

SHIRE OF KELLERBERRIN

MINUTES

Minutes of the Ordinary Council Meeting held at the Doodlakine Hall, Spring Street, Doodlakine on Tuesday 20th September 2016, commencing at 2:00 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISTORS:

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

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

Present:

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

Apologies: Nil

Leave of Absence: Nil

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

4. PUBLIC QUESTION TIME:

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 **20th September 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 **20th September 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 **20th September 2016**.

Date	Name	Item No.	Reason
20.09.16	Cr. McNeil		Applicant for Building Permit

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Shire of Kellerberrin Ordinary Council Meeting Minutes, 16th August 2016

COUNCIL RECOMMENDATION

MIN 149/16 MOTION: Moved Cr. Reid 2nd Cr. Steber

That the minutes of the Shire of Kellerberrin Ordinary Council Meeting held on Wednesday 16th August 2016, be confirmed as a true and accurate record

CARRIED 7/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION: Nil

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS:

Doodlakine Community Representatives Mr Kevin Walsh and Mr Michael McFarlane

- Hot FM Radio held from Doodlakine Store today.
- Thank the Shire for the \$2,000 roadside clean-up grant through Community Grants Scheme and for the ability to deposit the rubbish at the transfer station.
- Doodlakine Community Committee was successful in receiving \$1,000 from Colgar Wind farm.
- 170 bags of rubbish were collected from the roadside clean-up.
- The funds raised were used to purchase items such as chairs for the Bowling Club and assisting the Freestone's who recently lost their home to house fire.
- It is believed that this year will be a high risk fire season that requires clearing of vacant blocks and road edges to prevent a serious issue arising.
- There are concerns about road conditions especially the following roads
 - Intersection on the main street in town, heaps of pot holes
 - Tolley Rd has bad potholes.
 - Mather Road between the town and quarry. The road appears to be in poor condition. There was an accident due to speed but road has over grown trees stopping the grader, and could need re-sheeting. The road is regularly used including being used by the school bus. Three local trucks use the road for haulage as they are too slow for highway. They would like Shire to please consider renewing the road. Manager of works and Services advised that using Perth contractors was not cost effective for pothole repairs and the. The Shire is currently sourcing bulk cold mix to resolve issues.

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Reports of Committees/Councillors

MIN 150/16 MOTION: Moved Cr. White 2nd Cr. O'Neill

That the President's reports for September 2016 be received

CARRIED 7/0

11.1 CORPORATE SERVICE – AGENDA ITEM

Agenda Reference:	11.1.1
Subject:	Community Requests and Discussion Items
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin - Council
File Ref:	Various
Disclosure of Interest:	N/A
Date:	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.

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

June 2016 Council Meeting

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

That Council note that;

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

CARRIED 7/0

COMMENT

June 2016 – MIN 95/16

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

July 2016 – MIN 109/16

Letter issued to Peak transport requesting more information. Council hasn't received any further correspondence back from Peak Transport to date.

Currently in discussion with LGIS regarding B&S Event.

August 2016 – MIN 140/16

Council is awaiting paper work for signing from Prompt settlements to be able to complete the finalisation of titles. The new sign has been ordered and installed.

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 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

Agenda Reference:	11.1.2
Subject:	WE-ROC Council Meeting Minutes and Resolutions
Location:	Council Chambers, Shire of Westonia
Applicant:	WE-ROC Council
File Ref:	ORG-10
Disclosure of Interest:	Nil
Date:	9 th September 2016
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 31st August 2016 held at the Shire of Westonia Council Chambers, are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and WE-ROC to keep this Council abreast of forward/strategic planning initiatives of the Council Group and to consider outcomes from the WE-ROC Council Meetings.

COMMENT

Attached to this agenda item is a copy of the last WE-ROC Council Meeting Minutes held on Wednesday 31st August 2016 held at the Shire of Westonia, Council Chambers.

The intent is to list minutes of each Council Meeting formally as compared to listing these minutes in the Information Bulletin section of Council's monthly Agenda, ensures that Council is;

- a) aware of decision making and proposals submitted
- b) opportunity to prepare agenda items
- c) forward planning to commitments made by the full Council Group and;
- d) return the formality by Member Councils involved in the organization and provision of Executive Support Services of WE-ROC.

Resolutions arising out of the 31st August 2016 WE-ROC Council Meeting summarised hereunder,

EN BLOC RESOLUTION: Moved: Mr Griffiths Seconded: Mr Mollenoyux

That the Minutes of the Council Meeting held Wednesday 29 June 2016 be confirmed as a true and correct record.

CARRIED

EN BLOC RESOLUTION: Moved: Mr Griffiths Seconded: Mr Mollenoyux

That the Status Report as presented be received.

CARRIED

RESOLUTION: Moved: Mr Powell Seconded: Mr Criddle

That the matters/papers detailed in Item 4.3 be noted.

CARRIED

RESOLUTION: Moved: Mr Griffiths Seconded: Mr Mollenoyux

That the WE-ROC Financial Report for the period ending 30 June 2016 be received.

CARRIED

RESOLUTION: Moved: Mr Griffiths Seconded: Mr Powell

That the Accounts Paid for the period 1 June 2016 to 31 July 2016 totalling \$78,792.08 be approved.

CARRIED

RESOLUTION: **Moved: Mr Criddle** **Seconded: Mr Mollenoyux**

That WE-ROC advise the WA Primary Health Alliance and Rural Health West that it is interested in collaborating with them in re-establishing vocational and immersion programs for first year medical students.

CARRIED

RESOLUTION: **Moved: Mr Griffiths** **Seconded: Mr Mollenoyux**

That WE-ROC write to the Building Commission to see whether they can provide a list of suitably qualified consultants to assist in the development of a template to be used in obtaining approval for alternate fire solutions for buildings greater than 500m² and located within a townsite.

CARRIED

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

POLICY IMPLICATIONS

STATUTORY IMPLICATIONS:

Nil (not directly in regards to formalisation of the Group other following good administration practices in terms of researching and conducting the business requirements of the Group benchmarked against Minutes, Agenda and Meeting procedure standards- voluntary membership).

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Participation in WE-ROC provides the Council the opportunity to develop and strengthen partnerships with neighbouring local governments to deliver identified local government services in a more cost effective and substantial manner for the benefit of each Council Member of WE-ROC.

CORPORATE BUSINESS PLAN IMPLICATIONS

(Including Workforce Plan and Asset Management Plan Implications)

LONG TERM FINANCIAL PLAN IMPLCATIONS

COMMUNITY CONSULTATION

Council and Councillors of the Shire of Kellerberrin
WE-ROC Member Councils
Staff Information re Minutes and Agendas of WE-ROC

ABSOLUTE MAJOURITY REQUIRED - NO

STAFF RECOMMENDATION

That Council receive the Minutes of the Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 31st August 2016.

COUNCIL RECOMMENDATION

MIN 152/16 MOTION - Moved Cr. McNeil 2nd Cr. Steber

That Council receive the Minutes of the Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 31st August 2016.

CARRIED 7/0

Agenda Reference:	11.1.3
Subject:	Great Eastern Country Zone of WALGA Meeting Minutes and Resolutions
Location:	Merredin Regional Community and Leisure Centre
Applicant:	Great Eastern Country Zone of WALGA
File Ref:	OLGOV-16
Disclosure of Interest:	Nil
Date:	9 th September 2016
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Meeting, held on Thursday 1st September 2016 at the Merredin Regional Community and Leisure Centre, of the Great Eastern Country Zone (GECZ) are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and Great Eastern Country Zone to keep this Council abreast of forward/strategic planning initiatives of the Zone.

COMMENT

Attached to this agenda item is a copy of the recent Zone Meeting Minutes (not confirmed) held on Thursday 1st September 2016. The intent is to list the minutes of each meeting formally as compared to listing these minutes in the Information Bulletin section of Councils monthly Agenda, to ensure that Council is;

- a. aware of decision making and proposals submitted
- b. opportunity to prepare agenda items
- c. forward planning to commitments made by the full Group and;
- d. return the formality by Member Councils involved.

Note: COUNCIL APPOINTED DELEGATES-GECZ:
 President Cr Rodney Forsyth
 Deputy President Cr Scott O'Neill

GREAT EASTERN COUNTRY ZONE MEETING: Appointed Delegate Meeting attendance: Cr Forsyth and Raymond Griffiths (CEO).

RESOLUTION: Moved: Cr O'Connell Seconded: Cr Waters

That the Minutes of the Meeting of the Great Eastern Country Zone held Friday 8 July 2016 be confirmed as a true and accurate record of the proceedings.

CARRIED

RESOLUTION: Moved: Cr Tarr Seconded: Cr Day

That the Minutes of a Meeting of the Great Eastern Country Zone Executive Committee held Thursday 4 August 2016 be received.

CARRIED

RESOLUTION: Moved: Mr Griffiths Seconded: Cr Waters

That:

- 1. The Great Eastern Country Zone hold a Ministerial Meeting Day during the winter parliamentary break in 2017; and**
- 2. The Executive Officer make arrangements for the Zone's Executive Committee to meet with the Minister for Fire and Emergency Services; Fisheries; Corrective Services; Veterans.**

CARRIED

RESOLUTION: **Moved: Cr Day** **Seconded: Cr Tarr**

That the matter be noted. **CARRIED**

RESOLUTION: **Moved: Cr Tarr** **Seconded: Cr Shadbolt**

That Cr O’Connell be permitted to remain in the room during the discussion on Agenda Item 7.3 **CARRIED**

RESOLUTION: **Moved: Cr Davies** **Seconded: Cr O’Connell**

That the Minutes of the Local Government Grain Freight Group Meeting held Monday 4 July 2016 be received. **CARRIED**

RESOLUTION: **Moved: Cr O’Connell** **Seconded: Cr Tarr**

That the Great Eastern Country Zone notes the WALGA Status Report.

RESOLUTION: **Moved: Cr Davies** **Seconded: Cr Shadbolt**

That the Great Eastern Country Zone endorses all recommendations being matters contained in the WALGA State Council Agenda other than those recommendations separately considered. **CARRIED**

RESOLUTION: **Moved: Mr Naylor** **Seconded: Mr Griffiths**

That the Great Eastern Country Zone notes the following reports contained in the WALGA State Council Agenda:

- Matters for noting/Information;
- Organisational reports;
- Policy Forum reports; and
- WALGA President’s Report.

CARRIED

RESOLUTION: **Moved: Cr Kirby** **Seconded: Cr Crees**

That the RDA Wheatbelt Report be noted **CARRIED**

FINANCIAL IMPLICATIONS (ANNUAL BUDGET) : Nil (not known at this time)

POLICY IMPLICATIONS: Nil (not known at this time)
As per Great Eastern Country Zone WALGA resolutions adopted at Zone Meetings

STATUTORY IMPLICATIONS: Nil (not directly in regards to Zone Meeting procedures and resultant actions forwarded onto the Western Australian Local Government Association.

STRATEGIC PLAN IMPLICATIONS

Participation in Great Eastern Country Zone of WALGA provides the Council the opportunity to develop and strengthen partnerships with neighbouring local governments to deliver identified local government services in a more cost effective and substantial manner for the benefit of each Council Member of Great Eastern Country Zone. The additional advantage to membership of the Zone is to monitor and actively provide input to Governance, Compliance and Statutory issues that affect the member Local Government, to deliver the required services to its respective community and to operate effectively and efficiently as a local government.

CORPORATE BUSINESS PLAN IMPLCATIONS: Nil (not know at this time)

(Including Workforce Plan and Asset Management Plan Implications)

TEN YEAR FINANCIAL PLAN IMPLCATIONS: Nil (not known at this time)

COMMUNITY CONSULTATION

- Council and Councillors of the Shire of Kellerberrin
- Great Eastern Country Zone Member Councils
- Great Eastern Country Zone of WALGA
- Western Australian Local Government Association

ABSOLUTE MAJORITY REQUIRED - NO

STAFF RECOMMENDATION

That Council receive the Minutes of the Great Eastern Country Zone of WALGA meeting, held on Thursday 1st September 2016.

COUNCIL RECOMMENATION

MIN 153/16 MOTION - Moved Cr. Reid 2nd Cr. White

That Council receive the Minutes of the Great Eastern Country Zone of WALGA meeting, held on Thursday 1st September 2016.

CARRIED 7/0

Agenda Reference:	11.1.4
Subject:	Common Seal Register and Reporting
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ADM-52
Disclosure of Interest:	N/A
Date:	9 th September 2016
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

To seek Council's endorsement for the application of the Shire of Kellerberrin Common Seal in accordance with the Common Seal Register.

COMMENT

The Shire of Kellerberrin's Common Seal is applied in circumstances where the Shire enters into a legal agreement, lease or undertakes the disposal or acquisition of land.

Application of the Seal is accompanied by the signatures of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the Seal is applied. The register is maintained, updated and should be presented to Council on a quarterly basis. A process will be put in place to ensure that this occurs. It is recommended that Council formalises the receipt of the affixation of the Common Seal Report for endorsement.

Generally, the Common Seal is only applied in circumstances where the Council has specifically resolved to enter into an agreement, lease or dispose of or acquire land. There are however, occasions where the Seal is required to be applied urgently and Council's endorsement is sought retrospectively.

Attached to this report is a short list of agreements that require Council endorsement for use of the Common Seal.

FINANCIAL IMPLICATIONS: Nil (not known at this time)

POLICY IMPLICATIONS: Nil (not known at this time)

STATUTORY IMPLICATIONS

Shire of Kellerberrin Standing Orders Local Law 2006

Clause 19.1 The Council's Common Seal

(1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.

(2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.

(3) The common seal of the local government is to be affixed to any local law which is made by the local government.

(4) The CEO is to record in a register each date on which the common seal of the Local Government was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.

(5) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.

Penalty \$1,000

STRATEGIC PLAN IMPLICATIONS: Nil (not known at this time)

FUTURE PLAN IMPLICATIONS: Nil (not known at this time)

COMMUNITY CONSULTATION: Nil (not required statutory function of the Council)

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

That Council endorse the affixing of the Shire of Kellerberrin's Common Seal as per the attached Common Seal Register document.

COUNCIL RECOMMENDATION

MIN 154/16 MOTION - Moved Cr. Steber 2nd Cr. Reid

That Council endorse the affixing of the Shire of Kellerberrin's Common Seal as per the attached Common Seal Register document.

CARRIED 7/0

Agenda Reference:	11.1.5
Subject:	Integrated Planning – LTFP Update
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ADM56
Disclosure of Interest:	Nil
Date:	11 th September 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

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 are making 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 5.2% pa.
- Major projects and goals that the Community would like to see delivered have been included for the 2016/17 to 2027/28.
- 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 as well as the Community Bus.

Following a month of review a final draft of the updated Long Term Financial Plan, will be presented to Councils October 2016 Ordinary Meeting of Council.

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

For Council Review and information only.

COUNCIL RECOMMENDATION

MIN 155/16 MOTION - Moved Cr. Reid 2nd Cr. O'Neill

That Council note the Shire Executive is updating the LTFP, following the adoption of the 2016/2017 Budget with the plan to be presented to the October 2016 Ordinary Council Meeting for final adoption.

CARRIED 7/0

Agenda Reference:	11.1.6
Subject:	August 2016 Cheque List
Location:	Shire of Kellerberrin
Applicant:	N/A
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	12 th September 2016
Author:	Miss Codi Mullen, Administration Officer

BACKGROUND

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

Trust Fund

EFT & CHQ

TRUST TOTAL \$ 1,100.00

Municipal Fund

Cheque Payments

34099 - 34106 \$ 43,024.67

EFT Payments

6191 - 6326 \$ 641,116.90

Direct Debit Payments \$ 90,504.21

TOTAL MUNICIPAL \$ 774,645.78

COMMENT

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

SG Fleet	\$ 207,000.00
Purchase of various vehicles Trailer, Dolly & Cab	
Major Motors Pty Ltd	\$ 63,389.70
Purchase Isuzu Truck.	
Merredin Toyota (Ryamar Pty Ltd)	\$ 60,608.40
Supply of new cars, KE00, KE002 & KE003	
Department of Transport - TRUST DIRECT DEBITS Licensing CRC	\$ 60,358.75
LICENSING PAYMENTS - AUGUST 2016	
Woodstock Electrical Services	\$ 44,885.98
Purchase of Generator & contracted works	
CE and H Smith	\$ 26,565.00
Contracts works to push up Gravel, Vehicles used: Water Tanker, Loader & Grader	
Youlie and Son Spreading Services	\$ 22,479.60
Grader & Roller Combination throughout June & July 2016	
Western Australian Local Government Association	\$ 19,175.17
Membership Subscriptions for 16/17	
Colas WA Pty Ltd	\$ 18,862.82
Doodlakine Sth Rd + Shackleton Rd Failure Patch + Yoting Rd Culvert Patch – 16,350 m2	
CJD Equipment Pty Ltd	\$ 17,796.34
transmission diagnosis, screws, filters	
Deputy Commissioner Of Taxation	\$ 17,472.00
BAS JUNE 16	
Farmways Kellerberrin Pty Ltd	\$ 14,967.35
Hydraulic Fittings and Test Points, 205 I Diesel Ultra 15W40 oil, 205 I Hydraulic 46 oil, RHS Gal 30x30x2x8000mm, Plastic plug 30mm & Misc. Items under \$100.00	
Great Southern Fuel Supplies	\$ 14,176.79
Fuel Purchase for July 16	
Merredin Refrigeration & Gas	\$ 14,111.00
12KW Units for Kellerberrin Golf Club	

SG Fleet	\$ 11,423.12
Monthly Lease Payment	
Synergy	\$ 9,871.50
Power consumption from April - June 16	
Water Corporation	\$ 9,502.39
Water & Standpipe Charges for various properties May - Aug 16	
LGIS Liability	\$ 9,323.02
First Instalment Renewal Liability 30/06/2016 - 30/06/2017	
Spyker Business Solutions	\$ 9,204.09
Q24052015_CCTV_Recommendations - as Quoted.	
Solargain PV Pty Ltd	\$ 7,964.00
Reimbursement of Western Power costs for Engineer to transfer over Solar Panels for buy backs	
Brooks Hire Service Pty Ltd	\$ 7,558.25
Hire of Rollers throughout June 2016	
DKT Rural Agencies	\$ 7,284.40
Vinidex Stornpro Pipe 4x450mm & 7x300mm plus freight, Misc. items under \$100.00	
Avon Waste	\$ 7,283.00
Domestic & Commercial Refuse Collection June 16	
WA Local Government Superannuation Plan Pty Ltd	\$ 6,683.23
Payroll Deductions & Superannuation Contributions	
WA Local Government Superannuation Plan Pty Ltd	\$ 6,677.33
Payroll Deductions & Superannuation Contributions	
RAMM Software Pty Ltd	\$ 6,403.14
Annual fee for ROMAN II 2016 /2017	
Avon Concrete	\$ 5,500.00
install 10 x culvert pipes, cement stabilise and compact to standard.	
Perth Energy	\$ 4,069.25
Power consumption from 10/06/2016 - 09/07/2016	

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Shire of Kellerberrin 2016/2017 Operating Budget

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

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

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

12. Payments from municipal fund or trust fund

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) Otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

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

13. Lists of accounts

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS - Nil

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

TEN YEAR FINANCIAL PLAN IMPLCATIONS - Nil

COMMUNITY CONSULTATION - Nil

ABSOLUTE MAJORITY REQUIRED – NO

STAFF RECOMMENDATION

That Council notes that during the month of August 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 156/16 MOTION - Moved Cr. White 2nd Cr. McNeil

That Council notes that during the month of August 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 7/0

Agenda Reference:	11.1.7
Subject:	Financial Management Report, Direct Debit List and Visa Card Transactions for the month August 2016
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	12 September 2016
Author:	Jennine Ashby, Senior Finance Officer

BACKGROUND

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

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

Municipal Fund – Direct Debit List

Date	Name	Details	\$	Amount
1-Aug-16	Westnet	Monthly Charge Static IP address	\$	4.99
2-Aug-16	Shire of Kellerberrin	EFT Payment	\$	5,569.25
3-Aug-16	National Australia Bank	VISA Transactions	\$	1,938.00
5-Aug-16	Shire of Kellerberrin	EFT Payment	\$	700.00
8-Aug-16	Shire of Kellerberrin	EFT Payment	\$	14,594.17
11-Aug-16	Shire of Kellerberrin	Payroll	\$	47,636.17
11-Aug-16	Shire of Kellerberrin	Payroll - Click Super	\$	8,406.17
15-Aug-16	SG Fleet	Monthly Lease Payment	\$	11,423.12
17-Aug-16	Shire of Kellerberrin	EFT Payment	\$	23,404.55
18-Aug-16	Shire of Kellerberrin	EFT Payment	\$	1,500.00
24-Aug-16	National Australia Bank	Connect Fee Access and Usage	\$	57.74
24-Aug-16	Shire of Kellerberrin	EFT Payment	\$	520,629.53
25-Aug-16	Shire of Kellerberrin	Payroll	\$	141.00
25-Aug-16	National Australia Bank	Dishonoured Cheque	\$	914.44
25-Aug-16	Shire of Kellerberrin	Payroll - Click Super	\$	8,373.18
25-Aug-16	Shire of Kellerberrin	Payroll	\$	46,900.81
29-Aug-16	Shire of Kellerberrin	EFT Payment	\$	74,719.40
31-Aug-16	National Australia Bank	Interest Charged - Muni	\$	185.21
31-Aug-16	National Australia Bank	BPAY Charges	\$	109.00
31-Aug-16	National Australia Bank	Account Fees - Municipal	\$	88.70
31-Aug-16	National Australia Bank	Account Fees - Trust	\$	56.00
TOTAL			\$	767,351.43

Trust Fund – Direct Debit List

Date	Name	Details	\$	Amount
31-Aug-16	Department Transport	Direct Debit-Licensing Payments Aug 16	\$	60,358.75
TOTAL			\$	60,358.75

Visa Card Transactions

Date	Name	Details	\$	Amount
01-Aug-16	Good Guys Midland	Replacement Samsung Mobile - MDS	\$	598.00
04-Aug-16	The Heritage BBB	Refreshments - LG Week	\$	38.00
05-Aug-16	Metro Bar Bistro	Meals & Refreshments - LG Week	\$	150.00
08-Aug-16	Metro Bar Bistro	Refreshments - LG Week	\$	37.00
08-Aug-16	Metro Bar Bistro	Refreshments - LG Week	\$	32.50
08-Aug-16	Trustee Bar and Restaurant	Meals & Refreshments - LG Week	\$	655.50
10-Aug-16	Department of Environment	Clearing Permit	\$	200.00
17-Aug-16	FPA Australia	Building & Planning Awareness-G Tucker	\$	190.00

17-Aug-16	Department of Transport	Vehicle Licence Renewal - KE002	\$	109.55
17-Aug-16	Department of Transport	Vehicle Licence Renewal - KE1	\$	109.55
18-Aug-16	Community Resource Centre	Plate Changes - KE07 and KE2707	\$	79.80
19-Aug-16	Department of Transport	Vehicle Licence Renewal - KE003	\$	109.55
29-Aug-16	Strickos Hotel P/L Williams	Refreshments - LG Golf Day	\$	32.40
29-Aug-16	Williams Hotel	Accommodation - LG Golf Day	\$	760.00
29-Aug-16	Strickos Hotel P/L Williams	Refreshments - LG Golf Day	\$	148.00
29-Aug-16	National Australia Bank	Card Fee	\$	9.00
		TOTAL - CEO	\$	<u>3,258.85</u>
08-Aug-16	Community Resource Centre	Plate Change - KE00	\$	32.20
09-Aug-16	Community Resource Centre	Duplicate Licence Fee - KE2	\$	8.80
09-Aug-16	Mounts Bay Waters Apt.	Accommodation LG Week - R Griffiths	\$	46.18
09-Aug-16	Mounts Bay Waters Apt.	Accommodation LG Week - C White	\$	39.08
19-Aug-16	Esplanade Fremantle	Accommodation - P Arthur	\$	578.55
19-Aug-16	Royal Life Saving Society WA	Pool Lifeguard Requalification - P Arthur	\$	135.00
23-Aug-16	Edith Cowan University	Car Parking - Reimbursed receipt 18783	\$	7.50
25-Aug-16	Community Resource Centre	Plate Change - KE002 and KE003	\$	50.60
26-Aug-16	Community Resource Centre	Plate Change - KE002 and KE003	\$	16.60
26-Aug-16	Community Resource Centre	Plate Change - KE003	\$	16.60
29-Aug-16	National Australia Bank	Card Fee	\$	9.00
		TOTAL - DCEO	\$	<u>940.11</u>
		TOTAL VISA TRANSACTIONS	\$	<u>4,198.96</u>

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

Be adopted.

COUNCIL RECOMMENDATION

MIN 157/16 MOTIONS - Moved Cr. McNeil 2nd Cr. O'Neill

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

Be adopted.

CARRIED 7/0

11.2 DEVELOPMENT SERVICES – AGENDA ITEM

Agenda Reference:	11.2.1
Subject:	Building Returns: August 2016
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	BUILD06
Disclosure of Interest:	Nil
Date:	8 th September 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. Four applications were received for a "Building Permit" during the August 2016 period. A copy of the "Australian Bureau of Statistics appends.
2. Two "Building Permits" were issued in the August 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 August 2016 period.
2. Acknowledge the "Return of Building Permits Issued " for the August 2016 period.

COUNCIL RECOMMENDATION

MIN 158/16 MOTION - Moved Cr. White 2nd Cr. Steber

That Council

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

CARRIED 7/0

11.3 WORKS & SERVICES – AGENDA ITEMS

Agenda Reference:	11.3.1
Subject:	Sale of Plant – Barford Steel Roller
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	ENG 43
Record Ref:	ICR161075
Disclosure of Interest:	N/A
Date:	30 th August 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council has been reviewing all of its excess equipment that is in Council’s yards whether it be machinery, building and construction materials or other surplus items to Council.

This review is being completed to assist in maintaining a clean and tidy work environment and to alleviate having machinery laying around devaluing and not being utilised.

COMMENT

Council has received a request from Mr Greg Downey to see if Council is interested in selling the Barford Steel Roller for \$1,500 (Exc GST)

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Shire of Kellerberrin 2016/2017 Budget

Description	Trade-In Valuation	2016/2017 Budget Allocation
Barford Steel Roller	N/A	Nil

Council hasn't allocated any income or expenditure associated with the sale of the Barford Steel Roller therefore any income from this will be out of budget income.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – Part 3, Division 3

Section 3.58

- (2) *Except as stated in this section, a local government can only dispose of property to;*
 - a. the highest bidder at public auction; or
 - b. the person who at public tender called by he local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property; gives local public notice of the proposed disposition*
 - i. *describing the property concerned;*
 - ii. *giving details of the proposed disposition; and*
 - iii. *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the date specified in the notice is first given;*

and

- b. *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include;*
- a. *the names of all other parties concerned;*
 - b. *the consideration to be received by the local government for the disposition; and*
 - c. *the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*

3.59. Commercial enterprises by local governments

(1) *In this section —*

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

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

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

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

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

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

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

major trading undertaking *means a trading undertaking that —*

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

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

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

(2) *Before it —*

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

a local government is to prepare a business plan.

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

- (a) *its expected effect on the provision of facilities and services by the local government;*
- (b) *its expected effect on other persons providing facilities and services in the district;*
- (c) *its expected financial effect on the local government;*
- (d) *its expected effect on matters referred to in the local government’s current plan prepared under section 5.56;*

- (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
 - (f) *any other matter prescribed for the purposes of this subsection.*
- (4) *The local government is to —*
- (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;*
 - (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) *make a copy of the business plan available for public inspection in accordance with the notice.*
- (5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*
- * Absolute majority required.*
- (5a) *A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.*
- (6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*
- (7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister’s approval.*
- (8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*
- (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*
- (10) *For the purposes of this section, regulations may —*
- (a) *prescribe any land transaction to be an exempt land transaction;*
 - (b) *prescribe any trading undertaking to be an exempt trading undertaking.*
- [Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]*

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Our Vision

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

Our Vision is:

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

Our Focus Areas

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

4 Economic Development

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

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

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

Theme 4: Prosperity

To develop a community that fosters and encourages long term prosperity and growth and presents a diverse range of opportunities.

4.1 <i>We are a sustainable, economically diverse and strong community.</i>	4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.	✓		✓	✓	
	4.1.2	To work with local businesses to improve and enhance the quality of service provided.	✓		✓	✓	
	4.1.3	<i>To identify economic trends and create employment and business opportunities for the local community.</i>	✓		✓	✓	

Strategic Priority 4.1

We are a sustainable, economically diverse and strong community

An Overview

The key issues currently faced by our community are the decline in employment and population, and the need to improve the status of our local economy.

There is a strong desire to retain the population and demographics in the region and to boost our local economy through the creation of commercial, retail and industrial opportunities.

Our Objective

- To create an environment that will encourage economic growth and employment opportunities.

Our Desired Outcomes

- A community that is economically sustainable, able to offer a range of diverse opportunities to local residents, commercial, retail and industrial operators.

Our Goals

4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.
4.1.2	To work with local businesses to improve and enhance the quality of service provided.
4.1.3	To identify economic trends and create employment and business opportunities for the local community.

Our Delivery Strategy

Goal 4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.
Council's Role	<ul style="list-style-type: none"> To identify opportunities to enhance the local economy. To collaborate and facilitate discussions with external / private parties on business, commercial and industrial ventures in the Shire. To undertake long term economic development and marketing planning for the Shire, focussing on the local and regional economy and opportunities. Work with external government and non-government agencies to develop programs and initiatives to promote economic development in the region and identify new ventures / opportunities to create economic opportunities.
Anticipated Results	<ul style="list-style-type: none"> Effective communication and network / relationship building with external private parties and government / non-government agencies. Improved economic profile for the region. Creation of opportunities for the Shire that will booster the local economy. Improved participation by the community. A stronger and more sustainable community.
Performance Measure	<ul style="list-style-type: none"> Increase in local economic activity Status of employment and jobs. Level of community satisfaction in relation to the quality and quantity of services available. Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> Social Governance Economic Development
Goal 4.1.2	To work with local businesses to improve and enhance the quality of service provided.
Council's Role	<ul style="list-style-type: none"> To establish relationships with local business providers to identify and understand key issues and opportunities to assist in the promotion of services. To facilitate discussions with external agencies and government departments to identify opportunities to enhance and assist local business providers within the community. To develop initiatives with external parties to educate and improve the welfare of

	local businesses.
Anticipated Results	<ul style="list-style-type: none"> ▪ Improved relationships between external parties and Council ▪ Identification of employment and commercial opportunities to improve the local economy
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development
Goal 4.1.3	To identify economic trends and create employment and business opportunities for the local community.
Council's Role	<ul style="list-style-type: none"> ▪ To work with local business communities and education and health service providers to identify what is required to improve and enhance services. ▪ To facilitate discussions with external parties and government agencies to identify ways of improving economic, education and training opportunities within the community. ▪ To establish relationships with external parties and government / non-government agencies to identify opportunities, programs and initiatives that will benefit the community. ▪ To seek funding from external parties / government agencies to support the development and implementation of economic and employment programs and initiatives.
Anticipated Results	<ul style="list-style-type: none"> ▪ Improved relationship between Council and external parties ▪ Greater opportunity for collaboration with external parties on key local economic initiatives and programs ▪ Increased level of funding and support from external parties to promote economic and employment initiatives.
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development

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

TEN YEAR FINANCIAL PLAN IMPLICATIONS - NIL

COMMUNITY CONSULTATION

Chief Executive Officer
Manager Works and Services

ABSOLUTE MAJORITY REQUIRED – YES

STAFF RECOMMENDATION

That Council declines the offer to purchase Council's Barford Steel Roller as this plant is a required roller for Council's Town Crew.

COUNCIL RECOMMENDATION

MIN 159/16 MOTION - Moved Cr. O'Neill 2nd Cr. Leake

That Council declines the offer to purchase Council's Barford Steel Roller as this plant is a required roller for Council's Town Crew.

CARRIED 7/0
BY ABSOLUTE MAJORITY

Agenda Reference:	11.3.2
Subject:	Sale of Plant – SFM Tandem Dolly
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	ENG 43
Record Ref:	ICR161075
Disclosure of Interest:	N/A
Date:	30 th August 2016
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council on the 8th August 2016 advertised in the local Pipeline an Invitation to tender on Councils SFM Tandem Dolly. Submission period closed as of Monday the 26th August 2016 at 12:00 noon.

Council has received the following offers for the advertised vehicles:

Date	Name	Tender (Exc GST)
22 nd August 2016	Greg Downey	\$3,750
24 th August 2016	Moonspark Holdings PL	\$2,250

COMMENT

Council has been reviewing all of its excess equipment that is in Council's yards whether it be machinery, building and construction materials or other surplus items to Council.

This review is being completed to assist in maintaining a clean and tidy work environment and to alleviate having machinery laying around devaluing and not being utilised.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Shire of Kellerberrin 2016/2017 Budget

Vehicle	Description	Trade-In Valuation	2016/2017 Budget Allocation
KE 2509	SFM Tandem Dolly	N/A	Nil

Council hasn't allocated any income or expenditure associated with the sale of the SFM Tandem Dolly therefore any income from this will be out of budget income.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – Part 3, Division 3

Section 3.58

- (5) *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.
- (6) *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.*
- (7) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include;*
- a. *the names of all other parties concerned;*
 - b. *the consideration to be received by the local government for the disposition; and*
 - c. *the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*

3.59. Commercial enterprises by local governments

- (1) *In this section —*

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

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

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

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

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

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

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

major trading undertaking *means a trading undertaking that —*

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

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

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

- (2) *Before it —*

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

a local government is to prepare a business plan.

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

- (a) *its expected effect on the provision of facilities and services by the local government;*
- (b) *its expected effect on other persons providing facilities and services in the district;*
- (c) *its expected financial effect on the local government;*

- (d) *its expected effect on matters referred to in the local government's current plan prepared under section 5.56;*
 - (e) *the ability of the local government to manage the undertaking or the performance of the transaction; and*
 - (f) *any other matter prescribed for the purposes of this subsection.*
- (4) *The local government is to —*
- (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;*
 - (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) *make a copy of the business plan available for public inspection in accordance with the notice.*
- (5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*
- * Absolute majority required.*
- (5a) *A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.*
- (6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*
- (7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.*
- (8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*
- (9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*
- (10) *For the purposes of this section, regulations may —*
- (a) *prescribe any land transaction to be an exempt land transaction;*
 - (b) *prescribe any trading undertaking to be an exempt trading undertaking.*
- [Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]*

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Our Vision

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

Our Vision is:

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

Our Focus Areas

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

4 Economic Development

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

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

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

Theme 4: Prosperity

To develop a community that fosters and encourages long term prosperity and growth and presents a diverse range of opportunities.

4.1 <i>We are a sustainable, economically diverse and strong community.</i>	4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.	✓		✓	✓	
	4.1.2	To work with local businesses to improve and enhance the quality of service provided.	✓		✓	✓	
	4.1.3	<i>To identify economic trends and create employment and business opportunities for the local community.</i>	✓		✓	✓	

Strategic Priority 4.1

We are a sustainable, economically diverse and strong community

An Overview

The key issues currently faced by our community are the decline in employment and population, and the need to improve the status of our local economy.

There is a strong desire to retain the population and demographics in the region and to boost our local economy through the creation of commercial, retail and industrial opportunities.

Our Objective

- To create an environment that will encourage economic growth and employment opportunities.

Our Desired Outcomes

- A community that is economically sustainable, able to offer a range of diverse opportunities to local residents, commercial, retail and industrial operators.

Our Goals

4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.
4.1.2	To work with local businesses to improve and enhance the quality of service provided.
4.1.3	To identify economic trends and create employment and business opportunities for the local community.

Our Delivery Strategy

Goal 4.1.1	To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.
Council's Role	<ul style="list-style-type: none"> To identify opportunities to enhance the local economy. To collaborate and facilitate discussions with external / private parties on business, commercial and industrial ventures in the Shire. To undertake long term economic development and marketing planning for the Shire, focussing on the local and regional economy and opportunities. Work with external government and non-government agencies to develop programs and initiatives to promote economic development in the region and identify new ventures / opportunities to create economic opportunities.
Anticipated Results	<ul style="list-style-type: none"> Effective communication and network / relationship building with external private parties and government / non-government agencies. Improved economic profile for the region. Creation of opportunities for the Shire that will booster the local economy. Improved participation by the community. A stronger and more sustainable community.
Performance Measure	<ul style="list-style-type: none"> Increase in local economic activity Status of employment and jobs. Level of community satisfaction in relation to the quality and quantity of services available. Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> Social Governance Economic Development
Goal 4.1.2	To work with local businesses to improve and enhance the quality of service provided.
Council's Role	<ul style="list-style-type: none"> To establish relationships with local business providers to identify and understand key issues and opportunities to assist in the promotion of services. To facilitate discussions with external agencies and government departments to identify opportunities to enhance and assist local business providers within the community. To develop initiatives with external parties to educate and improve the welfare of

	local businesses.
Anticipated Results	<ul style="list-style-type: none"> ▪ Improved relationships between external parties and Council ▪ Identification of employment and commercial opportunities to improve the local economy
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development
Goal 4.1.3	To identify economic trends and create employment and business opportunities for the local community.
Council's Role	<ul style="list-style-type: none"> ▪ To work with local business communities and education and health service providers to identify what is required to improve and enhance services. ▪ To facilitate discussions with external parties and government agencies to identify ways of improving economic, education and training opportunities within the community. ▪ To establish relationships with external parties and government / non-government agencies to identify opportunities, programs and initiatives that will benefit the community. ▪ To seek funding from external parties / government agencies to support the development and implementation of economic and employment programs and initiatives.
Anticipated Results	<ul style="list-style-type: none"> ▪ Improved relationship between Council and external parties ▪ Greater opportunity for collaboration with external parties on key local economic initiatives and programs ▪ Increased level of funding and support from external parties to promote economic and employment initiatives.
Performance Measure	<ul style="list-style-type: none"> ▪ Increase in local economic activity ▪ Status of employment and jobs. ▪ Level of community satisfaction in relation to the quality and quantity of services available. ▪ Financial status
Relationship to Key Focus Areas	<ul style="list-style-type: none"> ▪ Social ▪ Governance ▪ Economic Development

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

TEN YEAR FINANCIAL PLAN IMPLICATIONS - NIL

COMMUNITY CONSULTATION

Chief Executive Officer
Manager Works and Services

ABSOLUTE MAJORITY REQUIRED – YES

STAFF RECOMMENDATION

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

- 1. Authorises the sale of the SFM Tandem Dolly KE 2509 – SFM Tandem Dolly - \$4,125 (Inc GST) to Mr Greg Downey of 17 Tuart Road, Oakford, WA, 6121*
- 2. delegates authority to the Chief Executive Officer to execute the transfer of vehicle documents for KE 2509 – SFM Tandem Dolly*
- 3. Retain the ownership of KE 2509 vehicle registration plates.*

COUNCIL RECOMMENDATION

MIN 160/16 MOTION - Moved Cr. Leake 2nd Cr. Reid

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

- 1. Authorises the sale of the SFM Tandem Dolly KE 2509 – SFM Tandem Dolly - \$4,125 (Inc GST) to Mr Greg Downey of 17 Tuart Road, Oakford, WA, 6121*
- 2. delegates authority to the Chief Executive Officer to execute the transfer of vehicle documents for KE 2509 – SFM Tandem Dolly*
- 3. Retain the ownership of KE 2509 vehicle registration plates.*

CARRIED 7/0
BY ABSOLUTE MAJORITY

CLOSURE OF MEETING

The President thanked all members for the attendance and closed the meeting at 3.30pm

NEXT MEETING DATES

Ordinary Council Meeting, 18th October 2016