cr Truran**

That the matter be deferred until after WE-ROC has met with Access Housing on Friday 31 October 2014.

CARRIED

RESOLUTION: **Moved: Mr Griffiths** **Seconded: Cr Truran**

1. That WE-ROC:

- a) *write to the Minister for Regional Development seeking the immediate release of the guidelines and templates for applying for funding through the Growing our South Program (also known as the Southern Investment Scheme);*
- b) *write to the Wheatbelt Development Commission seeking further and more detailed information on the Small Value Grants Program that will be delivered as part of the Creating Age Friendly Communities Project to be administered by the Wheatbelt Development Commission and released as part of the release of the Audit Toolkit that is also being developed as part of this project. Information should also be sought on the workshops to be held to showcase the toolkit in late November-December 2014;*
- c) *write to the Minister for Regional Development seeking his support in having the Department of Regional Development release the guidelines for the Wheatbelt Regional Grant Scheme without delay;*
- d) *write to both the Minister for Social Services and the Assistant Minister for Social Services outlining the work of CEACA and the need for aged housing and associated support services across the central and eastern Wheatbelt;*
- e) *seek meetings with the Ministers for Housing and Local Government and Communities (or their departmental representatives) to outline the work of CEACA and the need for aged housing and associated support services across the central and eastern Wheatbelt;*
- f) *Seek a meeting/meetings of CEACA as soon as practicable with a view to CEACA resolving:*
 - *to work independently to complete its business case, engaging a consultant to complete the business case as quickly as possible;*
 - *to prepare an application for funding through the Commonwealth's recently announced National Stronger Regions Fund; and*
 - *to properly funding the completion of the business case.*
- g) *WE-ROC suggest that two meetings of CEACA be held, with the first being held in the week beginning Monday 3 November 2014 and the second on Thursday 27 November 2014 either before or after the meeting of the Great Eastern Country Zone scheduled for that day.*
- h) *seek further meetings with Mr Rick Wilson MP, Ms Melissa Price MP, Senator Chris Back and Senator Dean Smith as soon as the CEACA business case is completed.*

2. That the WE-ROC Executive be granted delegated authority to undertake those tasks associated with the completion of the CEACA business case and the preparation of any funding application associated with attracting funds for the construction of aged housing as provided for in the CEACA business case.

CARRIED

WEROC Executive Meeting - 24 th September 2014

RESOLUTION: **Moved: Vivienne Piccoli** **Seconded: Bec McCall**

- 1. That WE-ROC support a CEACA delegation to meet with Wheatbelt Development Commission staff to facilitate and prepare a paper to be included in the Wheatbelt Development Commission Board Meeting agenda as a progress update for the CEACA Aged Care Accommodation project.**
- 2. That WE-ROC seek assistance from the Wheatbelt Development Commission to prepare a grant application under the Small Value Grants under the Creating Age Friendly Communities Project (or the Wheatbelt Regional Grants Scheme – whichever is the most appropriate grant fund) for funds to employ a consultant to finalise sections of the CEACA Aged Care Accommodation business plan that**

DATED: **PRESIDENT SIGNATURE:**

require completion including but not limited to sections on staging, land tenure, funds leveraging funds and budget.

CARRIED

WEROC Council Meeting - 20th August 2014

RESOLUTION: **Moved: Cr Strange** **Seconded: Cr Truran**
That WE-ROC recommends to the Central East Aged Care Alliance that it writes to the CEO of the Wheatbelt Development Commission seeking a meeting with the Commission's Board at which it will provide an update on the preparation of CEACA business case for funding of independent living aged housing across the central and eastern Wheatbelt.

CARRIED

WEROC Council Meeting - 25th June 2014

RESOLUTION: **Moved: Mr Powell** **Seconded: Cr Strange**
That:
1. The postponement of the meeting with the Ministers for Regional Development and Water be noted;
2. The Executive Officer look to arranging a meeting with the Ministers for Regional Development and Water as soon as practical;
3. The Executive Officer write to both the Minister for Social Services and the Assistant Minister for Social Services outlining the work of CEACA;
4. The Executive Officer look to arrange a meeting with Mr Rick Wilson MP and Ms Melissa Price MP, the region's Federal parliamentary representatives; and
5. The Executive Officer look to arrange meetings with the Ministers for Housing and Local Government and Communities (or their departmental representatives).

CARRIED

WEROC Council Meeting - 23rd April 2014

RESOLUTION: **Moved: Mr Griffiths** **Seconded: Cr Truran**
That:
1. WE-ROC write to all Councils involved in the Central East Aged Care Alliance (CEACA) requesting that each Council give consideration to making a provision of \$5,000 in their 2014/2015 budget to allow for further work on the CEACA project;
2. a copy of the letter from WE-ROC be forwarded to the Executive Officer of the North-East Wheatbelt Regional Organisation of Councils (NEWROC), with a request that the matter be discussed at the next meeting of the NEWROC; and
3. a copy of the letter from WE-ROC be forwarded to the Wendy Newman as Chair of CEACA, with a request that the matter be discussed at the next meeting of CEACA.

CARRIED

The Central East Aged Care Alliance (CEACA) is a partnership of eleven Wheatbelt Shires (Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Nungarin, Trayning, Westonia, Wyalkatchem and Yilgarn) formed in 2012 and formalised as an Incorporated Association in mid-2015. CEACA has the purpose of capturing economic benefit in the Wheatbelt by providing older people with the necessary services and infrastructure to remain living in their community of interest. CEACA's key area of activity is in the provision of appropriate housing options and public infrastructure that meets the needs of seniors.

CEACA has formulated a staged 6 year program to construct 187 Independent Living Units (ILUs) across those eleven Shires to address market failure to meet increasing demand for age appropriate accommodation and services.

In Stage 1 of the project, CEACA was successful in obtaining funding of \$2,075,800 from Royalties for Regions' Southern Investment Initiative, managed by the Shire of Merredin on CEACA's behalf, for the land assembly and servicing of 54 lots across the eleven Shires for the

construction of ILU's. Work on Stage 1 has commenced with a Project Manager appointed to progress the works.

CEACA has since been successful in obtaining a further \$19,986,439 in funding from Royalties for Regions' Growing our South program, which will again be managed by the Shire of Merredin on CEACA's behalf. The funding is for the preparation and servicing of 21 lots for construction of ILUs by June 2019, and the construction of 75 ILUs by June 2020 across the eleven Shires. One of the conditions of receiving Progress Payment 1 in the Financial Assistance Agreement (FAA) for Stage 2 is a minuted commitment from each CEACA Council verifying their financial commitment to the construction of Stage Two which incorporates the Land Assembly and Construction of houses.

Councils throughout the process of CEACA and the commitment required to ensure the process goes forward, Council committed to the allocating its land asset as a contribution to the project.

COMMENT

This agenda item is to formalise Council's commitment to the project by transferring the asset to CEACA. The transfer of the asset will need to comply with the Local Government Act 1995, therefore the sale will need to be advertised in accordance with section 3.58 of the Act.

The transfer of the land is only part of Council's contribution, with the second part being a cash contribution as per the item presented to the September's Council Meeting.

The site for CEACA in Kellerberrin is the Ex-Cole Engineering site which has the capacity to host 26 units.



Council originally purchase this land when Cole Engineering went out of business.

Council will need to ensure that we had this process should CEACA not fulfil its potential or live up to the expectations of Council delay and will be transferred back to the Shire of Kellerberrin. This process will need to be incorporated into the constitution of CEACA.

FINANCIAL IMPLICATIONS (2016/2017 Annual Budget)

Council currently in its asset register has the two blocks listed within written down value of \$90,000.

The sale of the land will have no financial impact on the annual budget as it will be in in-kind contribution to the project.

POLICY IMPLICATIONS –

STATUTORY IMPLICATIONS –

Local Government Act 1995 – Part 3, Division 3

Section 3.58 - Disposing of property

- (1) In this section —
- “dispose”** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
- “Property”** includes the whole or any part of the interest of a local government in property, but does not include money.
- (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

Strategic Priority 2.1

Provide sustainable and well managed community assets and infrastructure for the long term enjoyment by our residents and visitors.

Goal 2.1.1	To maintain, upgrade and renew assets to ensure condition and performance remain at the level required.
Council's Role	<ul style="list-style-type: none"> ■ To implement asset management best practice principles into our day to day operations. ■ To manage all assets in the most economical and efficient manner possible, from creation / acquisition through to disposal. ■ To develop and implement a rolling program of renewal and replacement works to ensure assets are maintained at the most optimum condition possible. ■ To source funding and grants to contribute to the renewal and replacement works.
Goal 2.1.2	To ensure new assets are designed and operated to incorporate the principles of value for money and life cycle costing.
Council's Role	<ul style="list-style-type: none"> ■ To implement asset management and whole of life principles to ensure the acquisition / creation of new assets identify the anticipated whole of life costs. ■ To operate and maintain assets in the most economical and efficient manner possible. ■ To implement operation and maintenance strategies to ensure assets remain in its most optimum condition possible, throughout its entire life cycle.
Goal 2.1.3	To collaborate with groups to investigate opportunities to improve road and transport network and connectivity between the Shire and beyond.
Council's Role	<ul style="list-style-type: none"> ■ To facilitate discussions with Road Authorities and external parties to improve condition of state roads. ■ To lobby government agencies to provide an improved road and transportation system to the Shire. ■ To develop a program to improve and enhance local roads and footpaths. ■ To seek funding and grants from government and non-government sources to undertake road and footpath improvement works.

TEN YEAR FINANCIAL PLAN IMPLICATIONS

COMMUNITY CONSULTATION

Chief Executive Officer
WEROC Council
WEROC Executive
WEROC Executive Officers

ABSOLUTE MAJORITY REQUIRED – YES

STAFF RECOMMENDATION

That Council:

1. *Authorise the Chief Executive Officer to give local public notice in accordance with section 3.58 of the Local Government Act 1995 of its intention to dispose of lots 1 and 31 Hammond Street Kellerberrin to Central East Aged Care Alliance on the following terms:
 - a. *At no cost, as the land is Councils in-kind contribution to the CEACA project*
 - b. *A clause is inserted in the CEACA constitution that should CEACA no longer be viable the asset is transferred back to the Shire of Kellerberrin at no cost to Council.*
 - c. *All outgoings including rates, insurance and utilities to be paid by CEACA**
2. *If no submissions are received council authorises the CEO the power to decide to dispose of the property and for the CEO and Shire President to execute the transfer of land documentation.*
3. *If any submissions are received, these are to be referred to Council to consider before making decision on the proposal.*

COUNCIL RECOMMENDATION

MIN 170/16 MOTION - Moved Cr. Leake 2nd Cr. O'Neill

That Council:

1. ***Authorise the Chief Executive Officer to give local public notice in accordance with section 3.58 of the Local Government Act 1995 of its intention to dispose of lots 1 and 31 Hammond Street Kellerberrin to the Central East Aged Care Alliance Inc. (CEACA) on the following terms:
 - a. *At no cost, as the land is Councils in-kind contribution to the CEACA senior housing project;*
 - b. *A clause is inserted in the CEACA constitution that should CEACA no longer be viable the asset is transferred back to the Shire of Kellerberrin at no cost to Council;*
 - c. *All outgoings including rates, insurance and utilities to be paid by CEACA.****
2. ***If no submissions are received council authorises the CEO the power to decide to dispose of the property and for the CEO and Shire President to execute the transfer of land documentation.***
3. ***If any submissions are received, these are to be referred to Council to consider before making decision on the proposal.***

CARRIED 6/0

Agenda Reference:	11.1.8
Subject:	Integrated Planning –CBP Review
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ADM56
Record Ref:	MIN 29/16
Disclosure of Interest:	Nil
Date:	29 th September 2016
Author:	Karen Oborn, Deputy Chief Executive Officer

BACKGROUND

In June 2013 Council adopted their Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, Asset Management Strategy, Furniture and Equipment Asset Management Plan, Plant and Equipment Asset Management Plan, Land and Buildings Asset Management Plan, Infrastructure Asset Management Plan, and Workforce Plan.

The Department of Local Government guidelines and legislation require these plans to be updated on a cyclic basis. As the **Strategic Community Plan** is four years old, the Shire is required to undertake an extensive review of the **Strategic Community Plan** and undertake community consultation, to prepare an updated **Strategic Community Plan**.

Council's April 2016 Ordinary Meeting of Council

COUNCIL RECOMMENDATION

MIN 40/16 MOTION - Moved Cr. McNeil 2nd Cr. White

That Council adopts:

1. **the updated 2012 Strategic Community Plan and;**
2. **adopt the 2016 Corporate Business Plan.**

CARRIED 7/0

Council's June 2013 Ordinary Meeting of Council

MIN 86/13 MOTIONS - Moved Cr. Forsyth 2nd Cr. Bee

That Council adopt:

1. **Strategic Community Plan**
2. **Corporate Business Plan**
3. **Long Term Financial Plan**
4. **Asset Management Strategy**
5. **Furniture and Equipment Asset Management Plan**
6. **Plant and Equipment Asset Management Plan**
7. **Land and Buildings Asset Management Plan**
8. **Infrastructure Asset Management Plan**
9. **Workforce Plan;**
as presented.

CARRIED 6/0

Council's February 2013 Ordinary Meeting of Council

MIN 22/13 MOTION - Moved Cr. Bee 2nd Cr. Daley

That Council adopts the Draft Strategic Community Plan as its Final Strategic Community Plan for the Shire of Kellerberrin without modification.

Council's December 2012 Ordinary Meeting of Council

MIN 243/12 MOTION - Moved Cr. Clarke 2nd Cr. Daley

That Council

- 1. Adopts the Draft Strategic Community Plan as presented for advertising***
- 2. Advertise the Draft Strategic Community Plan with comments/suggestions to close Monday 11th February 2012 at 4pm.***

CARRIED 5/0

Council's June 2012 Ordinary Meeting of Council

MIN 113/12 MOTION - Moved Cr. O'Neill 2nd Cr. Bee

That Council adopt the following as its Vision Statement for its Strategic Community Plan:-

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

CARRIED 6/0

COMMENT

The Department of Local Government guidelines and legislation require these plans to be updated on a cyclic basis, and following the adoption of a budget that differs to the previously adopted LTFP and CBP.

Please find attached a copy of:

- the 2016 Corporate Business Plan to be adopted by Council with edits page 47 and page 49 in line with the adopted 2016/2017 Budget and updated LTFP.

FINANCIAL IMPLICATIONS

Budgets for financial years from 2016/17 to 2020/21.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

5.56. Planning for the future

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

[Section 5.56 inserted by No. 49 of 2004 s. 42(6).]

Local Government (Administration) Regulations 1996

Part 5 — Annual reports and planning

[Heading inserted in Gazette 26 Aug 2011 p. 3482.]

Division 1 — Preliminary

[Heading inserted in Gazette 26 Aug 2011 p. 3482.]

19BA. Terms used

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

[Regulation 19BA inserted in Gazette 26 Aug 2011 p. 3482-3.]

Division 3 — Planning for the future

[Heading inserted in Gazette 26 Aug 2011 p. 3483.]

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

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

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

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

19DB. Transitional provisions for plans for the future until 30 June 2013

- (1) In this regulation —
former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under subregulation (2);
former regulation 19D means regulation 19D as in force immediately before 26 August 2011;
plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.
- (2) Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under subregulation (7).
- (3) A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.
- (4) A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.
- (5) If, for the purposes of complying with subregulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.
- (6) If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with subregulation (3) or otherwise —
 - (a) the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and
 - (b) local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.
- (7) This regulation expires at the end of 30 June 2013.

[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
 - (a) notification that —
 - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the plan may be inspected;
 - or
 - (b) where a strategic community plan for the district has been modified —
 - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the modified plan may be inspected.

[Regulation 19D inserted in Gazette 31 Mar 2005 p. 1033-4; amended in Gazette 26 Aug 2011 p. 3486.]

STRATEGIC PLAN IMPLICATIONS

The Strategic Community Plan will be delivered through the assistance and incorporation of the Long Term Financial Plan - Review 2016.

FUTURE PLAN IMPLICATIONS

When adopted, the revised Strategic Community Plan and the Corporate Business Plan will replace Council’s current Strategic Community Plan and Corporate Business Plan.

CONSULTATION

- CEO
- Senior Staff
- Councillors
- Members of the Community
- General Public

ABSOLUTE MAJORITY REQUIRED – Yes

STAFF RECOMMENDATION

That Council adopts the updated 2016 Corporate Business Plan as presented.

COUNCIL RECOMMENDATION

MIN 171/16 MOTION - Moved Steber 2nd White

That Council adopts the updated 2016 Corporate Business Plan as presented.

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.9
Subject:	Integrated Planning – A.M.S Update
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ADM56
Disclosure of Interest:	Nil
Date:	10 th October 2016
Author:	Karen Oborn, Deputy Chief Executive Officer

BACKGROUND

Council's June 2013 Ordinary Meeting of Council

MIN 86/13 MOTIONS - Moved Cr. Forsyth 2nd Cr. Bee

That Council adopt:

1. **Strategic Community Plan**
2. **Corporate Business Plan**
3. **Long Term Financial Plan**
4. **Asset Management Strategy**
5. **Furniture and Equipment Asset Management Plan**
6. **Plant and Equipment Asset Management Plan**
7. **Land and Buildings Asset Management Plan**
8. **Infrastructure Asset Management Plan**
9. **Workforce Plan;**

as presented.

CARRIED 6/0

Council's February 2013 Ordinary Meeting of Council

MIN 22/13 MOTION - Moved Cr. Bee 2nd Cr. Daley

That Council adopts the Draft Strategic Community Plan as its Final Strategic Community Plan for the Shire of Kellerberrin without modification.

CARRIED 5/0

Council's December 2012 Ordinary Meeting of Council

MIN 243/12 MOTION - Moved Cr. Clarke 2nd Cr. Daley

That Council

1. **Adopts the Draft Strategic Community Plan as presented for advertising**
2. **Advertise the Draft Strategic Community Plan with comments/suggestions to close Monday 11th February 2012 at 4pm.**

CARRIED 5/0

Council's June 2012 Ordinary Meeting of Council

MIN 113/12 MOTION - Moved Cr. O'Neill 2nd Cr. Bee

That Council adopt the following as its Vision Statement for its Strategic Community Plan:-
“To welcome diversity, culture and industry; promote a safe and prosperous community with a rich, vibrant and sustainable lifestyle for all to enjoy.”

CARRIED 6/0

COMMENT

In June 2013 Council adopted their Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, Asset Management Strategy, Furniture and Equipment Asset Management Plan, Plant and Equipment Asset Management Plan, Land and Buildings Asset Management Plan, Infrastructure Asset Management Plan, and Workforce Plan.

The Department of Local Government guidelines and legislation require these plans to be updated on a cyclic basis.

Following the adoption of the Shire of Kellerberrin 2016/2017 Budget, Council staff have reviewed the Asset Management Strategy and made minor amendments. It is envisaged that once this

Asset Management Strategy review is adopted, the associated asset management plans will be updated to align with it and become appendices to the strategy.

Please find attached for Council review a copy of:

- Asset Management Strategy

It is a requirement of the Department of Local Government guidelines and legislation that the plan demonstrate how the Shire will meet the financial ratios set for Local Government in Western Australia. The updated September 2016 plan achieves compliance with all ratios by 2029, except for the Asset renewal funding ratio. This ratio will remain under the target of 75%, achieving 52%; as being a regional shire with a small population and an extensive road network, significant road funding is provided by other government agencies and should be increased by at least 49% in regional areas

FINANCIAL IMPLICATIONS

Budgets for financial years from 2016/17 to 2020/21.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

5.56. Planning for the future

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

[Section 5.56 inserted by No. 49 of 2004 s. 42(6).]

Local Government (Administration) Regulations 1996

Part 5 — Annual reports and planning

[Heading inserted in Gazette 26 Aug 2011 p. 3482.]

Division 1 — Preliminary

[Heading inserted in Gazette 26 Aug 2011 p. 3482.]

19BA. Terms used

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

[Regulation 19BA inserted in Gazette 26 Aug 2011 p. 3482-3.]

Division 3 — Planning for the future

[Heading inserted in Gazette 26 Aug 2011 p. 3483.]

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

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

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.

- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

19DB. Transitional provisions for plans for the future until 30 June 2013

- (1) In this regulation —
former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under subregulation (2);
former regulation 19D means regulation 19D as in force immediately before 26 August 2011;
plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.
- (2) Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under subregulation (7).
- (3) A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.
- (4) A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.
- (5) If, for the purposes of complying with subregulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.
- (6) If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with subregulation (3) or otherwise —
 - (a) the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and
 - (b) local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.
- (7) This regulation expires at the end of 30 June 2013.

[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
 - (a) notification that —
 - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the plan may be inspected;
 - or
 - (b) where a strategic community plan for the district has been modified —
 - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the modified plan may be inspected.

[Regulation 19D inserted in Gazette 31 Mar 2005 p. 1033-4; amended in Gazette 26 Aug 2011 p. 3486.]

STRATEGIC PLAN IMPLICATIONS

The Strategic Community Plan will be delivered through the assistance and incorporation of the Long Term Financial Plan - Review 2016.

FUTURE PLAN IMPLICATIONS

When adopted, the Long Term Financial Plan - Review 2016 will continue to act as an informing strategy for the Adopted Strategic Community Plan and the Corporate Business Plan which replaced Council's Plan for the Future (2010 – 2014).

CONSULTATION

CEO, Senior Staff ,Councillors

ABSOLUTE MAJORITY REQUIRED – No

STAFF RECOMMENDATION

That Council adopt the Asset Management Strategy – Review 2016 as presented.

COUNCIL RECOMMENDATION

MIN 172/16 MOTION - Moved Cr. White 2nd Cr. McNeil

That Council adopt the Asset Management Strategy – Review 2016 as presented.

CARRIED 6/0

Agenda Reference:	11.1.10
Subject:	Integrated Planning – LTFP Update
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ADM56
Disclosure of Interest:	Nil
Date:	5 th October 2016
Author:	Karen Oborn, Deputy Chief Executive Officer

BACKGROUND

Council's Feb 2016 Ordinary Meeting of Council

MIN 06/16 MOTION - Moved Cr. O'Neill 2nd Cr Reid

That Council adopt the Long Term Financial Plan – Review 2016 as presented with an average incremental Rates increase of 5.1% pa. for four years, followed by 4.9% pa. for four years, and then 4.5% pa.

CARRIED 5/0

Council's June 2013 Ordinary Meeting of Council

MIN 86/13 MOTIONS - Moved Cr. Forsyth 2nd Cr. Bee

That Council adopt:

1. *Strategic Community Plan*
2. *Corporate Business Plan*
3. *Long Term Financial Plan*
4. *Asset Management Strategy*
5. *Furniture and Equipment Asset Management Plan*
6. *Plant and Equipment Asset Management Plan*
7. *Land and Buildings Asset Management Plan*
8. *Infrastructure Asset Management Plan*
9. *Workforce Plan;*

as presented.

CARRIED 6/0

Council's February 2013 Ordinary Meeting of Council

MIN 22/13 MOTION - Moved Cr. Bee 2nd Cr. Daley

That Council adopts the Draft Strategic Community Plan as its Final Strategic Community Plan for the Shire of Kellerberrin without modification.

CARRIED 5/0

Council's December 2012 Ordinary Meeting of Council

MIN 243/12 MOTION - Moved Cr. Clarke 2nd Cr. Daley

That Council

1. *Adopts the Draft Strategic Community Plan as presented for advertising*
2. *Advertise the Draft Strategic Community Plan with comments/suggestions to close Monday 11th February 2012 at 4pm.*

CARRIED 5/0

Council's June 2012 Ordinary Meeting of Council

MIN 113/12 MOTION - Moved Cr. O'Neill 2nd Cr. Bee

That Council adopt the following as its Vision Statement for its Strategic Community Plan:-
“To welcome diversity, culture and industry; promote a safe and prosperous community with a rich, vibrant and sustainable lifestyle for all to enjoy.”

CARRIED 6/0

COMMENT

In June 2013 Council adopted their Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, Asset Management Strategy, Furniture and Equipment Asset Management Plan, Plant and Equipment Asset Management Plan, Land and Buildings Asset Management Plan, Infrastructure Asset Management Plan, and Workforce Plan.

The Department of Local Government guidelines and legislation require these plans to be updated on a cyclic basis.

Following the adoption of the Shire of Kellerberrin 2016/2017 Budget, Council staff have reviewed the Long Term Financial Plan and made the necessary amendments. Please find attached for Council review a copy of:

- Long Term Financial Plan – Financials

Some minor changes have been made:

- Planned Rate increases have been decreased from 6.1%pa as adopted in the LTFP to a reduced 5.1% pa.
- Major projects and goals that the Community would like to see delivered have been included for the 2016/17 to 2030/31.
- Funding has been allocated to reserve funds to fund the future renewal of key community assets such as roads, parks and the swimming pool. As well as to replace the Shires aged plant and equipment including the Community Bus.

It is a requirement of the Department of Local Government guidelines and legislation that the plan demonstrate how the Shire will meet the financial ratios set for Local Government in Western Australia. The updated September 2016 plan achieves compliance with all ratios by 2029, except for the Asset renewal funding ratio. This ratio will remain under the target of 75%, achieving 52%; as being a regional shire with a small population and an extensive road network, significant road funding is provided by other government agencies and should be increased by at least 49% in regional areas

FINANCIAL IMPLICATIONS

Budgets for financial years from 2016/17 to 2030/31.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

5.56. Planning for the future

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

[Section 5.56 inserted by No. 49 of 2004 s. 42(6).]

Local Government (Administration) Regulations 1996

Part 5 — Annual reports and planning

[Heading inserted in Gazette 26 Aug 2011 p. 3482.]

Division 1 — Preliminary

[Heading inserted in Gazette 26 Aug 2011 p. 3482.]

19BA. Terms used

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

[Regulation 19BA inserted in Gazette 26 Aug 2011 p. 3482-3.]

Division 3 — Planning for the future

[Heading inserted in Gazette 26 Aug 2011 p. 3483.]

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

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

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

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

19DB. Transitional provisions for plans for the future until 30 June 2013

- (1) In this regulation —

former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under subregulation (2);

former regulation 19D means regulation 19D as in force immediately before 26 August 2011;

plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.
- (2) Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under subregulation (7).
- (3) A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.
- (4) A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.
- (5) If, for the purposes of complying with subregulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.
- (6) If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with subregulation (3) or otherwise —
 - (a) the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and
 - (b) local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.
- (7) This regulation expires at the end of 30 June 2013.

[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).

- (2) The local public notice is to contain —
- (a) notification that —
 - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the plan may be inspected;
 - or
 - (b) where a strategic community plan for the district has been modified —
 - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the modified plan may be inspected.

[Regulation 19D inserted in Gazette 31 Mar 2005 p. 1033-4; amended in Gazette 26 Aug 2011 p. 3486.]

STRATEGIC PLAN IMPLICATIONS

The Strategic Community Plan will be delivered through the assistance and incorporation of the Long Term Financial Plan - Review 2016.

FUTURE PLAN IMPLICATIONS

When adopted, the Long Term Financial Plan - Review 2016 will continue to act as an informing strategy for the Adopted Strategic Community Plan and the Corporate Business Plan which replaced Council's Plan for the Future (2010 – 2014).

CONSULTATION

CEO, Senior Staff ,Councillors

ABSOLUTE MAJORITY REQUIRED – No

STAFF RECOMMENDATION

That Council adopts;

1. *Rate increases of:*

- a. *2017/2018 at 5%*
- b. *2018/2019 at 5%*
- c. *2019/2020 at 4.5%*
- d. *2020/2021 at 4.5%*
- e. *2021/2022 at 4.5%*
- f. *2022/2023 at 4.5%*
- g. *2023/2024 at 3.0%*
- h. *2024/2025 at 3.0%*
- i. *2025/2026 at 3.0%*
- j. *2026/2027 at 3.0%*
- k. *2027/2028 at 3.0%*
- l. *2028/2029 at 2.5%*
- m. *2029/2030 at 2.5%*
- n. *2030/2031 at 2.5%.*

2. *The Long Term Financial Plan v1 – Review 2016 as presented.*

COUNCIL RECOMMENDATION

MIN 173/16 MOTION - Moved Cr. McNeil 2nd Cr. Leake

That Council adopts;

1. Rate increases of:

- a. 2017/2018 at 5%
- b. 2018/2019 at 5%
- c. 2019/2020 at 4.5%
- d. 2020/2021 at 4.5%
- e. 2021/2022 at 4.5%
- f. 2022/2023 at 4.5%
- g. 2023/2024 at 3.0%
- h. 2024/2025 at 3.0%
- i. 2025/2026 at 3.0%
- j. 2026/2027 at 3.0%
- k. 2027/2028 at 3.0%
- l. 2028/2029 at 2.5%
- m. 2029/2030 at 2.5%
- n. 2030/2031 at 2.5%.

2. The Long Term Financial Plan v1 – Review 2016 as presented.

CARRIED 6/0

Agenda Reference:	11.1.11
Subject:	September 2016 Cheque List
Location:	Shire of Kellerberrin
Applicant:	N/A
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	10 th October 2016
Author:	Miss Codi Mullen, Administration Officer

BACKGROUND

Accounts for payment from 1st September 2016 – 30th September 2016

Trust Fund

EFT & CHQ

TRUST TOTAL \$ 0.00

Municipal Fund

Cheque Payments

34107 - 34111 \$ 10,118.57

EFT Payments

6327 - 6406 \$ 327,086.69

Direct Debit Payments

\$ 20,529.47

TOTAL MUNICIPAL \$ 357,734.73

COMMENT

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

Midway Ford	\$ 50,222.17
Supply New Car KE2	
Youlie and Son Spreading Services	\$ 40,055.40

hire of grader and roller for resheet and repairs to Glenluce road for august	
Western Australian Treasury Corporation	\$ 33,504.08
Loan No. 118 Interest payment - Rec Centre Redevelopment	
Fire And Emergency Services (WA)	\$ 20,903.41
16/17 ESLB 1st Qtr. Contribution & DFES Annual monitoring 16/17	
Wheatbelt East Regional Organisation of Councils WE-ROC	\$ 20,350.00
Annual Subscription 16/17, Consultancy & Project Reserve 16/17	
Spyker Business Solutions	\$ 15,375.53
Shire of Kellerberrin CCTV Option 2 as Quoted 22 July 2016	
DKT Rural Agencies	\$ 15,314.85
storm pro pipes for culvert rework, shovels, piping etc.	
Western Stabilisers	\$ 14,530.63
Mobilisation / Demobilisation - Wetmixing – Baandee Nth Rd, Dry Hire of Vibratory Drum Roller	
Woodstock Electrical Services	\$ 10,664.50
rebuild pump at dam (rewinding , seals , bearings) Upgrade Switch Boards & repair oval lights	
Great Eastern Country Zone of WALGA	\$ 8,800.00
Annual Subscription, Consultancy & Project Fund 2016/2017	
WA Local Government Superannuation Plan Pty Ltd	\$ 8,611.49
Superannuation Contributions & Payroll Deductions	
State Law Publisher	\$ 8,564.60
Government Gazette for Local Laws: Cemeteries, Local Government (Council Meetings), Fencing, Parking, Thoroughfares	
Synergy	\$ 8,490.45
Power consumption various properties 11/06/2016 - 10/08/2016	
Kellerberrin & Districts Club	\$ 7,982.31
Monthly Solar Panels repayments, cabinet purchase, councillor drinks	
WA Local Government Superannuation Plan Pty Ltd	\$ 6,680.17
Superannuation Contributions & Payroll Deductions	
Tuss Group Pty Ltd	\$ 5,979.60
Glenluce Rd resheet	
Kellerberrin Community Resource Centre	\$ 5,641.55
Licensing Commissions & Library Payment July 2016	
Kellerberrin Tyre Service	\$ 5,148.00
Tyre repairs, batteries & water	
EnLocus Pty Ltd	\$ 4,400.00
Professional Fees for Skate Park. Project Inception, Design Development - Stages 1 & 2	

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 September 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 \$774,645.78 on vouchers EFT, CHQ, Direct payments*
- 2. Trust Fund payments totalling \$1,100.00 on vouchers EFT, CHQ, Direct payments*

COUNCIL RECOMMENDATION

MIN 174/16 MOTION - Moved Cr. O’Neill 2nd Cr. McNeil

That Council notes that during the month of September 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 \$774,645.78 on vouchers EFT, CHQ, Direct payments***
- 2. Trust Fund payments totalling \$1,100.00 on vouchers EFT, CHQ, Direct payments***

CARRIED 6/0

Agenda Reference:	11.1.12
Subject:	Financial Management Report, Direct Debit List and Visa Card Transactions for the month September 2016
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	6 October 2016
Author:	Jennine Ashby, Senior Finance Officer

BACKGROUND

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

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

Municipal Fund – Direct Debit List

Date	Name	Details	\$	Amount
1-Sep-16	Westnet	Monthly Charge Static IP address	\$	4.99
1-Sep-16	National Australia Bank	Merchant Fees - August	\$	5.21
1-Sep-16	National Australia Bank	Merchant Fees - August	\$	175.06
1-Sep-16	National Australia Bank	Merchant Fees - August	\$	209.68
1-Sep-16	Shire of Kellerberrin	EFT Payment	\$	2,350.00
5-Sep-16	National Australia Bank	VISA Transactions	\$	4,198.96
7-Sep-16	Shire of Kellerberrin	EFT Payment	\$	3,466.33
7-Sep-16	Shire of Kellerberrin	EFT Payment	\$	50,222.17
8-Sep-16	Shire of Kellerberrin	Payroll	\$	48,612.03
8-Sep-16	Shire of Kellerberrin	Payroll - Click Super	\$	8,412.54
13-Sep-16	National Australia Bank	New Term Deposit - Reserve	\$	211,018.00
13-Sep-16	National Australia Bank	New Term Deposit	\$	500,000.00
15-Sep-16	Shire of Kellerberrin	EFT Payment	\$	2,900.00
15-Sep-16	SG Fleet	Monthly Lease Payment	\$	3,752.07
20-Sep-16	Shire of Kellerberrin	EFT Payment	\$	33,504.08
23-Sep-16	Shire of Kellerberrin	Payroll	\$	60,261.03
22-Sep-16	Shire of Kellerberrin	Payroll - Click Super	\$	12,116.93
27-Sep-16	National Australia Bank	Connect Fee Access and Usage	\$	56.99
29-Sep-16	Shire of Kellerberrin	EFT Payment	\$	5,402.04
30-Sep-16	National Australia Bank	Merchant Fees - September	\$	10.16
30-Sep-16	National Australia Bank	Merchant Fees - September	\$	211.90
30-Sep-16	National Australia Bank	Merchant Fees - September	\$	277.17
30-Sep-16	Shire of Kellerberrin	EFT Payment	\$	229,483.61
30-Sep-16	National Australia Bank	BPAY Charges	\$	111.96
30-Sep-16	National Australia Bank	Account Fees - Municipal	\$	81.80
30-Sep-16	National Australia Bank	Account Fees - Trust	\$	57.80
TOTAL			\$	1,176,902.51

Trust Fund – Direct Debit List

Date	Name	Details	\$	Amount
30-Sep-16	Department Transport	Direct Debit-Licensing Payments Sept 16	\$	70,542.55
TOTAL			\$	70,542.55

Visa Card Transactions

Date	Name	Details	\$	Amount
31-Aug-16	Department of Environment	Clearing Permit	\$	200.00
01-Sep-16	Kellerberrin Resource Centre	Vehicle Licensing - KE1	\$	438.40
05-Sep-16	Kellerberrin & Districts Club	Refreshments - Ag Society	\$	26.00

06-Sep-16	Puma Tammin Roadhouse	Diesel Fuel - KE1	\$	151.16
28-Sep-16	National Australia Bank	Card Fee	\$	9.00
		TOTAL - CEO	\$	824.56
30-Aug-16	Kellerberrin Recourse Centre Kellerberrin Pie Shop and	Change Plates - KE00	\$	33.20
02-Sep-16	Bakery	Staff Consumables	\$	40.00
02-Sep-16	Duxton Hotel	Accommodation - J Ashby	\$	266.95
06-Sep-16	Sports Turf Assoc WA Inc	Cricket Wicket Seminar-I Kent & R Scott	\$	225.00
20-Sep-16	Gull Mindarie	Unleaded Fuel - KE002	\$	50.68
28-Sep-16	National Australia Bank	Card Fee	\$	9.00
		TOTAL - DCEO	\$	624.83
		TOTAL VISA TRANSACTIONS	\$	1,449.39

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

Be adopted.

COUNCIL RECOMMENDATION

MIN 175/16 MOTIONS - Moved Cr. McNeil 2nd Cr. Leake

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

Be adopted.

CARRIED 6/0

11.2 DEVELOPMENT SERVICES – AGENDA ITEM

Agenda Reference:	11.2.1
Subject:	Building Returns: September 2016
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	BUILD06
Disclosure of Interest:	Nil
Date:	7 th October 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 September 2016 period. A copy of the "Australian Bureau of Statistics appends.
2. No "Building Permits" were issued in the September 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 September 2016 period.*
2. *Acknowledge the "Return of Building Permits Issued " for the September 2016 period.*

COUNCIL RECOMMENDATION

MIN 176/16 MOTION - Moved Cr. Steber 2nd Cr. McNeil

That Council

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

CARRIED 6/0

11.3 WORKS & SERVICES – AGENDA ITEMS

Nil Items

COUNCIL RECOMMENDATION

MIN 177/16 MOTION - Moved Cr. O'Neill 2nd Cr. Leake

That Council receive Late Items

CARRIED 6/0

Agenda Reference:	13.1
Subject:	Central East Aged Care Alliance (CEACA) Inc Body – Constitution Amendment
Location:	CEACA
Applicant:	CEACA - Shire of Kellerberrin
File Ref:	AGE-03
Disclosure of Interest:	N/A
Date:	12 th October 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council's April 2015 Ordinary Meeting of Council

MIN 59/15 MOTION - Moved Cr. McNeil 2nd Cr. Leake

That Council;

5. *Endorse the actions of CEACA in the creation of Central Aged Care Alliance Inc.*
6. *Endorse the Central Aged Care Alliance Inc Constitution as presented*
7. *Advise the Executive Officer of the Wheatbelt East Regional Organisation of Councils of its endorsement of the draft constitution for Central East Aged Care Alliance Inc in order that further work leading to the establishment of Central East Aged Care Alliance Inc can be undertaken.*
8. *Council appoint Cr. Rod Forsyth as its Delegate and Mr Raymond Griffiths, Chief Executive Officer as Deputy to the membership of the Central East Aged Care Alliance Inc body's Management Committee.*

CARRIED 4/0

COMMENT

The Department of Commerce has amended statutory information that is required within a constitution. The department has also legislated that all Inc bodies must transition to the new constitution within three years.

Therefore CEACA has made amendments to its constitution to comply with the requirements from the Department of Commerce

Please find below the relevant clauses that have been amended and the description of the amendment

Clause	Description of Amendment
2	Updated a number of definitions and interpretations to reflect the new Act.
6	Amendment to reflect the new Act.
7	Clause has been redrafted to clearly describe CEACA as a not for profit entity. New clauses have been added in relation to payments to CEACA members. The changes are in line with those outlined in the updated model rules for incorporated associations and provide that certain payments to CEACA members are approved within the Constitution.
8.2 and 8.3	Clauses 8.2 and 8.3 as they are currently written do not allow an elected member or employee of a Member Organisation to be elected the Chair of CEACA or where there is

	no Chair appointed an Acting Chair. The intention when CEACA was formed was to have an independent chair appointed however circumstances to date have not allowed that to occur. The clauses have been redrafted to allow, where the position of Chair is vacant, an elected member or employee of a Member Organisation can be elected the Acting Chair of CEACA until the position is filled by an independent chair.
8.8	Clause 8.8 has been amended to provide that the register will also include the email address and allow the Secretary or another person authorised by the Committee to keep the register. This change means that the Executive Officer is able to keep the details of the register.
8.12	New clause has been added to provide that the Secretary or another person authorised by the Committee must also keep details of members for a year after they cease to be a member. This amendment is required by the Act.
9, 10, 11 and 12	Clause 9 suspension or expulsion of a member has been redrafted. Clause 10 - consequences of suspension, clause 11 - resolving disputes and clause 12 - mediation have been added to reflect the requirements Schedule 1(18) of the Act. Schedule 1(18) requires the Constitution to have a procedure for dealing with any dispute between members and also between members and the incorporated association.
Following Clauses	With the addition of new clauses 10, 11 and 12 the numbers for all following clauses have been amended. This has resulted in a number of consequential changes being made to the clause numbers within the body of the Constitution.
Reference to clauses in the following comments will reflect the amended clause numbers	
14	Recognising the proposed changes to clauses 8.2 and 8.3, the amendments to clause 14 are consequential changes with the exception of clause 14(11)(e) which is a change to reflect the new Act.
16	Clause 16.2 has been reworded.
19	Clause 19.12 has been amended to reflect the change in the Act. AGMs are now allowed to be held within 6 months of the end of the financial year. Clause 19.15(a) the amendment to 20% of members required to call a Special General Meeting is required by regulation 18 of the <i>Associations Incorporation Regulations 2016</i> . Clause 19.15(b) is a consequential change to the wording.

	Clause 19.19(c) corrects an error in the original drafting of the Constitution.
21	Clause 21.7 is an amendment to reflect the new Act.
23	Clause 23.1 has been redrafted to reflect that the process is as outlined in the Act. This means that should in future the Act be changed the Constitution will always remain current. Clause 23.2 corrects an error in the original drafting of the Constitution.
26	Clause 26 has been redrafted to reflect the current wording in the model rules and as required by Schedule 1(19) of the Act.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

The modification to the constitution will have no financial impact upon council

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Strategic Priority 2.1

Provide sustainable and well managed community assets and infrastructure for the long term enjoyment by our residents and visitors.

Goal 2.1.1	To maintain, upgrade and renew assets to ensure condition and performance remain at the level required.
Council's Role	<ul style="list-style-type: none"> ▪ To implement asset management best practice principles into our day to day operations. ▪ To manage all assets in the most economical and efficient manner possible, from creation / acquisition through to disposal. ▪ To develop and implement a rolling program of renewal and replacement works to ensure assets are maintained at the most optimum condition possible. ▪ To source funding and grants to contribute to the renewal and replacement works.
Goal 2.1.2	To ensure new assets are designed and operated to incorporate the principles of value for money and life cycle costing.
Council's Role	<ul style="list-style-type: none"> ▪ To implement asset management and whole of life principles to ensure the acquisition / creation of new assets identify the anticipated whole of life costs. ▪ To operate and maintain assets in the most economical and efficient manner possible. ▪ To implement operation and maintenance strategies to ensure assets remain in its most optimum condition possible, throughout its entire life cycle.
Goal 2.1.3	To collaborate with groups to investigate opportunities to improve road and transport network and connectivity between the Shire and beyond.
Council's Role	<ul style="list-style-type: none"> ▪ To facilitate discussions with Road Authorities and external parties to improve condition of state roads. ▪ To lobby government agencies to provide an improved road and transportation system to the Shire. ▪ To develop a program to improve and enhance local roads and footpaths.

- To seek funding and grants from government and non-government sources to undertake road and footpath improvement works.

TEN YEAR FINANCIAL PLAN IMPLICATIONS

COMMUNITY CONSULTATION

Chief Executive Officer
WEROC Council
WEROC Executive
WEROC Executive Officers

ABSOLUTE MAJORITY REQUIRED – YES/NO

STAFF RECOMMENDATION

That Council:

- 1. endorses the modifications to the CEACA constitution as presented*
- 2. Advise CEACA's Executive Officer of its endorsement*

COUNCIL RECOMMENDATION

MIN 178/16 MOTION - Moved Cr. White 2nd Cr. Leake

That Council:

- 1. endorses the modifications to the CEACA constitution as presented***
- 2. Advise CEACA's Executive Officer of its endorsement***

CARRIED 6/0

Agenda Reference:	13.2
Subject:	Development Application, Lot 500 Leake Street, Kellerberrin
Location:	Lot 500, Leake street, Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	A874, PROP 22
Record Ref:	G15030
Disclosure of Interest:	N/A
Date:	17 th October 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council the past several years have been working towards the delivery of an upgrade to Centenary Park. The proposal was to upgrade the park facilities including playground equipment and a new skate park for the youth of Kellerberrin.

Council engaged at Josh Byrne & Associates to undertake the centenary park portion of the upgrade which included nature play areas, grassed areas, footpaths, entrances and playground equipment.

In addition to this council engaged Enlocus to undertake the design in preparation of a skate park.

COMMENT

Council received the final drawings for both the skate park and the centenary park upgrade and is looking for Council's development approval for the proposed park upgrade.

Please find attached a full development application drawing specifications of the park and the skate park.

The use of the land in which the Parks are going be located is currently used as a park facility. Council is just looking to upgrade and modernised the park.

The parcel of land is currently zoned recreation and open space. Therefore the proposed upgrade to Centenary Park falls within the scope of this current zoning.

FINANCIAL IMPLICATIONS

The cost of this Development Application is \$2,985.00

G/L Number	Description	Budget	Actual	Difference
104369	Planning Fees	\$2,893.99	\$843	\$2,050.99

The cost of the Building Permit: to be determined on cost of construction.
Payment of the Builders Registration Board Levy of \$40.50.

POLICY IMPLICATIONS - NA

STATUTORY IMPLICATIONS

Shire of Kellerberrin Town planning Scheme 4

Schedule 6 — Form of application for planning approval

The Form of application for planning approval as shown in Schedule 6 of the *Town Planning Amendment Regulations 1999* (Appendix B - Model Scheme Text) shall apply to this Scheme, except as varied below.

There are no variations to the form as shown in Schedule 6 of the *Town Planning Amendment Regulations 1999* (Appendix B - Model Scheme Text).

STRATEGIC PLAN IMPLICATIONS:

Strategic Priority 1.3

Present a Shire with high visual and aesthetic appeal to neighbouring Shire Councils and visitors

Goal 1.3.1	To create visually appealing and inviting public and recreational places that complies with good planning and design principles.
Council's Role	<ul style="list-style-type: none"> ▪ To facilitate discussions with community members to identify priority community infrastructure upgrades ▪ To develop and implement a program of visual improvements throughout the Shire. ▪ To facilitate discussions with external parties, state and federal agencies for funding to support improvement programs and/or partnerships to deliver and provide community facilities and amenities. ▪ To work with contractors and service providers in delivering facilities and amenities that complies with legislative requirements and best practice planning and design principles.
Goal 1.3.2	To plan and design assets and facilities to address community needs and expectations.
Council's Role	<ul style="list-style-type: none"> ▪ To facilitate discussions with community members / key users of community / public facilities to identify needs and requirements ▪ To develop a program to upgrade / develop new community facilities ▪ To collaborate with external parties / agencies on the possibility of working together to deliver major infrastructure ▪ To lobby state / federal agencies for community funds to facilitate development of public / community facilities

Strategic Priority 2.1

Provide sustainable and well managed community assets and infrastructure for the long term enjoyment by our residents and visitors.

Goal 2.1.1	To maintain, upgrade and renew assets to ensure condition and performance remain at the level required.
Council's Role	<ul style="list-style-type: none"> ▪ To implement asset management best practice principles into our day to day operations. ▪ To manage all assets in the most economical and efficient manner possible, from creation / acquisition through to disposal. ▪ To develop and implement a rolling program of renewal and replacement works to ensure assets are maintained at the most optimum condition possible. ▪ To source funding and grants to contribute to the renewal and replacement works.
Goal 2.1.2	To ensure new assets are designed and operated to incorporate the principles of value for money and life cycle costing.
Council's Role	<ul style="list-style-type: none"> ▪ To implement asset management and whole of life principles to ensure the acquisition / creation of new assets identify the anticipated whole of life costs. ▪ To operate and maintain assets in the most economical and efficient manner

	<p>possible.</p> <ul style="list-style-type: none"> ▪ To implement operation and maintenance strategies to ensure assets remain in its most optimum condition possible, throughout its entire life cycle.
Goal 2.1.3	To collaborate with groups to investigate opportunities to improve road and transport network and connectivity between the Shire and beyond.
Council's Role	<ul style="list-style-type: none"> ▪ To facilitate discussions with Road Authorities and external parties to improve condition of state roads. ▪ To lobby government agencies to provide an improved road and transportation system to the Shire. ▪ To develop a program to improve and enhance local roads and footpaths. ▪ To seek funding and grants from government and non-government sources to undertake road and footpath improvement works.

**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
 Community Development Officer
 Deputy Chief Executive Officer
 Manager Works and Services
 Manager Development Services
 Community

ABSOLUTE MAJORITY REQUIRED - YES

STAFF RECOMMENDATION

That Council approves the Development Approval application for the proposed Centenary park upgrade including the construction of a skate park on Lot 500 Leake Street, Kellerberrin, as per plans and documents presented dated 13th October, 2016 subject to:

1. *That a car park be incorporated into the proposal*
2. *The fencing on the north side of the train track be upgraded as required by the Public Transport Authority*

By Absolute Majority

COUNCIL RECOMMENDATION

MIN 179/16 MOTION - Moved Cr. McNeil 2nd Cr. O'Neill

That Council approves the Development Approval application for the proposed Centenary park upgrade including the construction of a skate park on Lot 500 Leake Street, Kellerberrin, as per plans and documents presented dated 13th October, 2016 subject to:

1. ***That a car park be incorporated into the proposal***
2. ***The fencing on the north side of the train track be upgraded as required by the Public Transport Authority***

**CARRIED 6/0
By Absolute Majority**

NEXT MEETING DATES

MIN 180/16 MOTION - Moved Cr. Leake 2nd Cr. Steber

The Ordinary Council Meeting, 15th November 2016, will start with a briefing session commencing at 5pm and the Ordinary Council Meeting commencing at 6 pm.

CARRIED 6/0

CLOSURE OF MEETING

The President thanked all members for the attendance and closed the meeting at 4.30pm.