

SHIRE OF KELLERBERRIN

MINUTES

Minutes of the Ordinary Council Meeting held at the Shire of Kellerberrin Council Chamber, 110 Massingham Street Kellerberrin on Tuesday, 15th May 2018, commencing at 2.05 pm.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISTORS:

2.05 pm – Cr. Rodney Forsyth, Shire President declared the meeting open.

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

Present:

Cr. Forsyth	President
Cr. O'Neill	Deputy President
Cr. Leake	Member
Cr. White	Member
Cr. Reid	Member
Cr. McNeil	Member
Cr. Steber	Member
Mr Raymond Griffiths	Chief Executive Officer
Mr Sean Sibly	Deputy Chief Executive Officer
Mr Mick Jones	Manager of Works and Services
Mr Brett Taylor	Finance Officer/CDO

Apologies:

Nil

Leave of Absence:

Nil

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

4. PUBLIC QUESTION TIME: Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE: Nil

6. DECLARATION OF INTEREST: Nil

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 **15th May 2018**.

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 **15th May 2018**.

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 **15th May 2018**.

Date	Name	Item No.	Reason

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Shire of Kellerberrin Ordinary Council Meeting Minutes, 17th April 2018

COUNCIL RECOMMENDATION

MIN 061/18 MOTION: Moved Cr. Steber 2nd Cr. White

That the minutes of the Shire of Kellerberrin Ordinary Council Meeting held on Tuesday 17th April 2018, be confirmed as a true and accurate record

CARRIED 7/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION: Nil

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS: Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Reports of Committees/Councillors

MIN 062/18 MOTION: Moved Cr. Leake 2nd Cr. Reid

That the Presidents Reports for April 2018 be received.

CARRIED 7/0

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:	1 st May, 2018
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.

April 2018 Council Meeting

MIN 048/18 MOTION - Moved Cr. McNeil 2nd Cr. Leake

That Council note no requests or ideas to be actioned for April Ordinary Meeting of Council.

CARRIED 7/0

March 2018 Council Meeting

MIN 028/18 MOTION - Moved Cr. Leake 2nd Cr. White

That Council:

1. *Supports the concept of South West Wireless though due to budget restraints at this time cannot financially support this initiative.*
2. *Supports Kellerberrin Seniors participation at the Senior Games in Corrigin by:*
 - a) *donation of bus hire including fuel;*
 - b) *Shire shirts to be provided for the 2019 Senior Games and*
 - c) *One off cash contribution of \$300.*

CARRIED 6/0

February 2018 Council Meeting

MIN 004/18 MOTION - Moved Cr. Leake 2nd Cr. McNeil

That Council:

1. *Endorse option 1 for the third party appeal rights in planning as per WALGA's consultation paper and advise WALGA accordingly;*
2. *Supports the further investigation of Anzac statues for the hall surrounds as provided by Council Parks and Gardens Crew; and*
3. *Purchase four 1400/550/500 charcoal pots for the main street as per design presented.*

CARRIED 6/0

COMMENTS

April 2018 - MIN 048/18

That Council note no requests or ideas to be actioned.

March 2017 - MIN 028/18

1. Advised Leigh Ballard. Leigh advised that they will continue to seek funding though on a 100% basis.
2. Letter written to Kellerberrin Seniors advising of decision. Also advised in person while in a face to face meeting.

February 2018 - MIN 004/18

1. Emailed WALGA with Council's endorsement.
2. Formal quote is being provided by Thompson's signs.
3. An order has been placed for the pots.

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 any requests or ideas to be actioned.

COUNCIL RECOMMENDATION

MIN 063/18 MOTION - Moved Cr. McNeil 2nd Cr. White

That Council endorses the Ex-Caravan Park Toilet block (Adjacent to Courts) as a unisex facility at all times excluding fixtured netball games (Wednesday Night & KATS Games) where the facility will be a female only changeroom.

CARRIED 7/0

2.45 pm – Mr Brett Taylor, Senior Finance Officer exited Council Chambers

Agenda Reference:	11.1.2
Subject:	Status Report of Action Sheet
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin - Council
File Ref:	Various
Disclosure of Interest:	N/A
Date:	1 st May, 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council at its February 2017 Ordinary Meeting of Council discussed the use of Council's status report and its reporting mechanisms.

Council therefore after discussing this matter agreed to have a monthly item presented to Council regarding the Status Report which provides Council with monthly updates on officers' actions regarding decisions made at Council.

It can also be utilised as a tool to track progress on Capital projects.

COMMENT

This report has been presented to provide an additional measure for Council to be kept up to date with progress on items presented to Council or that affect Council.

Council can add extra items to this report as they wish.

The concept of the report will be that every action from Council's Ordinary and Special Council Meetings will be placed into the Status Report and only when the action is fully complete can the item be removed from the register. However the item is to be presented to the next Council Meeting shading the item prior to its removal.

This provides Council with an explanation on what has occurred to complete the item and ensure they are happy prior to this being removed from the report.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Financial Implications will be applicable depending on the decision of Council. However this will be duly noted in the Agenda Item prepared for this specific action.

POLICY IMPLICATIONS

Policy Implications will be applicable depending on the decision of Council. However this will be duly noted in the Agenda Item prepared for this specific action.

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:

Chief Executive Officer
Deputy Chief Executive Officer
Manager Works and Services
Manager Development Services
Council Staff
Council
Community Members.

STAFF RECOMMENDATION

That Council receives the Status Report.

COUNCIL RECOMMENDATION

MIN 064/18 MOTION - Moved Cr. Leake 2nd Cr. McNeil

That Council receives the Status Report.

CARRIED 7/0

Agenda Reference:	11.1.3
Subject:	WE-ROC Council Meeting Minutes and Resolutions
Location:	Council Chambers, Shire of Bruce Rock
Applicant:	WE-ROC Council
File Ref:	ORG-10
Disclosure of Interest:	Nil
Date:	1 st May, 2018
Author:	Mr 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 28th February, 2018 held at the Council Chambers, Shire of Bruce Rock 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 28th February, 2018 held at the Council Chambers, Shire of Bruce Rock.

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 28th February, 2018 WE-ROC Council Meeting summarised hereunder,

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

That WE-ROC express an interest to South Western Wireless in participating in its project which aims to reduce the cost of internet services and improve reliability and speed of the internet to its users, with Councils to be provided with specifications by South Western Wireless for consideration at their respective Council Meetings given the significant cost to participate in the project.

CARRIED

RESOLUTION: **Moved: Cr Forsyth** **Seconded: Mr Criddle**

That the Minutes of the Council Meeting held Wednesday 25 October 2017 be confirmed as a true and correct record.

CARRIED

RESOLUTION: **Moved: Cr Strange** **Seconded: Mr Criddle**

That the papers listed in Agenda Item 4.3 be noted.

CARRIED

RESOLUTION: **Moved: Mr Powell** **Seconded: Mr Criddle**

That the WE-ROC Financial Report for the period ending 31 January 2018 be received.

CARRIED

RESOLUTION: **Moved: Cr Hooper** **Seconded: Cr Strange**

That the Accounts Paid for the period 17 October 2017 to 20 February 2018 totalling \$40,645.71 be approved.

CARRIED

RESOLUTION: Moved: Mr Powell Seconded: Cr Forsyth

That WE-ROC accept LGIS' offer of training during 2018, with the Executive Officer to arrange training at suitable times during 2018.

CARRIED

RESOLUTION: Moved: Mr Griffiths Seconded: Mr Powell

That the WE-ROC CEOs meet in Merredin on Monday 26 March 2018 to prepare a submission on changes proposed to the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996*

CARRIED

RESOLUTION: Moved: Cr Forsyth Seconded: Cr Hooper

That:

1. WE-ROC agree to continue providing financial support for the WE-ROC App;
2. WE-ROC look to fund the Central Wheatbelt Visitors Centre for a two-period commencing on 1 July 2018 and concluding on 30 June 2020, with a review of the contract during the first quarter of the 2019/2020 financial year;
3. WE-ROC enter into negotiations with the Wheatbelt Business Network to assist with the future development of the WE-ROC App, particularly in the area of promoting and encouraging business to register on the WE-ROC App; and
4. In developing the WE-ROC Budget for 2018/2019, for WE-ROC Council's consideration, the WE-ROC Executive develop a financial plan for the management and future development of the WE-ROC App.

CARRIED

RESOLUTION: Moved: Cr Strange Seconded: Mr Griffiths

That the WE-ROC Executive use the discussion paper, "Digital Economy Enablement Strategy", prepared by go2Guides in its discussions when preparing the draft WE-ROC Budget for 2018/2019.

CARRIED

RESOLUTION: Moved: Cr Forsyth Seconded: Mr Criddle

That the Executive Officer's report be noted.

CARRIED

RESOLUTION: Moved: Cr Hooper Seconded: Cr Strange

That WE-ROC adopt the following meeting schedules for 2018 and for the first meetings of 2019:

WE-ROC Council 2018 Meeting Dates

- Wednesday 2 May 2018 in Kellerberrin
- Wednesday 27 June 2018 in Merredin
- Wednesday 22 August 2018 in Westonia
- Wednesday 24 October 2018 in Yilgarn (Southern Cross)
- Wednesday 27 February 2019 in Bruce Rock

WE-ROC Executive 2018 Meeting Dates

- Wednesday 28 March 2018 in Bruce Rock
- Wednesday 30 May 2018 in Kellerberrin
- Wednesday 25 July 2018 in Merredin
- Wednesday 26 September 2018 in Westonia
- Wednesday 28 November 2018 in Yilgarn (Southern Cross)
- Wednesday 6 February 2019 in Bruce Rock

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 IMPLICATIONS

COMMUNITY CONSULTATION

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

ABSOLUTE MAJORITY 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 28th February, 2018.

COUNCIL RECOMMENDATION

MIN 065/18 MOTION - Moved Cr. White 2nd Cr. Reid

That Council receive the Minutes of the Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 28th February, 2018.

CARRIED 7/0

Agenda Reference:	11.1.4
Subject:	WE-ROC Executive Council Meeting Minutes and Resolutions
Location:	Council Chambers, Shire of Bruce Rock
Applicant:	Executive Officer - WE-ROC Council
File Ref:	ORG-10
Rec Ref:	
Disclosure of Interest:	Nil
Date:	1 st May, 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Executive Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 28th March, 2018 held in the Council Chambers, Shire of Bruce Rock, 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 Executive Council Meeting Minutes held on Wednesday 28th March, 2018 held in Council Chambers, Shire of Bruce Rock.

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 28th March 2018 WE-ROC Executive Meeting summarised hereunder;

RESOLUTION: **Moved: Darren Mollenoyux Seconded: Greg Powell**

That:

1. WE-ROC request a costing from Accingo for Phase 1 (Asset and People Optimisation) of its assets and resources management platform, with the costing to be tabled at the WE-ROC Council Meeting on Wednesday 2 May 2018; and
2. The WE-ROC Executive recommend to WE-ROC Council that WE-ROC, subject to cost, WE-ROC engage Accingo to undertake Phase 1 (Asset and People Optimisation) of its assets and resources management platform as per the presentation provided by Accingo at the WE-ROC Executive Meeting held Wednesday 28 March 2018.

CARRIED

RESOLUTION: **Moved: Darren Mollenoyux Seconded: Greg Powell**

That the Minutes of the Executive Meeting held Wednesday 27 September 2017 be confirmed as a true and correct record.

CARRIED

RESOLUTION: Moved: Raymond Griffiths Seconded: Greg Powell

That WE-ROC Executive Officer:

1. Finalise the WE-ROC submission on changes proposed to the *Local Government (Financial Management) Regulations 1996 and the Local Government (Audit) Regulations 1996*;
2. Lodge the completed submission with the Department of Local Government, Sport and Cultural Industries;
3. Distribute copies of the completed submission to all Member Councils.

CARRIED

RESOLUTION: Moved: Pascoe Durtanovich Seconded: Greg Powell

That WE-ROC write to the Department of Local Government, Sport and Cultural Industries seeking guidance with respect to the impact of the changes to the *Local Government (Financial Management) Regulations 1996 and the Local Government (Audit) Regulations 1996* on ensuring compliance when undertaking work associated with integrated planning.

CARRIED

RESOLUTION: Moved: Raymond Griffiths Seconded: Greg Powell

That:

1. WE-ROC write to the Deans of Medicine at both Curtin University and the University of Notre Dame Australia (Fremantle Campus), WAPHA and Rural Health West to congratulate them on agreeing to recommence the "Wheatbelt Medical Student Immersion Program";
2. WE-ROC request comments from participating students on how they viewed their visit; and
3. The Executive Officer's prepare an article on WE-ROC's involvement in the Wheatbelt Medical Student Immersion Program for publication in the April/May edition of the WALGA Publication Western Councillor.

CARRIED

RESOLUTION: Moved: Raymond Griffiths Seconded: Darren Mollenoyux

That:

1. Subject to its review, WE-ROC enter into a contract with the Wheatbelt Business Network to assist WE-ROC with the future development of the WE-ROC App, particularly in the area of promoting and encouraging business to register on the WE-ROC App; and
2. Signage advertising the WE-ROC App should be purchased and installed without delay.

CARRIED

RESOLUTION: Moved: Greg Powell Seconded: Raymond Griffiths

That the WE-ROC Executive recommends to the WE-ROC Council that the WE-ROC Budget for 2018/2019 as presented with a Member Subscription of \$10,000 and Consultancy and Project Reserve contribution of \$2,000 per Member Council be adopted.

CARRIED

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

POLICY IMPLICATIONS

STATUTORY IMPLICATIONS:

Nil (not directly in regards to formalization 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 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 PLAN IMPLICATIONS

COMMUNITY CONSULTATION

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

ABSOLUTE MAJORITY REQUIRED

STAFF RECOMMENDATION

That Council receive the Minutes of the Executive Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 28th March 2018.

COUNCIL RECOMMENDATION

MIN 066/18 MOTION - Moved Cr. Reid 2nd Cr. McNeil

That Council receive the Minutes of the Executive Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 28th March 2018.

CARRIED 7/0

Agenda Reference:	11.1.5
Subject:	CEACA Council Meeting Minutes and Resolutions
Location:	Merredin, Regional Community and Leisure Centre
Applicant:	CEACA Council
File Ref:	AGE - 03
Disclosure of Interest:	Nil
Date:	1 st May, 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Council Meeting of the Central East Aged Care Alliance of Councils (CEACA) held on Monday 26th March, 2018 held at the Merredin Regional Community and Leisure Centre, are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and CEACA to keep this Council abreast of forward/strategic planning initiatives of the Council Group and to consider outcomes from the CEACA Council Meetings.

COMMENT

Attached to this agenda item is a copy of the last CEACA Council Meeting Minutes held on Monday 26th March, 2018 held at the Merredin Regional Community and Leisure Centre.

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 CEACA.

Resolutions arising out of the 26th March, 2018 CEACA Council Meeting summarised hereunder,

RESOLUTION: **Moved: Ken Hooper** **Seconded: Jamie Criddle**

That Gary Shadbolt be elected to Chair the meeting.

CARRIED

RESOLUTION: **Moved: David Burton** **Seconded: Freda Tarr**

That Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7 5.8, 5.10 within the March 2018 CEACA Committee Meeting Agenda be endorsed 'en bloc'.

CARRIED

RESOLUTION: **Moved: Jamie Criddle** **Seconded: Rachel Kirby**

That the Action Sheet for March 2018 be received.

CARRIED

RESOLUTION: **Moved: Wayne Della Bosca** **Seconded: Stephen Strange**

That the Executive Officer's Report for March 2018 be received.

CARRIED

RESOLUTION: **Moved: Eileen O'Connell** **Seconded: Ken Hooper**

That the documents tabled be noted.

CARRIED

RESOLUTION: **Moved: Stephen Strange Seconded: David Burton**

That the Project Update (Financial) as at 20 March 2018 provided by the Shire of Merredin be received.

CARRIED

RESOLUTION: **Moved: Rachel Kirby Seconded: Jamie Criddle**

That the Project Manager's Report be received.

CARRIED

RESOLUTION: **Moved: Ken Hooper Seconded: Rachel Kirby**

That:

1. CEACA reimburse the Shires of Bruce Rock, Kellerberrin and Merredin \$20,000 each, being the contributions made for units which will be foregone and that CEACA's Members agree to an increase in per unit/site contribution of \$833.33 per unit;
2. The Shires of Bruce Rock, Kellerberrin and Merredin be give "first right of refusal" on any additional housing constructed through the CEACA Seniors Housing Project should funds become available to allow additional houses to be constructed; and
3. CEACA Members agree to making a further cash contribution of \$339 per unit.

AMENDED RESOLUTION: **Moved: Ian McCabe**

Seconded: Eileen O'Connell

That:

1. CEACA reimburse the Shires of Bruce Rock, Kellerberrin and Merredin \$20,000 each, being the contributions made for units which will be foregone and that CEACA's Members agree to an increase in per unit/site contribution of \$833.33 per unit;
2. The Shires of Bruce Rock, Kellerberrin and Merredin be give "first right of refusal" on any additional housing constructed through the CEACA Seniors Housing Project should funds become available to allow additional houses to be constructed; and

LOST 8/3

RESOLUTION: **Moved: Ken Hooper Seconded: Rachel Kirby**

That:

1. CEACA reimburse the Shires of Bruce Rock, Kellerberrin and Merredin \$20,000 each, being the contributions made for units which will be foregone and that CEACA's Members agree to an increase in per unit/site contribution of \$833.33 per unit;
2. The Shires of Bruce Rock, Kellerberrin and Merredin be give "first right of refusal" on any additional housing constructed through the CEACA Seniors Housing Project should funds become available to allow additional houses to be constructed; and
3. CEACA Members agree to making a further cash contribution of \$339 per unit.

CARRIED

RESOLUTION: **Moved: Ken Hooper Seconded: Jamie Criddle**

That CEACA:

1. Work with Access Housing Australia to develop a rental Eligibility and Rent Setting Policy that reflects its needs to:
 - a) Meet the requirements of its Financial Assistance Agreement with respect to the provision of social housing; and
 - b) Meet CEACA's goal of providing aged appropriate housing options across the broader community.
2. Develop a "registration of interest" form to be completed by those residents wanting to be placed upon a waiting list for CEACA housing across each of CEACA's 11 Member Councils.

3. Request each Member Organisation to compile waiting lists based on the completion of a “registration of interest” form.

CARRIED

RESOLUTION: Moved: Wayne Della Bosca Seconded: Ken Hooper

That any decision on meeting with its auditor be made at the time CEACA receives its management report and audited financial statement.

CARRIED

RESOLUTION: Moved: Ken Hooper Seconded: Wayne Della Bosca

That:

1. CEACA adopt the following budget amendments:

Transfer from Account	Transfer To Account	Amount
1715	1717	\$500
Chair Training	1717	\$1,000
1726	1723	\$1,300
1725	1723	\$200
1755	1727	\$1,450
1842	1719	\$15,400
1842	1728	\$14,600
1840	1728	\$3,000
1843	1728	\$6,000
Newsletter Design	1728	\$2,000
1718	1728	\$3,000
1755	1728	\$3,000

2. The balance of the budget adjustment of \$13,400 be taken from the surplus carried forward at the 1 July 2017 and allocated to account 1728 (Legal Expenses).

CARRIED

RESOLUTION: Moved: Ken Hooper Seconded: Jamie Criddle

That:

1. The Draft Budget for the year ending 30 June 2019, as presented, be received with a general subscription for each Member Organisation set at \$20,000 (excluding GST) and be referred to Member Organisations for comment, with all comments to be submitted to the Executive Officer no later than Monday 30 April 2018; and
2. Following receipt of Member Organisations comments on the Draft Budget, the Central East Aged Care Alliance Committee hold a meeting at a date to be determined after the 30 April 2018 for the purpose of adopting the 2018/2019 Budget.

CARRIED

RESOLUTION: Moved: Stephen Strange Seconded: Eileen O’Connell

That Raymond Griffiths as member of the CEACA Executive Committee be allowed to remain in the meeting.

CARRIED

AMENDMENT: Moved: Rachel Kirby Seconded: Ian McCabe

That:

1. The contract for Executive Officer services submitted by W Squared Pty Ltd t/a BHW Consulting and presented to the Executive Committee on Wednesday 21 March 2018 be received; and
2. The item be included in the agenda for the Special General Meeting of the CEACA Committee to be held after 30 April 2018.

THE AMENDMENT WAS PUT AND CARRIED 7/4

The amendment becomes the substantive RESOLUTION and was put and CARRIED 7/4

RESOLUTION: Moved: Ian McCabe Seconded: Eileen

O'Connell That CEACA:

1. Adopts the Access Housing Eligibility and Rent Setting Policy for occupancy for all Royalties for Regions funded units; and
2. Give priority for occupancy to persons who are over 65 years of age or persons who have been assessed as having a physical or neurological disability.

CARRIED

RESOLUTION: Moved: Ian McCabe Seconded: Eileen O'Connell

That CEACA:

1. Adopts the Access Housing Eligibility and Rent Setting Policy for occupancy for all Royalties for Regions funded units; and
2. Give priority for occupancy to persons who are over 65 years of age or persons who have been assessed as having a physical or neurological disability.

CARRIED

RESOLUTION: Moved: Ken Hooper Seconded: David Burton

That the CEACA Committee acknowledge and thank the Executive Committee Members including the previous Chair, Executive Officer, staff of the Shire of Merredin, staff of Access Housing Australia and lawyers Kott Gunning for their commitment to ensuring funding was retained for the CEACA Seniors Housing Project.

CARRIED

RESOLUTION: Moved: Eileen O'Connell Seconded: Freda Tarr

That Gary Shadbolt be elected Chair until the commencement of the first meeting following the meeting at which the 2018/2019 CEACA Budget is adopted.

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 CEACA 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 CEACA.

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

LONG TERM FINANCIAL PLAN IMPLICATIONS

COMMUNITY CONSULTATION

Council and Councillors of the Shire of Kellerberrin
CEACA Member Councils
Staff Information re Minutes and Agendas of CEACA
ABSOLUTE MAJORITY REQUIRED - NO

STAFF RECOMMENDATION

That Council receive the Minutes of the Council Meeting of the Central East Aged Care Alliance of Councils (CEACA) held on Monday 26th March, 2018.

COUNCIL RECOMMENDATION

MIN 067/18 MOTION - Moved Cr. O'Neill 2nd Cr. Steber

Council notes that these minutes have previously been received.

CARRIED 7/0

Agenda Reference:	11.1.6
Subject:	Great Eastern Country Zone of WALGA Meeting Minutes and Resolutions
Location:	Kellerberrin Recreation and Leisure Centre
Applicant:	Great Eastern Country Zone of WALGA
File Ref:	OLGOV-16
Disclosure of Interest:	Nil
Date:	1 st May, 2018
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Meeting, held on Thursday 1st March, 2018 at the Kellerberrin Recreation 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 March, 2018. 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 Hooper** **Seconded: Cr Truran**

That Cr Forsyth be elected the Great Eastern Country Zones representative to the Local Government Agricultural Freight Group.

CARRIED

RESOLUTION **Moved: Cr Waters** **Seconded: Cr Forsyth**

That Cr Strange be elected the Great Eastern Country Zones deputy representative to the Local Government Agricultural Freight Group.

CARRIED

RESOLUTION **Moved: Cr Sachse** **Seconded: Cr Metcalfe**

That Mr Jack Walker, Regulatory Officer Shire of Mt Marshall, be elected the Great Eastern Country Zones deputy representative to the Wheatbelt District Emergency Management Committee.

CARRIED

RESOLUTION: **Moved: Cr Hooper** **Seconded: Cr O'Connell**

That the Minutes of the Meeting of the Great Eastern Country Zone held Thursday 30 November 2017 confirmed as a true and accurate record of the proceedings.

CARRIED

RESOLUTION: **Moved: Cr Truran** **Seconded: Cr Waters**

That the Minutes of the Meeting of the Great Eastern Country Zone Committee Meeting held Thursday 8 February 2018 be received.

CARRIED

RESOLUTION: **Moved: Cr Harris** **Seconded: Cr Sachse**

That the matters detailed in Item 6.5 be noted.

CARRIED

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

That the Executive Officer’s report be noted.

CARRIED

RESOLUTION: **Moved: Cr Sachse** **Seconded: Cr Harris**

That the Great Eastern Country Zone:

1. Write to both the Premier and the Minister for Education to express concern regarding the impact of cuts to education expenditure on the Wheatbelt Region; and
2. Invite the Regional Director of Education to the next Zone Meeting to discuss the impact of all education cuts on the Wheatbelt Region.

CARRIED

RESOLUTION: **Moved: Cr Sachse** **Seconded: Cr Truran**

That the Media statement by the Minister for Emergency Services, Hon Francis Logan MLA, in relation to the restructure of the Department of Fire and Emergency Services (DFES) including the integration of the Office of Emergency Management into a “new command structure” be noted and WALGA be asked to monitor any impact on the local government sector of the changes once implemented.

CARRIED

RESOLUTION: **Moved: Cr Truran** **Seconded: Cr Waters**

That the Minutes of the Local Government Agricultural Freight Group Meeting held Monday 5 February 2018 be received.

CARRIED

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

That the Minutes of the Wheatbelt DEMC Meeting held Thursday 16 November 2017 be received.

CARRIED

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

That the Great Eastern Country Zone notes both the State Councillor and WALGA Status Reports.

CARRIED

RESOLUTION: **Moved: Cr Truran** **Seconded: Cr Sachse**

That WALGA advise the State Government the Local Government sector:

1. will not agree to the Department of Fire and Emergency Services’ (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES;
2. requires adequate and effective consultation on any review of the model subdivision condition relating to clearance, including relating to Bush Fire

Management Plans that would result in the transfer of responsibility from any agency for the clearance of a subdivision condition, when that condition has been requested by that agency.

CARRIED

RESOLUTION: Moved: Cr Hooper Seconded: Cr Truran

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: Cr Metcalfe Seconded: Cr Willis

That the Great Eastern Country Zone note the advice provided by the Department of Transport on the two replacement agreements being offered to Local Governments in regional and remote areas to continue to provide licensing services under the *Road Traffic (Administration) Act 2008*.

CARRIED

RESOLUTION: Moved: Cr Waters Seconded: Cr Forsyth

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

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 March, 2018.

COUNCIL RECOMMENATION

MIN 068/18 MOTION - Moved Cr. McNeil 2nd Cr. White

Council notes that these minutes have previously been received.

CARRIED 7/0

Agenda Reference:	11.1.7
Subject:	Shire of Kellerberrin – Private and Confidential Items
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	Various
Disclosure of Interest:	N/A
Date:	8 th May, 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council wish to move behind closed doors to discuss the Salary and Wages Budget for 2018-2019.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,
 where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and

- (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

STAFF RECOMMENDATION

That Council, in accordance with Section 5.23 (2) (a) of the Local Government Act 1995, moves behind closed doors to discuss the Salary and Wages Budget for 2018-2019.

COUNCIL RECOMMENDATION

MIN 069/18 MOTION - Moved Cr. White 2nd Cr. Reid

That Council, in accordance with Section 5.23 (2) (a) of the Local Government Act 1995, moves behind closed doors to discuss the Salary and Wages Budget for 2018-2019.

CARRIED 7/0

Agenda Reference:	11.1.8
Subject:	2018/19 – Salaries and Wages Budget - Private and Confidential Items
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	FIN 04
Record No.:	
Disclosure of Interest:	N/A
Date:	4 th May 2017
Author:	Mr Raymond Griffiths, Chief Executive Officer

COUNCIL RECOMMENDATION

MIN 070/18 MOTION - Moved Cr. Steber 2nd Cr. Leake

That Council, in accordance with Section 5.23 (2) (a) of the Local Government Act 1995, moves behind closed doors to discuss Private and Confidential items.

CARRIED 7/0
BY ABSOLUTE MAJORITY

COUNCIL RECOMMENDATION

MIN 071/18 MOTION - Moved Cr. Steber 2nd Cr. Leake

That Council moves back from behind closed doors.

CARRIED 7/0

4.05 – Mr Brett Taylor, entered Council Chambers.

Agenda Reference:	11.1.9
Subject:	2018/19 Rating Provisions
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	FIN 04
Reference Number:	
Disclosure of Interest:	N/A
Date:	4 th May 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council, Under the Local Government Act 1995 (as amended) Section 6.45, may elect to review and consider for adoption the following:

Rate Instalments

Council can offer to their ratepayers the option to pay their rates by 4 equal or nearly equal, instalments or such other method of payment by instalments as is set in Council's Budget.

The first instalment of any instalment plan becomes due and payable on the same date those rates paid by a single payment become due and payable. Council is still able to offer incentives to ratepayers who pay their rates in full early (by the first instalment date).

Rubbish Charges

Ratepayers will not be entitled to pay rubbish charges by instalments, but if Council wished to extend the facility by using its general powers, it could do so.

Interest and Administration Charges

Interest on Instalments

Council is able to charge an interest and administration charge to offset the loss of investment opportunity and the cost of new administrative requirements. This is not to be confused with penalty interest, which can be applied to any instalment not paid by the due date. The maximum rate of interest under the Local Government Act Section 6.45 (3) noted in Financial Management Regulation 68 is 5.5%.

Interest Penalties

Interest on late payments will accrue after the date the payment falls due on the rate notice if no election is made to pay by instalments. Where an election has been made to pay by instalments, interest will accrue from the day after an instalment is due and payable until the day before the instalment is paid but will apply only to the amount of the overdue instalment.

The maximum rate of interest under Local Government Act Section 6.51 noted in Financial Management Regulation 70 is 11%.

Council has previously:

Administration Charge

In determining the administration recovery related to instalment plans the local government is;

- to have regard to the cost of providing the additional administration and Installment reminder notices;
- to consider the administration charge as a full or partial reimbursement of the costs involved;
- Without intent to profit from the administration charges adopted.

Instalments Not Available if Payment in Arrears

Payment of a rate or service charge on any land may not be made by instalments if, at the date for payment of the first instalment, any part of a rate or service charge imposed on that land in a previous financial year (or interest accrued thereon at the date of issue of the rate notice) remains unpaid.

Instalments Not Available for Small Amounts

Payment may not be made by instalments if the total amount shown in the rate notice as being payable to the local government for rates, service charges or minimum payments, other than amounts remaining unpaid from a previous financial year, is less than the minimum rate.

Discounts

Council under section 6.46 of the Local Government Act 1995 (as amended) when imposing a rate or service charge, may resolve by absolute majority to grant a discount or other incentive for the early payment of any rate or service charge.

2017/2018 Rates Review

In 2017/2018 Council offered the following incentives for early payment of rates within the discount period.

1. Discount

Council removed the early discount option in 2017/2018

2. Prizes for early payment of rates

Ratepayers paying their rates within the discount period went into a draw to win various prizes being donated to Council including accommodation packages and passes.

Cost to Council - \$0.00

3. Instalments Revenue

	17/18 YTD ACTUAL	17/18 BUDGET
Instalment interest -	\$6,211.00	\$6,211.00
Administration Fee -	\$1,840.00	\$3,680.00

4. Non-payment Penalty

Non-payment penalty interest received during the 2017/18 year was \$11,910 year to date compared to \$8,020.07 during the 2017/18 financial year.

COMMENT

Rate Instalments

Council in previous years elected to offer electors the opportunity of paying via 4 options:

- Payment in Full or
- Payment via 2 equal instalments or
- Payment via 4 equal instalments.
- Enter into a formal "Special Payment Arrangement

Interest of Instalments

Council in previous years elected to charge 5.5% Interest on Instalments when electors choose to pay via the above instalments with the limit set at 5.5% as per the Act.

Interest Penalties

Council in previous years elected to charge 11% penalty interest on rates that remain outstanding past the due date (35 days).

Proposed Payment Options:

1. Pay in full prior to the due date and be eligible for the discount (if applicable) and incentive prize draw
2. Pay by 2 equal instalments
3. Pay by 4 equal instalments or
4. Enter into a formal 'Special Payment Arrangement'

All other properties that remain unpaid or have not opted to do any of the above would incur interest at 11% after the due date.

Administration Charges

Council last year elected to charge \$5 per instalment as an administration charge in offering the instalment option. There is no minimum or maximum for the administration charge though it states that the charges are for reimbursement of expenses not for raising of profits.

- Payment via 2 instalments - \$ 5.00
- Payment via 4 instalments - \$15.00

Discount / Prizes

Last year Council removed the Discount for early payment of rates, however Council offered incentive prizes at no cost to Council to provide an incentive for people to pay rates in full within the discount period.

June 2017 Council Meeting

MIN 102/17 MOTION - Moved Cr. White 2nd Cr. Reid

Council adopts the following for the 2017/18 Financial Year;

1. *Council offers to ratepayers the following payment options for 2017/18;*

Option

Due By

Option A - One Payment

31st August 2017

Option B – 2 Instalment Option

*50% due 31st August 2017
50% due 9th January 2018*

Option C – 4 Instalment Option

*25% due 31st August 2017
25% due 26th September 2017
25% due 9th January 2018
25% due 13th March 2018*

Option D – Special Arrangement

Arrangements made prior to 31st August 2017 as per approved payment arrangement ensuring rates are paid off in full as soon as possible with the final payment being no later than 30 June 2018.

- 1. Instalment option is offered for rubbish charges - no instalment interest or penalty interest to apply.*
- 3. Administration fee of \$5.00 per reminder rate notice (Options B and C)*
- 4. Instalment interest to be levied at 5.5%*
- 5. Late payment penalty interest to be levied at 11% for Rates and Emergency Services Levy for all outstanding rates from the applicable due date*
- 6. That rate incentives prizes be offered to ratepayers for early payment of rates within 35 days at no cost to Council.*
- 7. That Council recommends an overall 5.95% increase of the rates revenue for its 2017/18 Draft Budget, inclusive of the revaluations received from VGO 08.05.17 effective 01.07.17, which decreased UV values and increased GRV values: Rate In the Dollar being;
 - a. GRV - Kellerberrin Residential -Remains at 0.127237c minimum \$678 to \$712*
 - b. GRV - Other Residential -Remains at 0.127237c minimum \$678 to \$712*
 - c. GRV – Commercial - From 0.127237c to 0.139961c minimum \$678 to \$783*
 - d. GRV – Industrial - From 0.127237c to 0.139961c minimum \$678 to \$783*
 - e. UV - Mining Tenements - From 0.022133c to 0.023239c minimum \$678 to \$712*
 - f. UV – Rural - From 0.022133c to 0.023239c minimum \$678 to \$712**
- 8. That Council adopts differential Rating for GRV Industrial and Commercial properties as shown in the modelling attached to this item, and the DLG is informed of this prior to budget adoption for 17/18.*

**CARRIED 7/0
ABSOLUTE MAJORITY**

Rate Increase

Council's Management in accordance with the Long Term Financial Plan have development a Rate Model with an overall increase of 5%.

The five percent increase incorporates the following:

- 5.2% Increase in the Rate in Dollar for GRV
- 1.67% Increase in the Rate in Dollar for UV
- 2.81% Increase in UV Valuations from Valuer General

October 2016 Council Meeting

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

That Council adopts;

1. *Rate increases of:*

- 2017/2018 at 5%
- 2018/2019 at 5%
- 2019/2020 at 4.5%
- 2020/2021 at 4.5%
- 2021/2022 at 4.5%
- 2022/2023 at 4.5%
- 2023/2024 at 3.0%
- 2024/2025 at 3.0%
- 2025/2026 at 3.0%
- 2026/2027 at 3.0%
- 2027/2028 at 3.0%
- 2028/2029 at 2.5%
- 2029/2030 at 2.5%
- 2030/2031 at 2.5%.

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

CARRIED 6/0

Valuation and Rate Model Summary

Below is a table the represents the Valuation Changes for the Shire of Kellerberrin.

Rate	16/17	17/18	18/19
GRV	\$ 3,286,897	\$ 3,674,889	\$ 3,675,669
UV	\$62,286,100	\$70,533,000	\$72,906,000
Mining	\$ 2,656	\$ 2,722	\$ 2,904
Non-Rateable		\$ 100,632	\$ 100,632
TOTAL	\$65,575,653	\$74,311,243	\$76,685,205

Over the last five years Council has increased rates as follows;

2017/18	4.21% and reduction of Discount from 2% to NIL
2016/17	5.11%
2015/16	4.42%
2014/15	4.22%
2013/14	6.73%

Please note Council's administration has provided what they believe is the preferred option though Council can modify the recommendation what they desire.

FINANCIAL IMPLICATIONS

- Shire of Kellerberrin 2016/17 Budget

POLICY IMPLICATIONS –

POLICY NUMBER	-	1.1.2
POLICY SUBJECT	-	Debt Recovery Procedures Rates
DATE OF ADOPTION	-	January 2003
REVIEWED	-	October 2016

Purpose

Provide guidance and regulate the process to recover outstanding rates in an appropriate and timely manner.

Policy

2. As soon as possible after the Council Budget meeting, rate notices will be sent out to ratepayers giving them 35 days, from date of issue of rate notice, to either;
(b) Pay the rates in full, or
(c) Elect to go onto an instalment option
2. Final notices are forwarded for all unpaid accounts with the exception of those electing to pay by instalments.
3. Prior to any further action a letter of intention to take legal action will be sent to the ratepayer giving 7 days notice.
4. Formal recovery action is to be taken (use of a Debt Collector) for recovery of outstanding rates 14 days after the date of the final notice. This includes the issue of summons and warrants of execution.
5. Application for extensions from ratepayers for reason of hardship or similar circumstances are to be considered by the Chief Executive Officer and approval or rejections of extension is at the Chief Executive Officers discretion.
6. Notices returned unclaimed are to be checked by the Senior Finance Officer for possible change of address or sale of property and details changed accordingly.
7. Executors of Deceased Estates are to be contacted by the Senior Finance Officer as necessary for particulars in winding up the estate in relation to payment and rates.
8. Unpaid assessments are to be reviewed on a monthly basis by the Deputy Chief Executive Officer where special arrangements have been made, or formal recovery action is undertaken to ensure recovery of outstanding amounts.
9. Where the Shire of Kellerberrin has adopted the provisions of the Act relating to interest charges, such amounts should be levied on all outstanding rates.
10. The Chief Executive Officer is responsible for the collection of all rates levied.
11. At the end of the financial year, any amount under \$50.00 is to be written off.

STATUTORY IMPLICATIONS –

Local Government Act 1995 (as amended)

6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
 - (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*;

- (b) a purpose for which the land is held or used as determined by the local government;
 - (c) whether or not the land is vacant land; or
 - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may —
- (a) specify the characteristics under subsection (1) which a local government is to use; or
 - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.
- (5) A differential general rate that a local government purported to impose under this Act before the *Local Government Amendment Act 2009* section 39(1)(a) came into operation¹ is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

[Section 6.33 amended by No. 38 of 2005 s. 15; No. 17 of 2009 s. 39; No. 28 of 2010 s. 34.]

6.45. Options for payment of rates or service charges

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
- (a) 4 equal or nearly equal instalments; or
 - (b) Such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —
- (a) By a single payment; or
 - (b) By such instalments as are remaining under subsection (1) (a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) Regulations may —
- (a) Provide for the manner of making an election to pay by instalments under subsection (1) or (2);
 - (b) Prescribe circumstances in which payments may or may not be made by instalments;
 - (c) Prohibit or regulate any matters relating to payments by instalments;
 - (d) Provide for the time when, and manner in which, instalments are to be paid;

- (e) Prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and
- (f) Provide for any other matter relating to the payment of rates or service charges.

6.46. Discounts

Subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may, when imposing a rate or service charge, resolve* to grant a discount or other incentive for the early payment of any rate or service charge.

** Absolute majority required*

6.50. Rates or service charges due and payable

- (1) Subject to —
 - (a) subsections (2) and (3);
 - (b) any concession granted under section 6.47; and
 - (c) the *Rates and Charges (Rebates and Deferments) Act 1992*,a rate or service charge becomes due and payable on such date as is determined by the local government.
- (2) The date determined by a local government under subsection (1) is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued.
- (3) Where a person elects to pay a rate or service charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

6.51. Accrual of interest on overdue rates or service charges

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —
 - (a) a rate or service charge (or any instalment of a rate or service charge); and
 - (b) any costs of proceedings to recover any such charge,that remains unpaid after becoming due and payable.
** Absolute majority required.*
- (2) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.
- (3) Accrued interest is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) If a person is entitled under the *Rates and Charges (Rebates and Deferments) Act 1992* or under this Act (if the local government in a particular case so resolves) to a rebate or deferment in respect of a rate or service charge —
 - (a) no interest is to accrue in respect of that rate or service charge payable by that person; and
 - (b) no additional charge is to be imposed under section 6.45(3) on that person.
- (5) Regulations may provide for the method of calculation of interest.

[Section 6.51 amended by No. 1 of 1998 s. 21(1); No. 49 of 2004 s. 62.]

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Strategic Priority 2.1

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

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

CORPORATE BUSINESS PLAN IMPLICATIONS

(Including Workforce Plan and Asset Management Plan Implications)

Service	Business unit responsible	Enabling assets
Manage resources efficiently and effectively to deliver services, programs, and infrastructure to the community.	Corporate Services	Council Offices, Vehicles Council Owned Dwellings

LONG TERM FINANCIAL PLAN IMPLICATIONS

The current LTFP - 15 year financial model as adopted shows the total rates needed to be raised for the 2017/18 financial year is \$1,963,544.

	1	2	3	4	5	6	7
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
OPERATING Revenues							
Rates	5.25%	5.00%	5.00%	4.50%	4.50%	4.50%	4.50%

COMMUNITY CONSULTATION - Nil

STAFF RECOMMENDATION

That Council:

1. incorporates into the 2018/2019 Draft Budget:

1.1 General Rates

- Kellerberrin Residential (GRV) 12.7620 cents in the dollar
- Other Residential (GRV) 12.7620 cents in the dollar
- Kellerberrin Commercial (GRV) 14.7000 cents in the dollar
- Other Commercial (GRV) 14.7000 cents in the dollar
- Mining Tenements (UV) 2.0929 cents in the dollar
- Rural (UV) 2.0929 cents in the dollar

1.2 Minimum Rates

- Kellerberrin Residential (GRV) \$748.00
- Other Residential (GRV) \$748.00
- Kellerberrin Commercial (GRV) \$822.00
- Other Commercial (GRV) \$822.00
- Mining Tenements (UV) \$748.00
- Rural (UV) \$748.00

2. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:

Full payment and instalment due date	September 2018
2 nd half instalment due date	January 2019
2 nd quarterly instalment due date	November 2018
3 rd quarterly instalment due date	January 2019
4 th quarterly instalment due date	April 2019

Special Arrangement

Arrangements made prior to September 2018 as per approved payment arrangement ensuring rates are paid off in full as soon as possible with the final payment being no later than 30 June 2018.

3. Pursuant to Section 6.45 of the local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner elected to pay rates (and service charges) through an instalment option of \$5 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.
5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.
6. Offer ratepayers early payment rate incentive prizes for rates paid in full by the full payment due date at no cost to Council.
7. Pursuant to Section 6.33 of the Local Government Act 1995 adopts differential Rating for GRV Industrial and Commercial properties and seeks Ministerial Approval to impose the differential rate.

*** Absolute majority required**

COUNCIL RECOMMENDATION

MIN 072/18 MOTION - Moved Cr. Reid 2nd Cr. Leake

That Council:

1. incorporates into the 2018/2019 Draft Budget:

1.1 General Rates

- Kellerberrin Residential (GRV) 12.7620 cents in the dollar
- Other Residential (GRV) 12.7620 cents in the dollar
- Kellerberrin Commercial (GRV) 14.7000 cents in the dollar
- Other Commercial (GRV) 14.7000 cents in the dollar
- Mining Tenements (UV) 2.0929 cents in the dollar
- Rural (UV) 2.0929 cents in the dollar

1.2 Minimum Rates

- Kellerberrin Residential (GRV) \$748.00
- Other Residential (GRV) \$748.00
- Kellerberrin Commercial (GRV) \$822.00
- Other Commercial (GRV) \$822.00
- Mining Tenements (UV) \$748.00
- Rural (UV) \$748.00

2. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:

Full payment and instalment due date	September 2018
2nd half instalment due date	January 2019
2nd quarterly instalment due date	November 2018
3rd quarterly instalment due date	January 2019
4th quarterly instalment due date	April 2019

Special Arrangement

Arrangements made prior to September 2018 as per approved payment arrangement ensuring rates are paid off in full as soon as possible with the final payment being no later than 30 June 2018.

- 3. Pursuant to Section 6.45 of the local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner elected to pay rates (and service charges) through an instalment option of \$5 for each instalment after the initial instalment is paid.**
- 4. Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.**
- 5. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.**

6. *Offer ratepayers early payment rate incentive prizes for rates paid in full by the full payment due date at no cost to Council.*
7. *Pursuant to Section 6.33 of the Local Government Act 1995 adopts differential Rating for GRV Industrial and Commercial properties and seeks Ministerial Approval to impose the differential rate.*

CARRIED 7/0

ABSOLUTE MAJORITY

Agenda Reference:	11.1.10
Subject:	2018/19 – Draft Roads and Capital Budget
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	FIN 04
Record No.:	
Disclosure of Interest:	N/A
Date:	4 th May 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

This item is presented for Council to review and ensure Council is satisfactorily prepared to adopt the forthcoming Annual Budget for 18/19.

It also provides an opportunity to Councillors to have an input in into the Roadworks and Capital purchases budget and prioritise their list of works and items they consider deserve inclusion in the Budget where practicable.

In October 2016 Council adopted the revised Long Term Financial Plan which recommended capital expenses of \$4,108,391 for 18/19 to be reviewed when preparing the annual budget;

COUNCIL RECOMMENDATION

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

That Council adopts;

3. *Rate increases of:*

- o. 2017/2018 at 5%*
- p. 2018/2019 at 5%*
- q. 2019/2020 at 4.5%*
- r. 2020/2021 at 4.5%*
- s. 2021/2022 at 4.5%*
- t. 2022/2023 at 4.5%*
- u. 2023/2024 at 3.0%*
- v. 2024/2025 at 3.0%*
- w. 2025/2026 at 3.0%*
- x. 2026/2027 at 3.0%*
- y. 2027/2028 at 3.0%*
- z. 2028/2029 at 2.5%*
- aa. 2029/2030 at 2.5%*
- bb. 2030/2031 at 2.5%.*

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

CARRIED 6/0

COMMENT

Financial Year	Total Road Expenditure	Total Road Income	Council's Contribution
16/17	\$2,306,331	\$1,873,740	\$432,591
17/18	\$3,571,991	\$3,251,672	\$320,318
18/19	\$2,100,685	\$1,331,027	\$769,658

Council's contribution for the 2018/2019 financial year has increased from previous years as the previous years has since Council receive Flood Damage funding as Council completed the programmed works.

This year's draft road program is very basic as per the following:

- Council's Regional Road Group Project (Baandee North Road)
- Council's Roads to Recovery Project (Kwolyin West Road)
- Fixing Shack Road
- Gravel Sheeting and Road Maintenance.

Councillors will note that this budget represents a heavy Gravel Sheeting and Maintenance Budget.

Please find below an extract of the LTFP Schedules which provides to Council the items recognised for Capital Expenditure in 2018/2019 as per the Long Term Financial Plan.

SHIRE OF KELLERBERRIN

15 YEAR LONG TERM FINANCIAL PLAN

FOR THE YEARS 2016/17 to 2030/31

Asset Name	Details	Account / Job #	2018/19			
			Funding Source		Gross Purchase Price	Net Cost to Council
			Grants / Contributions	Trade In / Sale		
<u>Schedule 04 - Governance</u>						
<i>Furn & Equip</i>	IT Furn Equipment CCTV				40,476	\$40,476
<i>Plant</i>	Motor Vehicle (s)	KE1 042901			68,809	
<i>Trade</i>	Trade Existing Vehicle	KE1 042037		(60,515)		\$8,294
<i>Plant</i>	Motor Vehicle (s)	KE002 042901			49,583	
<i>Trade</i>	Trade Existing Vehicle	KE002 042037		(45,536)		\$4,048
<u>Schedule 07 - Health</u>						
<i>Furn & Equip</i>	Other Equip & Minor Items					
<i>Plant</i>	Motor Vehicle (s)	KE00 042901			33,000	
<i>Trade</i>	Trade Existing Vehicle	KE00 042037		(12,000)		\$21,000
<i>Plant</i>	Motor Vehicle (s)	KE003 042901			33,000	
<i>Trade</i>	Trade Existing Vehicle	KE003 042037		(12,000)		\$21,000
<u>Schedule 9 - Housing</u>						
<i>Infrastructure</i>	CEACA Seniors Housing Project	C148J3				
<i>Non Op. Revenue</i>	RFR, Regional Fund - WeRoc	032332				\$0
<i>Non Op. Revenue</i>	New Loan for 14units					\$0
<i>Infrastructure</i>	CEACA Seniors Housing Project	C148J3				
<i>Non Op. Revenue</i>	RFR, Regional Fund SoK	032332				\$0
<i>Infrastructure</i>	Staff Housing Program					\$0
<i>Infrastructure</i>	Regional Development Funding					\$0

<u>Schedule 10 - Community Amenities</u>				
Infrastructure	Cemetery Upgrade		105902	5,000
Infrastructure	Contributions & Donations		105314	(5,000)
Infrastructure	Massingham Street Public Facilities			
Plant	Replace Community Bus			
Trade	Trade Existing Vehicle			
<u>Schedule 11 - Recreation & Culture</u>				
Infrastructure	renewal / Upgrade of Community Amenities		132900	\$0
Infrastructure	Caravan park Upgrade			
Infrastructure	Centennial Park & Skate Pk - stage. 1		C113J1	
Non Op. Revenue	Grant - RDA/other		113332	\$0
Building	Rec Centre Stage 2			
Building	Building Renewals	2% PA inc	113900	93,636
Furn & Equip	Town Hall		113901	
Infrastructure	Hockey Oval Lighting		113305	
Infrastructure	Minor Capex - Rec Cent & GSO		113305	\$0
Equip	Swimming Pool Renewals		112901	1,900,000
Non Op. Revenue	Grant - Swimming Pool		113332	(1,266,667)
<u>Schedule 12 - Transport</u>				
Infrastructure	Roads Program	2% PA inc	Various	1,646,115
Non Op. Revenue	Grant -Foot path - connected communities	1.19% PA inc		(20,479)
Non Op. Revenue	Grant -Main Roads Direct	1.19% PA inc	122318	(132,810)
Non Op. Revenue	Grant - Regional Road Group	1.19% PA inc	122355	(321,586)
Non Op. Revenue	Grant - Roads to Recovery	1.19% PA inc	122356	(616,139)
Non Op. Revenue	Grant - AGRN673		122332	
				\$555,100
Building	New Depot & workshop	-		
Plant	Motor Vehicle (s)	KE2	122901	49,583
Trade	Trade Existing Vehicle	KE2	122037	(45,536)
Plant	Other Light Vehicle Renewals	2 Utes PA		\$4,048

<i>Trade</i>	Trade Existing Vehicle				
<i>Plant</i>	Plant Replacement Program			180,000	
<i>Trade</i>	Trade Existing Vehicle		(40,000)		\$140,000
<i>Plant</i>	Purchase FL Truck, Trailer, Dolly	C122001			\$0
<i>Plant</i>	Roadcrew Isuzu Truck	C122002			\$0
<i>Building</i>	Depot workshop bunding & floor repairs	122132			\$0
<i>Building</i>	Depot (transportable office)	122912			\$0
<i>Infrastructure</i>	Hinckley St Extension	C062			\$0
<u>Schedule 14 - Other Property & Services</u>					
<i>Furn & Equip</i>	Workshop - tint & sound checker	144023			
<i>Infrastructure</i>	Town Dams				
<i>Infrastructure</i>	Department of Water Funding				
<i>Furn & Equip</i>	Other Equip & Minor Items	144023		9,189	\$9,189
			(2,362,682)	(215,586)	4,108,391
					1,530,124

Council has incorporated the above information from the Long Term Financial Plan into the 18/19 Budget document as best it could for the preparation of Council's 18/19 Draft Budget.

These figures and projects are suggestions that will form part of the budget though should there be insufficient funds to commit to the full program then items will be reduced/removed to ensure a balanced budget is produced, therefore some priorities need to be considered as well to ensure Council's staff remove items of less priority.

FINANCIAL IMPLICATIONS

- Shire of Kellerberrin 2018/19 Operating Budget

POLICY IMPLICATIONS

POLICY NUMBER	-	1.41
POLICY NUMBER	-	1.41
POLICY SUBJECT	-	Budget Preparation
DATE OF ADOPTION	-	January 2003
REVIEWED	-	October 2016

Purpose

To ensure Council is satisfactorily prepared to adopt the forthcoming Annual Budget as soon as possible after 30 June each year.

Policy

1. By 30th April in each year, Council coordinates a community meeting for members to provide operating expenditure items for inclusion in the Budget.
2. By 1st May in each year, Councillors agree and submit in priority order, their list of works and items they consider deserve inclusion in the Budget, to the allocated Manager and/or adopted Special Pre-Budget Meeting of the Council to enable costings to be completed.
3. Prior to the end of June each year, a draft Budget document with anticipated end of year figures will be presented to Council.
4. The draft Budget document is to make allowance under the Long Service Leave Policy for cash backed Reserve Fund to be maintained equal to the current Long Service Leave Liability.
5. The Draft Budget Document will make every attempt to include transfer of a total of 100% of plant depreciation into a Plant Reserve Account or include a lump sum amount determined by Council during the adoption of Budget process as a Municipal Fund direct contribution to the Plant Reserve Account.

STATUTORY IMPLICATIONS

Local Government Act 1995

Division 2 — Annual budget

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
- (a) the expenditure by the local government;
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate —
- (a) particulars of the estimated expenditure proposed to be incurred by the local government;
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
 - (c) the fees and charges proposed to be imposed by the local government;
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - (g) such other matters as are prescribed.
- (5) Regulations may provide for —
- (a) the form of the annual budget;
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

[Section 6.2 amended by No. 49 of 2004 s. 42(8) and 56.]

STRATEGIC PLAN IMPLICATIONS – Nil

CORPORATE BUSINESS PLAN IMPLICATIONS –

- Corporate Business Plan and
- Asset Management Plans.

(Including Workforce Plan and Asset Management Plan Implications)

LONG TERM FINANCIAL PLAN IMPLCATIONS

In February 2017 Council adopted the revised Long Term Financial Plan which recommended capital expenses of \$4,108,391 for 18/19 to be reviewed when preparing the annual budget.

COMMUNITY CONSULTATION

- Chief Executive Officer
- Deputy Chief Executive Officer
- Manager Works and Services
- Council Employees
- Engineering Consultant

ABSOLUTE MAJORITY REQUIRED – YES

STAFF RECOMMENDATION

That Council:

1. *Receives the Draft capital expenditure program as presented and incorporates this into Council’s 2018/19 Draft Budget.*
2. *Receives the Draft roadworks program as presented and incorporates this into Council’s 2018/19 Draft Budget*

COUNCIL RECOMMENDATION

MIN 073/18 MOTION - Moved Cr. White 2nd Cr. Steber

That Council:

1. *Receives the Draft capital expenditure program as presented and incorporates this into Council’s 2018/19 Draft Budget.*
2. *Receives the Draft roadworks program as presented and incorporates this into Council’s 2018/19 Draft Budget*

CARRIED 7/0
BY ABSOLUTE MAJORITY

Agenda Reference:	11.1.11
Subject:	Cheque List April 2018
Location:	Shire of Kellerberrin
Applicant:	N/A
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	2 nd May 2018
Author:	Miss Morgan Ware, Finance Officer

BACKGROUND

Accounts for payment from 1st April 2018 – 30th April 2018

Trust Fund

EFT & CHQ

TRUST TOTAL **\$400.00**

Municipal Fund

Cheque Payments

34397 - 34410 **\$225,638.79**

EFT Payments

8258 - 8334 **\$265,927.01**

Direct Debit Payments **\$ 24,099.53**

TOTAL MUNICIPAL **\$491,565.80**

COMMENT

During the month of April 2018, the Shire of Kellerberrin made the following significant purchases:

WCS Concrete Pty Ltd	\$ 75,511.15
Supply, Delivery & Laying of 32MPA concrete, Supply and Delivery of 10% stabilized sand	
Shire Of Kellerberrin	\$ 68,083.48
Private Works, Supply of Rock walling 825t, Flooding in the Shire of Kellerberrin, GST	
Shire Of Kellerberrin	\$ 54,013.04
Private Works, 200t Doodlakine Quarry spoils, Council rocks sourced prior to Quarry lease, Caravan park charges, Accommodation for Engineer May 17 to Feb 18, Flooding project management and site supervision	
Shire Of Kellerberrin	\$ 46,200.00
Private works Supply of 1200T, Minus 400 Granite Rock	

Synergy	\$	21,933.60
Power consumption for Shire Properties, February to April 2018		
Mineral Crushing Services WA PTY LTD	\$	20,778.56
Supply & Delivery of Aggregate for Kwolyin West Rd, 14mm, 185t & 10mm, 185t		
Water Corporation	\$	18,195.16
Water Consumption for Shire properties from February 18 to April 18		
R Munns Engineering Consulting Services	\$	16,357.26
Consultancy works on George St, New pavement surface levels, CAD plans, Setting pegs, Obtaining quotes for wet mixing, Organising primer sealing time slot, 23/02/2018 to 29/03/2018, Labour & Travel		
Shire of Quairading	\$	13,864.13
Private Works, Tree Pruning for Road Works		
Spyker Business Solutions	\$	12,261.70
Supply & Install 3 x CCTV infrastructure to Newsagency, Cafe and Kellerberrin Hotel as per Quote, Repair of power unit, Quarterly invoice for CCTV maintenance		
Innes & Co	\$	11,225.50
Hire of KE604 & 1TOA618 from 01/03/18 to 12/03/18		
Avon Waste	\$	9,766.03
Dom/Com rubbish x 5 weeks, Transport of waste to Northam Landfill facility, Recycling, Additional recycling bulk bin, Cardboard only service, Servicing of Transfer station, Transport of waste to Northam Landfill facility.		
Solgen Energy Pty Ltd	\$	9,727.07
Supply and Install 10.08KW Solar PV System to Administration Building as per Quote Q-SE2002720		
Western Australian Treasury Corporation	\$	8,171.09
Loan No 116A, Principal & Interest payment		
Farmways Kellerberrin Pty Ltd	\$	8,127.00
200 l Diesel Ultra 15W40, 200 l TTU, 200 l Hydraulic 46, 200 l Hydraulic 68, 205 l Coolant 50, 20 l ATF, Pump packing kit, Stihl brushcutter, Post black, Marbletread mode link, Uniform & other misc. items under \$100		
United Card Services Pty Ltd	\$	7,947.60
Fuel Purchases, March 2018		
Alleasing Pty Ltd	\$	7,610.77
Gym Equipment Monthly Lease Fee		
Brooks Hire Service Pty Ltd	\$	6,513.22
Excavator hire, Roadworks at George St, Labour & travel, Works to floodway at Mather Rd, Labour & travel		

Sam Williams Truck Hire, Cart Water & Labour, March, April 2018	\$	6,506.50
Deputy Commissioner Of Taxation Business Activity Statement, February 2018	\$	6,390.00
Mcleods Barristers And Solicitors Professional Fees, Printing and Photocopying Fees	\$	6,259.66
WA Local Government Superannuation Plan Pty Ltd Payroll Deductions	\$	6,045.86
WA Local Government Superannuation Plan Pty Ltd Payroll Deductions	\$	5,633.35
Woodstock Electrical Services Supply and Install V10 Challenger Panel, Latest firmware, Titan software, Convert database, Check programming, Software, Travel & Labour	\$	5,553.35
Great Southern Fuel Supplies Fuel Purchases, March 2018	\$	5,247.20

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Shire of Kellerberrin 2017/2018 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 April 2018, the Chief Executive Officer has made the following payments under council's delegated authority as listed in appendix A to the minutes.

1. *Municipal Fund payments totalling \$491,565.80 vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling \$400.00 on vouchers EFT, CHQ, Direct payments*

COUNCIL RECOMMENDATION

MIN 074/18 MOTION - Moved Cr. White

2nd Cr. McNeil

That Council notes that during the month of April 2018, the Chief Executive Officer has made the following payments under council's delegated authority as listed in appendix A to the minutes.

1. *Municipal Fund payments totalling \$491,565.80 vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling \$400.00 on vouchers EFT, CHQ, Direct payments*

CARRIED 7/0

Agenda Reference:	11.1.12
Subject:	Direct Debit List and Visa Card Transactions for the month April 2018
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	4 th May, 2018
Author:	Amanda Garlett – Administration Officer

BACKGROUND

Please see below the Direct Debit List and Visa Card Transactions for the month of April 2018.

Municipal Direct Debit List

Date	Name	Details	\$	Amount
3-Apr-18	Westnet	Monthly static IP address	\$	4.99
3-Apr-18	National Australia Bank	EFT Payment	\$	400.63
3-Apr-18	Housing Authority	Fortnightly Rent	\$	420.00
3-Apr-18	AllLeasing	Monthly Rent	\$	7,610.77
5-Apr-18	Shire of Kellerberrin	EFT Payment	\$	6,930.66
5-Apr-18	Shire of Kellerberrin	Clicksuper	\$	7,258.85
5-Apr-18	Shire of Kellerberrin	EFT Payment	\$	49,899.44
6-Apr-18	Shire of Kellerberrin	EFT Payment	\$	333.65
10-Apr-18	National Australia Bank	Account Fees - NAB connect (JAN 2018)	\$	57.74
11-Apr-18	Shire of Kellerberrin	EFT Payment	\$	162,021.69
12-Apr-18	Shire of Kellerberrin	Clicksuper	\$	376.36
13-Apr-18	DLL	Monthly Rent	\$	265.21
17-Apr-18	Housing Authority	Fortnightly Rent	\$	420.00
19-Apr-18	Shire of Kellerberrin	EFT Payment	\$	53,001.13
20-Apr-18	Shire of Kellerberrin	Clicksuper	\$	7,663.31
26-Apr-18	Shire of Kellerberrin	Clicksuper	\$	2,500.00
26-Apr-18	Shire of Kellerberrin	EFT Payment	\$	96,974.66
27-Apr-18	National Australia Bank	Account Fees - NAB Connect (Feb 2018)	\$	56.74
30-Apr-18	National Australia Bank	Account Fees - Interest Charged Muni	\$	65.22
30-Apr-18	National Australia Bank	Account Fees – Muni	\$	44.00
30-Apr-18	National Australia Bank	Account Fees – Trust	\$	57.80
30-Apr-18	National Australia Bank	Account Fees – BPAY	\$	23.92
		TOTAL	\$	<u>396,386.77</u>

Trust Direct Debit List

Date	Name	Details	\$	Amount
30-Apr-18	Department Transport	Direct Debit-Licensing Payments April 2018	\$	66,050.80
		TOTAL	\$	<u>66,050.80</u>

Visa Transactions

Date	Name	Details	\$	Amount
18-Apr-18	United Petroleum Kellerberrin	Fuel - KE 1	\$	98.20
24-Apr-18	Landgate - Midland	Service Agreement - Water Corp	\$	168.70
27-Apr-18	NAB	Card Fee		9.00
TOTAL – CEO			\$	275.90
Date	Name	Details	\$	Amount
27-Apr-18	NAB	Card Fee	\$	9.00
TOTAL – DCEO			\$	9.00
TOTAL VISA TRANSACTIONS			\$	284.90

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

➤ Financial Management of 2017/2018

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 April be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or

Agenda Reference:	11.1.13
Subject:	Financial Management Report for April 2018
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	8 th May, 2018
Author:	Sean Sibly, DCEO

BACKGROUND

Enclosed is the Monthly Financial Report for the month of April 2018.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

- Financial Management of 2017/2018

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 be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.

Agenda Reference:	11.1.14
Subject:	Local Government Focus Audit – Timely Payment of Suppliers findings
Location:	Shire of Kellerberrin
Applicant:	Office of the Auditor General
File Ref:	
Disclosure of Interest:	Nil
Date:	8 th May, 2018
Author:	Sean Sibly, Deputy Chief Executive Officer; Morgan Ware, Finance Officer.

BACKGROUND

Audit Committee Meeting – 15 th May 2018

The Shire of Kellerberrin’s audit committee is meeting prior to the Council Meeting to review the Audit and provide a recommendation to Council.

The Staff Recommendation provided to the audit committee is:

That the Audit Committee

1. *Endorse the findings and management comments to the Local Government Focus Audit – Timely Payment of Suppliers as presented by staff and*
2. *Recommends to Council that the findings and management comments to the Local Government Focus Audit – Timely Payment of Suppliers be endorsed.*

COMMENT

The Local Government Amendment (Auditing) Bill 2017 brings legislative change to the Local Government Act 1995, providing for the auditing of local governments by the Auditor General.

As existing local governments audit contracts expire, the responsibility for auditing local government transitions to the Auditor General. By the 2020/2021 financial year, every local government will be audited by the Auditor General, regardless of whether or not their contracts have expired.

The Bill provides for a new category of audits known as “performance audits” which examine the economy, efficiency and effectiveness of any aspect of a local government’s operations.

In early 2018, the Office of the Auditor General contacted the Shire of Kellerberrin to arrange for the conduct of an audit pertaining to the timely payment of suppliers, their reasoning thus:

Local governments spend hundreds of millions of dollars purchasing goods and services. To facilitate these payments, local governments have developed systems and processes to initiate, record and authorise payments. The physical payment of the supplier represents the final stage of the expenditure process.

The objective of the focus audit is to assess whether the sampled local governments are making payments to suppliers on a timely basis in accordance with better practice.

Our lines of inquiry:

1. *Have local governments developed procedures and controls for ensuring that payments are being made on a timely basis?*
2. *Are suppliers being paid on a timely basis?*

As of 27 April, the Office of the Auditor General has completed the audit, generated findings and held an 'exit interview' with officers of the Shire to discuss these findings.

At the 'exit interview', the Office of the Auditor General insisted on receiving Shire management commentary to their findings and potentially commitment to action before these could be endorsed by Council.

FINDINGS AS IDENTIFIED BY THE OFFICE OF THE AUDITOR GENERAL DURING THE AUDIT

INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
Findings identified during this audit			
1. Goods and Services Received Dates		✓	
2. Policy and Procedures		✓	
3. Untimely Payment of Invoices		✓	

KEY TO RATINGS

The Ratings in this management letter are based on the audit team’s assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

- Significant** - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However even if the issue is not likely to impact the audit opinion, it should be addressed promptly.
- Moderate** - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.
- Minor** - Those findings that are not of primary concern but still warrant action being taken.

1. GOODS AND SERVICES RECEIVED DATES

Findings

We found that the goods and services received dates are not recorded in the Shire’s financial system and are not used to determine when payments should be made.

Rating: Moderate

Implication

The Shire is less likely to pay its invoices on time if the date that the goods and services are received is not accurately documented and recorded in the Shire’s financial system.

Recommendations

The Shire should accurately record the goods and services receipt dates in its financial system; and regularly monitor invoices processed, but not yet paid, to ensure that all invoices are paid within 30 days of these dates.

Management Comment

There is currently no capacity within the financial system to record receipt dates, this system being common to a number of local governments of a similar disposition.

Responsible Person:

Deputy Chief Executive Officer

Completion Date:

20 May 2018

2. POLICY AND PROCEDURES

Finding

We noted that the Shire does not have a policy and procedures in place which sets out the terms by which suppliers should be paid.

Rating: Moderate

Implication

By not having written policies and procedures relating to payment of invoices, there is an increased risk of non-compliance with set procedures for processing of payment of invoices.

Recommendations

We recommend that a written policy on processing payment of invoices is developed and placed on the Intranet for staff to access.

Management Comment

A remote location such as ours necessitates flexibility in supplier payment terms; we would not have the luxury of a 'one size fits all' approach due to scarcity of vendors.

To this end, Council currently requires each Creditor to complete a Creditors application form which being signed by both parties establishes payment terms.

Responsible Person:

Deputy Chief Executive Officer

Completion Date:

20 May 2018

3. UNTIMELY PAYMENT OF INVOICES

Findings

We noted that there were 10 invoices from a sample of 60 payments, representing 16.67% of our samples tested, which were not paid within 30 days of the invoice date, receipt of invoice or goods and services received date.

Rating: Moderate

Implication

When invoices are paid late, there is an increased risk that the Shire may incur additional costs such as late payment fees. In addition, the cash flow of suppliers is impacted.

Recommendations

The Shire should pay all invoices within 30 days of the receipt of the invoice or receipt of the goods and services.

Management Comment

Where vendor payment terms are 30 days we would anticipate paying on time in ideal circumstances, however we note circumstances beyond our control that would often influence our ability to do so consistently, chief amongst these when a vendor issues a back dated invoice covering periods of previous work.

Responsible Person:

Deputy Chief Executive Officer

Completion Date:

20 May 2018

SHIRE DETAILED RESPONSE TO FINDINGS OF THE AUDIT

- **Sample 1** – Shire of Merredin – Invoice details were incorrect and reallocated. CEACA committee needed to affirm figures and only meet intermittently which delayed payment of this Invoice
- **Sample 19** – WCS – Invoice dated 06/02/2017 but received 14/03/2017, data received from the Creditors Invoice Register. Invoice was received in the payment week which delayed payment until following fortnight
- **Sample 10** – WCS – Invoice dated 06/02/2017 but received 14/03/2017, data collected from the Creditors Invoice Register. Invoice was then paid by following EOM (28/04/2017) (within terms)
- **Sample 11** – Invoice dated, 16/11/2017. Date stamped 23/11/2017 and paid 21/12/2017 – within appropriate time frame
- **Sample 23** – Landmark – Invoice dated 31/05/2017 but received 14/08/2017, data collected from the Creditors Invoice Register. Invoice was then paid on 17/08/2017, within appropriate time frame
- **Sample 36** – Clark – Invoice dated 11/09/2017 but received 29/09/2017, data collected from the Creditors Invoice Register. Invoice was then paid on 12/10/2017 within time frame for payment
- **Sample 42** – Invoice dated 19/10/2017, paid 23/11/2018
- **Sample 45** – LGIS – Invoice dated 04/07/2017. Data not collected in the Invoice Register, payed 09/08/2017.
- **Sample 48** – STS – Invoice dated 03/04/2017. Data not collected in the Invoice Register, payed 11/05/2017.
- **Sample 51** – Kellerberrin Aquatic Club – Invoice dated 24/10/2017. Data not collected in the Invoice Register, payed 07/12/2017. KidSport issues with

reconciliation of funds, had to meet with treasurer – payment late due to outside influencers

- **Sample 52** – Woodstock – Invoice dated 15/06/2017, payed 03/08/2017. Woodstock are consistently late with providing invoices, some of which are dated at the time of the job rather than the date invoice was created
- **Sample 55** – Invoice dated 20/11/2017, Date stamped 23/11/2017 and paid 07/12/2017 within appropriate time frame

Some Shire staff were to draw accolades from the Auditor General in their conduct in respect of the audit.

The Audit Committee is provided the findings and management comments for noting and referral to Council.

FINANCIAL IMPLICATIONS: Nil

POLICY IMPLICATIONS: Nil

STATUTORY IMPLICATIONS

Local Government Amendment (Auditing) Act 2017

7.12AJ. Conducting a performance audit

(1) The Auditor General Act section 18 applies in relation to a local government as if —

(a) the local government were an agency; and

(b) money collected, received or held by any person for or on behalf of the local government were public money; and

(c) money collected, received or held by the local government for or on behalf of a person other than the local government were other money; and

(d) property held for or on behalf of the local government, other than money referred to in paragraph (b), were public property; and Local Government (Audit) Regulations 1996 (as amended)

(e) property held by the local government for or on behalf of a person other than the local government were other property; and

(f) the reference in the Auditor General Act section 18(2)(d) to “legislative provisions, public sector policies or its own internal policies;” were a reference to “legislative provisions or its own internal policies;”.

(2) A performance audit is taken for the purposes of the Auditor General Act to have been carried out under the Auditor General Act Part 3 Division 1.

7.12AK. Reporting on a performance audit

(1) The Auditor General Act section 25 applies in relation to a performance audit as if —

(a) a local government were an agency; and

(b) the council of the local government were its accountable authority.

(2) The auditor must give a report on a performance audit to the local government.

Local Government (Audit) Regulations 1996

16. Audit committee, functions of

An audit committee —

- (a) is to provide guidance and assistance to the local government —
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;

and

- (b) may provide guidance and assistance to the local government as to —
 - (i) matters to be audited; and
 - (ii) the scope of audits; and
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management.

[Regulation 16 inserted in Gazette 31 Mar 2005 p. 1043.]

Local Government Act 1995 (as amended)

- section 3.57 relates to the tendering of goods and services
- section 3.59 relates to preparation of business plan for a commercial or trading enterprise
- sections 5.16, 5.18, 5.42, 5.43, 5.44, 5.45, 5.46 relates to the delegation of power/duty
- sections 5.67, 5.68, 5.73, 5.75, 5.76, 5.77, 5.88, 5.103 relates to the Disclosure of Interest by Councillors and/or Staff
- sections 7.3 to 7.9 relates to the appointment of auditors
- section 9.4 to 9.29 relates to appeal provisions
- sections 3.58 to relates to disposal of property

Subsidiary Statutory Acts and Regulations to achieve compliance

- Local Government (Uniform Local Provisions) Regulations 1996 – regulation 9
- Local Government (Functions and General) Regulations 1997 (as amended) – tenders for the supply of goods and services
- Local Government (Administration) Regulations 1996 (as amended)
- Local Government (Financial Management) Regulations 1996 (as amended)
- Local Government (Audit) Regulations 1996
- Local Government Grants Act 1978 – section 12
- Local Government (Elections) Regulations 1997

STRATEGIC PLAN IMPLICATIONS: Nil

FUTURE PLAN IMPLICATIONS: Nil

COMMUNITY CONSULTATION: Nil

STAFF RECOMMENDATION

That Council endorse the findings and management comments to the Local Government Focus Audit – Timely Payment as presented.

COUNCIL RECOMMENDATION

MIN 077/18 MOTION - Moved Cr. O'Neill

2nd Cr. McNeil

That Council endorse the findings and management comments to the Local Government Focus Audit – Timely Payment as presented.

CARRIED 7/0

Agenda Reference:	11.2.1
Subject:	Building Returns: April 2018
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	BUILD06
Disclosure of Interest:	Nil
Date:	8 th May, 2018
Author:	Mr Raymond Griffiths, Chief Executive Officer

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. There was one applications received for a "Building Permit" during the April 2018 period. A copy of the "Australian Bureau of Statistics appends".
2. No "Building Permits" were issued in the April 2018 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. ie: "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 – YES/NO

NO

STAFF RECOMMENDATION

That Council

1. *Acknowledge the "Return of Proposed Building Operations" for the April 2018 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the April 2018 period.*

COUNCIL RECOMMENDATION

MIN 078/18 MOTION - Moved Cr. Leake 2nd Cr. Steber

That Council

1. *Acknowledge the "Return of Proposed Building Operations" for the April 2018 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the April 2018 period.*

CARRIED 7/0

Agenda Reference:	11.2.2
Subject:	CBH Site Development Application
Location:	Shire of Kellerberrin
Applicant:	CBH via Mr Tim Dolling
File Ref:	
Disclosure of Interest:	N/A
Date:	3 rd May, 2018
Author:	Mr. Lewis York, Town Planner

BACKGROUND

Council on the 24th of April 2018 received a development application from Cooperative Bulk Handling. The development includes the relocation of grain sampling facilities and construction of additional storage facilities at the Kellerberrin receival site on Lot 311 (11) Mather Road. The site is operational on a seasonal basis between the months of October and December each year.

General Information	
Lot Area	28.9 ha
Zone	Industrial
Nature of Application (use and/or works)	Works and Use
Proposed Use or Works:	<ul style="list-style-type: none"> • New truck marshalling area for 16 vehicles • Relocated grain sampling platform/hut and two spears • New weighbridge and hut • 4 x new 30,000 tonne capacity open bulkheads • 3 x new hopper pits, grain elevators and ground conveyors between two existing and the two sets of new open bulkheads • New internal roads and stormwater drainage.
Zoning Permissibility ('P', 'D', 'X')	'P' - Permitted
Advertising Required	
Reason not exempt from planning approval	Size and cost of development
Date Received	24/4/2018

SITE

The CBH receival site is located on the north side of Great Eastern Highway and to the east of the Kellerberrin townsite.



PLANNING COMMENT

The proposed works will take place within the Shire's designated industrial zone. The Shire's Scheme outlines permissibility for all zones, Industry within the 'Industrial' zone is a permitted 'P' use in the Scheme. When assessing a development of this nature the objectives and general development requirements of the zone must be considered. The general planning considerations of clause 67 of the Deemed provisions must also be taken into account when assessing applications of this nature.

Zone objectives: The development supports the objectives of the zone outlined in the scheme. The proposal will support the approved industry use on the lot.

Zoning: Permitted 'P'

'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;

Development Standards: The development complies with the development standards outlined in the Scheme, including boundary setbacks. However it is noted that other development standards for this zone can be made at Council's discretion.

Cost of the development: The development proposed comes with a considerable cost, estimated at \$8,343,150.00. This means that the development fits within the optional Development Assessment Panel (DAP) categorization. Application in excess of \$10 million in the JDAP region (outside the City of Perth) are required to be sent for consideration, while the optional assessment for development in the regions is between \$2 and 10 million. Although this application fits within the 'optional' category, it is advised that Council assess the application on its merits as it is not believed the development will have a considerable impact on the Shire in terms of visual amenity, traffic or furthermore, challenge the objectives or development standards of the Scheme.

Traffic: The development application is accompanied with a Traffic Impact Statement. It is noted in this document that the development will not result in the increase in traffic flow in the next 3 years. The main access roads to the site are through Mather Road and Dowding Street via Great Eastern Highway. New internal roads are aimed at improving the flow of the site.

Visual amenity: It is not believed that the development will impact upon visual amenity in the zone. The development outlined is of a similar nature to that existing on the lot.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

A development application of \$ 16,745.07 has been received.

POLICY IMPLICATIONS

Shire of Kellerberrin Local Planning Scheme

Objectives of the Zone(s)

3.2.4 Industrial Zone

- (a) To encourage industrial development with diverse employment opportunities.
- (b) To provide for industry to support development in the District

ZONING TABLE:

USE CLASSES	ZONES					
	RESIDENTIAL	TOWN CENTRE	INDUSTRIAL	GENERAL AGRICULTURE	RURAL TOWNSITE	RURAL RESIDENTIAL
Shop	X	P	X	X	A	X
Showroom	X	D	P	X	A	X
Trade display	X	D	P	X	A	X
OTHER						
Corrective institution	X	X	X	X	X	X
Essential service utility	D	D	D	D	D	D
Funeral parlour	X	A	P	X	A	X
Telecommunications infrastructure	D	D	P	D	A	D
Veterinary centre	X	A	P	A	A	A
INDUSTRY						
Fuel depot	X	X	A	X	X	X
Industry	X	X	P	X	X	X

4.9 INDUSTRIAL DEVELOPMENT

4.9.1 Buildings within the Industrial zone shall comply with the following minimum lot boundary setbacks: Front: 7.5 metres Rear: 7.5 metres Side: 5.0 metres (on one side)

4.9.2 The first 5 metres of the front setback on any lot shall be landscaped to the satisfaction of the local government. Where a lot has frontage to two streets the local government may vary the landscaping requirement only where the setback is reduced in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.

4.9.3 All other development standards for development in the Industrial zone are at Local government's discretion.

Planning and Development (Local Planning Schemes) Regulations 2015

industry- means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;

67. Matters to be considered by local government In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;

- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance; (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development; Planning and Development (Local Planning Schemes) Regulations 2015 Deemed provisions for local planning schemes Schedule 2 Procedure for dealing with applications for development approval Part 9 cl. 67 As at 01 Jul 2016 Version 00-d0-00 page 151 Extract from www.slp.wa.gov.au, see that website for further information
- (n) the amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following — (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (v) access by older people and people with disability; Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 Deemed provisions for local planning schemes Part 9 Procedure for dealing with applications for development approval cl. 68 page 152 Version 00-d0-00 As at 01 Jul 2016 Extract from www.slp.wa.gov.au, see that website for further information (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;

(za) the comments or submissions received from any authority consulted under clause 66;

(zb) any other planning consideration the local government considers appropriate.

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

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

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

COMMUNITY CONSULTATION:

Not required.

STAFF RECOMMENDATION

That Council;

1. Considers the application for development approval in accordance with the Development Assessment Panel (DAP) guidelines and:

As the development fits within the 'Optional' DAP assessment category (\$2-10 Million), however the development is not believed to negatively impact upon local amenity, traffic structures and provisions of the Scheme it is advised by the Shire's Planner in consultation with the CEO that Council should assess the application on its merits and not be required to have the application assessed by the Development Assessment Panel.

2. Approve the development and endorse the attached development plans including;

- New truck marshalling area for 16 vehicles*
- Relocated grain sampling platform/hut and two spear*
- New weighbridge and hut*
- 4 x new 30,000 tonne capacity open bulkheads*
- 3 x new hopper pits, grain elevators and ground conveyors between two existing and the two sets of new open bulkheads, and*
- New internal roads and stormwater drainage.*

with the following conditions;

GENERAL CONDITIONS:

- a) The development shall comply with Scheme setback requirements Front: 7.5 metres Rear: 7.5 metres Side: 5.0 metres (on one side);*
- b) The endorsed approved plans shall not be altered without prior written approval of the Shire; and*
- c) Planning approval will expire if the development is not substantially commenced within two years of the approval date.*

COUNCIL RECOMMENDATION

MIN 079/18 MOTION - Moved Cr. Steber 2nd Cr. Leake

That Council;

1. Considers the application for development approval in accordance with the Development Assessment Panel (DAP) guidelines and:

As the development fits within the 'Optional' DAP assessment category (\$2-10 Million), however the development is not believed to negatively impact upon local amenity, traffic structures and provisions of the Scheme it is advised by the Shire's Planner in consultation with the CEO that Council should assess the application on its merits and not be required to have the application assessed by the Development Assessment Panel.

2. Approve the development and endorse the attached development plans including;

- *New truck marshalling area for 16 vehicles*
- *Relocated grain sampling platform/hut and two spear*
- *New weighbridge and hut*
- *4 x new 30,000 tonne capacity open bulkheads*
- *3 x new hopper pits, grain elevators and ground conveyors between two existing and the two sets of new open bulkheads, and*
- *New internal roads and stormwater drainage.*

with the following conditions;

GENERAL CONDITIONS:

- a) *The development shall comply with Scheme setback requirements Front: 7.5 metres Rear: 7.5 metres Side: 5.0 metres (on one side);*
- b) *The endorsed approved plans shall not be altered without prior written approval of the Shire; and*
- c) *Planning approval will expire if the development is not substantially commenced within two years of the approval date.*

CARRIED 7/0

CLOSURE OF MEETING

4:40 pm – Cr. Rodney Forsyth, Shire President declared the meeting closed.

NEXT MEETING DATES

Ordinary Council Meeting, Tuesday, 19th June, 2018