

# SHIRE OF KELLERBERRIN

## MINUTES

Minutes of the Ordinary Council Meeting held at the Shire of Kellerberrin Council Chamber, 110 Massingham Street Kellerberrin on Tuesday, 16<sup>th</sup> October 2018, commencing at 2.00 pm.

### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISTORS:

2.00 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. 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/Community Development Officer (Exited 2.28pm)

#### Apologies:

#### Leave of Absence:

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

### 4. PUBLIC QUESTION TIME: Nil

### 5. APPLICATIONS FOR LEAVE OF ABSENCE: Nil

### 6. DECLARATION OF INTEREST:

In accordance with Section 5.65 of the *Local Government Act 1995* the following disclosures of **Financial** interest were made at the Council meeting held on **16<sup>th</sup> October 2018**.

Date	Name	Item No.	Reason
16/10/2018	R. Forsyth	11.1.13	Shares

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 **16<sup>th</sup> October 2018**.

Date	Name	Item No.	Reason
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In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of **Proximity** interest were made at the Council meeting held on **16<sup>th</sup> October 2018**.

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

**7.1 Shire of Kellerberrin Ordinary Council Meeting Minutes, 18<sup>th</sup> September, 2018**

**COUNCIL RECOMMENDATION**

**MIN 174/18 MOTION:** Moved Cr. Steber 2<sup>nd</sup> Cr. Leake

*That the minutes of the Shire of Kellerberrin Ordinary Council Meeting held on Tuesday 18<sup>th</sup> September 2018, be confirmed as a true and accurate record*

CARRIED 6/0

**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 175/18 MOTION:** Moved Cr. Reid 2<sup>nd</sup> Cr. Steber

*That the Presidents Reports for September 2018 be received.*

CARRIED 6/0

## 11.1 CORPORATE SERVICES – AGENDA ITEM

<b>Agenda Reference:</b>	11.1.1
<b>Subject:</b>	Community Requests and Discussion Items
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin - Council
<b>File Ref:</b>	Various
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	3 <sup>rd</sup> October, 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

### BACKGROUND

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

September 2018 Council Meeting

**MIN 155/18 MOTION** - Moved Cr. Steber 2<sup>nd</sup> Cr. McNeil

***That Council:***

- 1. Investigate requirements for mulch on garden beds in townsite***
- 2. Write a letter to Mr Ian McNeil acknowledging and thanking him for his contribution as Chief Bush Fire Control Officer.***

CARRIED 6/0

August 2018 Council Meeting

**MIN 130/18 MOTION** - Moved Cr. Reid 2<sup>nd</sup> Cr. O'Neill

***That Council***

- 1. Action repairs on Cole Rd;***
- 2. Action repairs on South Doodlakine Rd approximately 1km south of Stone Giles intersection;***
- 3. Action repairs to Saunders Rd;***
- 4. Instruct Cr Steber to inform Doodlakine Community Committee that any works associated with the 2018/2019 Community Grant allocation must be undertaken as per letter issued by Council; and***
- 5. Supports / endorses the Grant Application for construction of two indoor court facilities on Council owned land.***

CARRIED 6/0

July 2018 Council Meeting

**MIN 111/18 MOTION** - Moved Cr. McNeil 2<sup>nd</sup> Cr. Reid

***That Council notes no requests or ideas to be actioned for the month of July 2018.***

CARRIED 6/0

**September 2018 - MIN 155/18**

1. Mulch requirements have been investigated
2. Letter has been sent to Ian McNeil acknowledging and thanking him for his contribution as Chief Bush Fire Control Officer.

<b>August 2018 - MIN 130/18</b>
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1. Works will commence shortly on repairs to be carried out on Cole Rd;
2. Works will commence shortly on repairs on South Doodlakine Rd to be carried out approximately 1km south of Stone Giles intersection;
3. Works will commence shortly on repairs to be carried out on Saunders Rd;
4. Cr Steber will inform Doodlakine Community Committee that any works associated with the 2018/2019 Community Grant allocation must be undertaken as per letter issued by Council; and
5. Noted that Council supports / endorses the Grant Application for construction of two indoor court facilities on Council owned land. Grant application is currently being finalised.

<b>July 2018 - MIN 111/18</b>
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That Council note no requests or ideas to be actioned.

**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 176/18 MOTION** - Moved Cr. Leake 2<sup>nd</sup> Cr. Reid

***That Council:***

- 1. Acknowledges no footpath from Connelly Street heading North to the Recreation Centre Gates.***
- 2. Obtain Quotes to renew fence at Recreation Centre from Generator to end of Car Park and tidy IVO ticketing booth***
- 3. Acknowledge the verbal thanks from the Agricultural Society for contributions to Kellerberrin Show***
- 4. Advocate support for exemption for working dogs from proposed new dog breeding regulations.***

CARRIED 6/0

2.28pm – Mr Brett Taylor Exited Council Chambers

<b>Agenda Reference:</b>	11.1.2
<b>Subject:</b>	Status Report of Action Sheet
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin - Council
<b>File Ref:</b>	Various
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	3 <sup>rd</sup> October, 2018
<b>Author:</b>	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 177/18 MOTION** - Moved Cr. McNeil 2<sup>nd</sup> Cr. Steber

*That Council receives the Status Report.*

CARRIED 6/0

<b>Agenda Reference:</b>	11.1.3
<b>Subject:</b>	Great Eastern Country Zone of WALGA Meeting Minutes and Resolutions
<b>Location:</b>	Merredin Regional Community and Leisure Centre
<b>Applicant:</b>	Great Eastern Country Zone of WALGA
<b>File Ref:</b>	OLGOV-16
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	9 <sup>th</sup> October, 2018
<b>Author:</b>	Raymond Griffiths, Chief Executive Officer

**BACKGROUND**

The Minutes of the recent Meeting, held on Thursday 23<sup>rd</sup> August, 2018 at the Merredin Regional Community and Leisure Centre, of the Great Eastern Country Zone (GECZ) are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and Great Eastern Country Zone to keep this Council abreast of forward/strategic planning initiatives of the Zone.

**COMMENT**

Attached to this agenda item is a copy of the recent Zone Meeting Minutes (not confirmed) held on Thursday 23<sup>rd</sup> August, 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 O'Connell**  
**Seconded: Cr Truran**

**That the minutes of the Great Eastern Country Zone meeting held Thursday 28 June 2018 are confirmed as a true and accurate record of the proceedings subject to adding apologies for the President and CEO of the Shire of Mukinbudin and adding the attendance of Cr Julie Flockart from the Shire of Merredin.**

**CARRIED**

**RESOLUTION**

**Moved: Cr Sasche**  
**Seconded: Cr Truran**

**That the Minutes of the Meeting of the Great Eastern Country Zone Committee Meeting held Thursday 2 August 2018 be endorsed.**

**CARRIED**

DATED: ..... PRESIDENT SIGNATURE: .....

**RESOLUTION**

**Moved: Cr Forsyth  
Seconded: Cr Strange**

**That the Zone endorse the changes to the Terms of Reference for the Local Government  
Agricultural Freight Group**

**CARRIED**

**RESOLUTION**

**Moved: Cr Truaran  
Seconded: Cr Meeking**

**That the Report be received**

**CARRIED**

**RESOLUTION**

**Moved: Cr Waters  
Seconded: Cr Mortimore**

**That the Report be received**

**CARRIED**

**RESOLUTION**

**Moved: Cr Wright  
Seconded: Cr O'Connell**

**That the Report be received**

**CARRIED**

**RESOLUTION**

**Moved: Cr Day  
Seconded: Cr Truran**

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

**CARRIED**

**RESOLUTION**

**Moved: Cr Brown  
Seconded: Cr Flockart**

**That the Great Eastern Country Zone endorses all recommendations contained in the  
WALGA State Council Agenda.**

**CARRIED**

**RESOLUTION**

**Moved: Cr Shadbolt  
Seconded: Cr Waters**

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 23<sup>rd</sup> August, 2018.*

### **COUNCIL RECOMMENATION**

**MIN 178/18 MOTION - Moved Cr Reid            2<sup>nd</sup> Cr O'Neill**

*That Council receive the Minutes of the Great Eastern Country Zone of WALGA meeting, held on Thursday 23<sup>rd</sup> August, 2018.*

**CARRIED 6/0**

<b>Agenda Reference:</b>	11.1.4
<b>Subject:</b>	WE-ROC Executive Council Meeting Minutes and Resolutions
<b>Location:</b>	Council Chambers, Shire of Yilgarn
<b>Applicant:</b>	Executive Officer - WE-ROC Council
<b>File Ref:</b>	ORG-10
<b>Rec Ref:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	9 <sup>th</sup> October, 2018
<b>Author:</b>	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 26<sup>th</sup> September, 2018 held in the Council Chambers, Shire of Yilgarn, 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 26<sup>th</sup> September, 2018 held in Council Chambers, Shire of Yilgarn.

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 26<sup>th</sup> September, 2018 WE-ROC Executive Meeting summarised hereunder;

**RESOLUTION:**                    **Moved: Jamie Criddle**                    **Seconded: Raymond Griffiths**  
 That the Minutes of the Executive Meeting held Wednesday 28 March 2018 be confirmed as a true and correct record  
**CARRIED**

**RESOLUTION:**                    **Moved: Alan O’Toole**                    **Seconded: Greg Powell**  
 That the Minutes of the Council Meeting held Wednesday 25 July 2018 be confirmed as a true and correct record.  
**CARRIED**

**RESOLUTION:**                    **Moved: Raymond Griffiths**                    **Seconded: Greg Powell**  
 That the matters listed for noting be received.  
**CARRIED**

**RESOLUTION:**                    **Moved: Greg Powell**                    **Seconded: Raymond Griffiths**  
 That the Executive Officer’s report be noted.  
**CARRIED**

**RESOLUTION:**                    **Moved: Greg Powell**                    **Seconded: Raymond Griffiths**

DATED: ..... PRESIDENT SIGNATURE: .....

That the Executive Officer's report be noted.

CARRIED

RESOLUTION: Moved: Greg Powell Seconded: Raymond Griffiths

That the Executive Officer's report be noted.

CARRIED

RESOLUTION: Moved: Greg Powell Seconded: Raymond Griffiths

That the WE-ROC Executive Officer prepare a revised agreement for consideration at the WE-ROC Council Meeting on Wednesday 24 October 2018, with the draft to take into account contemporary views with respect to recovery procedures following an emergency.

CARRIED

RESOLUTION: Moved: Greg Powell Seconded: Alan O'Toole

That the WE-ROC Executive "workshop" the issues detailed in the ALGA Federal Election Initiatives publication titled "All Politics is Local – 12 ways to deliver for Australian communities" to determine whether any of the issues are ones WE-ROC should advocate on ahead of the next Federal election.

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**

No



**STAFF RECOMMENDATION**

*That Council receive the Minutes of the Special Executive Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 26<sup>th</sup> September, 2018.*

**COUNCIL RECOMMENDATION**

**MIN 179/18 MOTION** - Moved Cr. O'Neill                      2<sup>nd</sup> Cr. McNeil

*That Council receive the Minutes of the Special Executive Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 26<sup>th</sup> September, 2018.*

CARRIED 6/0

<b>Agenda Reference:</b>	11.1.5
<b>Subject:</b>	CEACA Council Meeting Minutes and Resolutions
<b>Location:</b>	Merredin, Regional Community and Leisure Centre
<b>Applicant:</b>	CEACA Council
<b>File Ref:</b>	AGE - 03
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	9 <sup>th</sup> October, 2018
<b>Author:</b>	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 Wednesday 5<sup>th</sup> September, 2018 held at the Merredin 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 Wednesday 5<sup>th</sup> September, 2018 held at the Merredin 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 5<sup>th</sup> September, 2018 CEACA Council Meeting summarised hereunder,

**RESOLUTION:**            **Moved: Freda Tarr**            **Seconded: Onida Truran**  
 That the Minutes of the Committee Meeting of the Central East Aged Care Alliance Inc held Wednesday 6 June 2018 be confirmed as a true and accurate record of the proceedings.  
**CARRIED**

**RESOLUTION:**            **Moved: Onida Truran**            **Seconded: Rachel Kirby**  
 That the Minutes from a Special Meeting of the Executive Committee Central East Aged Care Alliance Inc held Thursday 5 July 2018 be received.  
**CARRIED**

**RESOLUTION:**            **Moved: Ken Hooper**            **Seconded: Rachel Kirby**  
 That the Minutes from a Meeting of the Executive Committee of the Central East Aged Care Alliance Inc held Wednesday 25 July 2018 be received.  
**CARRIED**

**RESOLUTION:**            **Moved: Freda Tarr**            **Seconded: Stephen Strange**  
 That the decision made by the CEACA Committee via a “flying email” on Thursday 23 August 2018 be endorsed.  
**CARRIED**

**RESOLUTION:            Moved: Quentin Davies            Seconded: Rachel Kirby**  

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**That the Minutes from a Meeting of the Central East Aged Care Alliance Inc Working Group for the Appointment of an Independent Chair held Monday 9 July 2018 be received.**  
**CARRIED**

**RESOLUTION:            Moved: Ken Hooper            Seconded: Stephen Strange**  

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**That the Minutes from a Meeting of the Central East Aged Care Alliance Inc Working Group for the Appointment of an Independent Chair held Monday 16 July 2018 be received.**  
**CARRIED**

**RESOLUTION:            Moved: Freda Tarr            Seconded: Rachel Kirby**  

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**That the Action Sheet for August 2018 be received.**  
**CARRIED**

**RESOLUTION:            Moved: Onida Truran            Seconded: Ken Hooper**  

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**That the Executive Officer's Report for August 2018 be received.**  
**CARRIED**

**RESOLUTION:            Moved: Rod Forsyth            Seconded: Louis Geier**  

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**That the Acting Chair's Report be received.**  
**CARRIED**

**RESOLUTION:            Moved: Onida Truran            Seconded: Freda Tarr**  

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**That the Project Update (Financial) as at 27 August 2018 provided by the Shire of Merredin be received.**  
**CARRIED**

**RESOLUTION:            Moved: Freda Tarr            Seconded: Louis Geier**  

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**That the Project Manager's Report be received.**  
**CARRIED**

**RESOLUTION:            Moved: Kerry Dayman            Seconded: Ken Hooper**  

---

**That comment on the CEACA Constitution (Final Draft as at 8 August 2018) be provided to the Executive Officer by close of business on Friday 28 September 2018 to enable final drafting of the new constitution.**  
**CARRIED**

**RESOLUTION:            Moved: Onida Truran            Seconded: Rachel Kirby**  

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**That the CEACA Committee authorises the use of the Central East Aged Care Alliance Inc common seal for the purpose of executing, in accordance with the Central East Aged Care Alliance Inc Constitution, the transfer of Crown Land to the ownership of the Central East Aged Care Alliance Inc.**  
**CARRIED**

**RESOLUTION:            Moved: Freda Tarr            Seconded: Stephen Strange**  

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**That:**  
**1. The signing of the Development and Transfer Agreement between the Wyalkatchem Senior Citizens Homes Trust Inc (WSCHT), CEACA and the Shire of Merredin be noted; and**  
**2. The efforts of CEACA's Acting Chair, the Shire of Merredin and the Shire of Wyalkatchem's President and CEO be acknowledged for their efforts in achieving a successful outcome of the sometimes-difficult negotiations that took place prior to agreement being reached on wording for the Development and Transfer Agreement**

between the Wyalkatchem Senior Citizens Homes Trust Inc, CEACA and the Shire of Merredin.

CARRIED

**RESOLUTION:**            **Moved: Onida Truran            Seconded: Louis Geier**

**That the development of a Head Lease Agreement between CEACA and Access Housing Australia be noted.**

CARRIED

**RESOLUTION:**            **Moved: Ken Hooper            Seconded: Louis Geier**

**That the draft Application Eligibility and Rent Assessment Form for CEACA be noted, with the Executive Officer to prepare a final draft for consideration at the CEACA Committee scheduled for Wednesday 14 November 2018.**

CARRIED

**Footnote: Given the decision to reschedule the November meeting of the CEACA Committee from Wednesday 7 November 2018 to Wednesday 14 November the date in the above resolution has been amended to reflect the Committee's decision to amend the meeting date (refer also to Agenda Item 9.1).**

**RESOLUTION:**            **Moved: Onida Truran            Seconded: Rod Forsyth**

**That the late items relating funding for the CEACA Seniors Housing Project and Heads of Agreement between Access Housing Australia and CEACA be discussed.**

CARRIED

**RESOLUTION:**            **Moved: Stephen Strange            Seconded: Freda Tarr**

**That:**

- 1. CEACA acknowledge the Shire of Koorda's willingness to have its housing allocation reduced by one house;**
- 2. CEACA reimburse the Shire of Koorda \$20,000, being the contribution made for unit which will be foregone; and**
- 3. The Shire of Koorda, along with the Shires of Bruce Rock, Kellerberrin and Merredin be given 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.**

CARRIED

**RESOLUTION:**            **Moved: Stephen Strange            Seconded: Onida Truran**

**That the CEACA Executive Committee be given delegated authority to enter into discussions with Access Housing Australia to finalise arrangements for a Heads of Agreement with respect to housing being constructed through the CEACA Seniors Housing Project.**

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 IMPLCATIONS**

**COMMUNITY CONSULTATION**

Council and Councillors of the Shire of Kellerberrin  
CEACA Member Councils  
Staff Information re Minutes and Agendas of CEACA  
**ABSOLUTE MAJOURITY 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 Wednesday 5<sup>th</sup> September, 2018.*

**COUNCIL RECOMMENDATION**

**MIN 180/18 MOTION - Moved Cr. McNeil 2<sup>nd</sup> Cr. Reid**

***That Council receive the Minutes of the Council Meeting of the Central East Aged Care Alliance of Councils (CEACA) held on Wednesday 5<sup>th</sup> September, 2018.***

CARRIED 6/0

<b>Agenda Reference:</b>	11.1.6
<b>Subject:</b>	WE-ROC Council Meeting Minutes and Resolutions
<b>Location:</b>	Council Chambers, Shire of Westonia
<b>Applicant:</b>	WE-ROC Council
<b>File Ref:</b>	ORG-10
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	9 <sup>th</sup> October, 2018
<b>Author:</b>	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 22<sup>nd</sup> August, 2018 at the Shire of Westonia Council Chambers, are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and WE-ROC to keep this Council abreast of forward/strategic planning initiatives of the Council Group and to consider outcomes from the WE-ROC Council Meetings.

## COMMENT

Attached to this agenda item is a copy of the last WE-ROC Council Meeting Minutes held on Wednesday 22<sup>nd</sup> August, 2018, at the Shire of Westonia Council Chambers.

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

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

Resolutions arising out of the 22<sup>nd</sup> August, 2018 WE-ROC Council Meeting summarised hereunder,

**RESOLUTION:**                      **Moved: Cr Day**                      **Seconded: Cr Forsyth**  
**That the Minutes of the Council Meeting held Wednesday 27 June 2018 be confirmed as a true and correct record.**

**CARRIED**

**RESOLUTION:**                      **Moved: Mr Clarke**                      **Seconded: Cr Day**  
**That the Minutes of the Executive Meeting held Wednesday 25 July 2018 be received.**

**CARRIED**

**RESOLUTION:**                      **Moved: Cr Willis**                      **Seconded: Cr Day**  
**That the matters listed for noting be received.**

**CARRIED**

**RESOLUTION:**                      **Moved: Cr Forsyth**                      **Seconded: Cr Day**  
**That the WE-ROC Financial Report for the period ending 30 June 2018 be received.**

**CARRIED**

**RESOLUTION:**                      **Moved: Cr Willis**                      **Seconded: Cr Day**  
**That the WE-ROC Financial Report for the period ending 31 July 2018 be received.**

**CARRIED**

**RESOLUTION:**            **Moved: Mr Powell**                            **Seconded: Mr Clarke**  
That the Accounts Paid for the period 1 June 2018 to 31 July 2018 totalling \$28,343.06 be approved.  
**CARRIED**

**RESOLUTION:**            **Moved: Cr Forsyth**                            **Seconded: Mr Criddle**  
That the Executive Officer leave the room during discussion of Agenda Item 5.4.  
**CARRIED**

**RESOLUTION:**            **Moved: Cr Forsyth**                            **Seconded: Mr Criddle**  
That the Executive Officer be permitted to return to the meeting.  
**CARRIED**

**RESOLUTION:**            **Moved: Cr Day**                            **Seconded: Mr Powell**  
That the contract for the provision of Executive Officer Services between the Shire of Yilgarn on behalf of the Wheatbelt East Regional Organisation of Councils and W Squared Pty Ltd T/A BHW Consulting for the period 1 July 2018 to 30 June 2020 include the following Key Performance Indicators at Item 8 of the Schedule:

- Review and develop the meeting agenda/minute process and format including the following:
  - consider putting recommendation at the top of the agenda report;
  - include as few attachments as possible by examining what may be able to be incorporated into the agenda;
  - meeting agendas to be distributed five (5) working days prior to the both WE-ROC Council and WE-ROC Executive meetings; and
  - minutes of WE-ROC Council and WE-ROC Executive meetings to be distributed within 10 business days of the meeting.
- General oversight of the implementation and development of the WE-ROC App;
- Review the effectiveness of the current governance arrangement in operating both WE-ROC and Wheatbelt Communities Inc as separate organisations and assess the potential of alternative models of governance such as regional subsidiaries;
- Develop, in conjunction with WE-ROC Member Councils, a submission to the Local Government Act Phase 2 Review;
- Continue to promote WE-ROC’s involvement in the Wheatbelt Medical Student Immersion Program; and
- Monitor and report on topical issues relevant to WE-ROC and the Local Government industry generally.

**CARRIED**

**RESOLUTION:**            **Moved: Cr Willis**                            **Seconded: Mr Powell**  
That WE-ROC adopt the WE-ROC Memorandum of Understanding for the 2018/2019 year as presented.  
**CARRIED**

**RESOLUTION:**            **Moved: Cr Day**                            **Seconded: Cr Forsyth**  
That:  

1. The Executive Officer’s report be noted;
2. The Minutes from the Meeting of the Wheatbelt Medical Student Immersion Program Steering Group held Tuesday 31 July 2018 be received; and
3. The Minutes from the Meeting of the Wheatbelt Medical Student Immersion Program Planning Group held Thursday 9 August 2018 be received.

**CARRIED**

**RESOLUTION:**            **Moved: Mr Griffiths**                            **Seconded: Mr Criddle**  
That WE-ROC Council endorse the submission on the Regional Communications Review 2018.

CARRIED

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

**That WE-ROC enter into discussions with the Wheatbelt Business Network (WBN) to postpone completion of Stage Two of work associated with improvements and further development of the WE-ROC App and website in order to undertake Stage Three of the contract between its contract with the WBN.**

CARRIED 7/1

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

**That the Executive Officer liaise with Accingo and Member Councils to develop a schedule for works associated with the conduct of an asset audit that meets needs of both Member Councils and Accingo and allows for Accingo to have its asset audit report available for the WE-ROC Executive Meeting scheduled for Wednesday 6February 2019.**

CARRIED

## **FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

## **POLICY IMPLICATIONS**

## **STATUTORY IMPLICATIONS:**

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

## **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

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

## **LONG TERM FINANCIAL PLAN IMPLCATIONS**

## **COMMUNITY CONSULTATION**

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

## **ABSOLUTE MAJOURITY REQUIRED - NO**

## **STAFF RECOMMENDATION**

*That Council receive the Minutes of the Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 22<sup>nd</sup> August, 2018.*



# COUNCIL RECOMMENDATION

**MIN 181/18 MOTION** - Moved Cr. McNeil 2<sup>nd</sup> Cr. Leake

*That Council receive the Minutes of the Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 22<sup>nd</sup> August, 2018.*

CARRIED 6/0

<b>Agenda Reference:</b>	11.1.7
<b>Subject:</b>	Annual Policy Manual Review
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin - Council
<b>File Ref:</b>	Policy Manual
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	3 <sup>rd</sup> October 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

**BACKGROUND**

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

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

**COMMENT**

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

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

- Records Management Policy

**FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

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

**POLICY IMPLICATIONS**

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

**STATUTORY IMPLICATIONS**

Local Government Act 1995 (as amended)

**Section 2.7. The role of the council**

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

**Section 2.8. The role of the mayor or president**

- (1) The mayor or president —
  - (a) presides at meetings in accordance with this Act;

**DATED:** ..... **PRESIDENT SIGNATURE:** .....

- (b) provides leadership and guidance to the community in the district;
- (c) carries out civic and ceremonial duties on behalf of the local government;
- (d) speaks on behalf of the local government;
- (e) performs such other functions as are given to the mayor or president by this Act or any other written law; and
- (f) liaises with the CEO on the local government's affairs and the performance of its functions.

(2) Section 2.10 applies to a councillor who is also the mayor or president and extends to a mayor or president who is not a councillor.

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

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

**Section 2.10. The role of councillors**

A councillor —

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

**5.60. When person has an interest**

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

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

has —

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

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

**5.60A. Financial interest**

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

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

**5.60B. Proximity interest**

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —
  - (a) a proposed change to a planning scheme affecting land that adjoins the person's land;
  - (b) a proposed change to the zoning or use of land that adjoins the person's land; or

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

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

**5.61. Indirect financial interests**

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

**5.62. Closely associated persons**

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

- (ii) made a contribution to travel undertaken by the relevant person that section 5.83 requires the relevant person to disclose;

or

- (f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

- (2) In subsection (1) —

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

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

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

### 5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —
  - (a) an interest common to a significant number of electors or ratepayers;
  - (b) an interest in the imposition of any rate, charge or fee by the local government;
  - (c) an interest relating to a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers;
  - (d) an interest relating to the pay, terms or conditions of an employee unless —
    - (i) the relevant person is the employee; or
    - (ii) either the relevant person's spouse, de facto partner or child is the employee if the spouse, de facto partner or child is living with the relevant person;

*[(e) deleted]*

- (f) an interest arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects;
  - (g) an interest arising only because the relevant person is, or intends to become, a member, office bearer, officer or employee of a department of the Public Service of the State or Commonwealth or a body established under this Act or any other written law; or
  - (h) a prescribed interest.
- (2) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
    - (a) any proposed change to a planning scheme for any area in the district;
    - (b) any proposed change to the zoning or use of land in the district; or
    - (c) the proposed development of land in the district,

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

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

(c) the proposed development of that land or any land adjacent to that land,  
then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

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

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

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

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

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

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

- (1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.

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

- (2) It is a defence to a prosecution under this section if the member proves that he or she did not know —
- (a) that he or she had an interest in the matter; or
  - (b) that the matter in which he or she had an interest would be discussed at the meeting.

- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

**5.66. Meeting to be informed of disclosures**

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

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

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

**5.67. Disclosing members not to participate in meetings**

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

- (a) preside at the part of the meeting relating to the matter; or

- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

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

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

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

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter —
  - (a) may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
  - (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if —
    - (i) the disclosing member also discloses the extent of the interest; and
    - (ii) those members decide that the interest —
      - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
      - (II) is common to a significant number of electors or ratepayers.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question of whether an application should be made to the Minister under section 5.69.

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

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

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

**5.69A. Minister may exempt committee members from disclosure requirements**

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

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

**5.70. Employees to disclose interests relating to advice or reports**

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

**5.71. Employees to disclose interests relating to delegated functions**

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

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

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

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

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

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

**COMMUNITY CONSULTATION:**

Council has a legislative requirement to consider and determine its Policies.



**STAFF RECOMMENDATION**

*That Council notes:*

- *The recent new Policy Inclusions; and*
- *Requests management to have a full review of the Policy Manual by March 2019.*

**COUNCIL RECOMMENDATION**

**MIN 182/18 MOTION** - Moved Cr.Reid                      2<sup>nd</sup> Cr. Steber

*That Council notes:*

- *The recent new Policy Inclusions; and*
- *Requests management to have a full review of the Policy Manual by March 2019.*

CARRIED    6/0

<b>Agenda Reference:</b>	11.1.8
<b>Subject:</b>	Staff and Council Christmas Party Function
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	PUB-00
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	3 <sup>rd</sup> October, 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

## BACKGROUND

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

### 2017 Christmas Party Function

**MIN 182/17 MOTION** - Moved Cr. Leake 2<sup>nd</sup> Cr. O'Neill

***That Council:***

- 3. Host a Christmas Party Function at the ex-golf club clubhouse on Thursday the 21<sup>st</sup> December 2017 as a barbeque function commencing at 6.00pm.***

CARRIED 7/0

### 2016 Christmas Party Function

**MIN 166/16 MOTION** - Moved Cr. O'Neill 2<sup>nd</sup> Cr. White

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

CARRIED 6/0

### 2015 Christmas Party Function

**MIN 169/15 MOTION** - Moved Cr. Steber 2<sup>nd</sup> Cr. Reid

***That Council***

- 1. Host a Christmas Party Function at the Ex-Golf Club Clubhouse on Wednesday the 23<sup>rd</sup> December 2015 as a barbecue function commencing at 6.00pm.***

CARRIED 6/0

### 2014 Christmas Party Function

**MIN 141/14 MOTION** - Moved Cr. Steber 2<sup>nd</sup> Cr. Bee

***That Council***

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

CARRIED 7/0

### 2013 Christmas Party Function

**MIN 166/13 MOTION** - Moved Cr. Clarke 2<sup>nd</sup> Cr. Daley

***That Council***

- 1. Host a Christmas Party Function at the Shire Office on Friday 6<sup>th</sup> December 2013 as a barbeque function commencing at 6.00pm***

CARRIED 6/0

**2012 Christmas Party Function**

**MIN 202/12 MOTION** - Moved Cr. O'Neill 2<sup>nd</sup> Cr. Daley

***That Council***

- 1. Host a Christmas Party Function at the Shire Office on Friday 13<sup>th</sup> December 2012 as a barbeque function commencing at 6.00pm***

CARRIED 6/0

**2011 Christmas Party Function**

**MIN 232/11 MOTION** - Moved Cr. Bee 2<sup>nd</sup> Cr. O'Neill

***That Council***

- 1. Host a Christmas Party Function at the Shire Office on Thursday 15<sup>th</sup> December 2011 as a barbeque function commencing at 6.00pm***

CARRIED 5/0

**2010 Christmas Party Function**

Item did not get to Council

**COMMENTS**

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

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

**FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

Cost of Christmas Function.

2018/2019 Budget Document

041051 Refreshments and Receptions – Budget Allocation \$18,000

\$8,000 for Council Meetings (including Committee & Community Meetings)

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

\$2,000 for Other costs.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC COMMUNITY PLAN IMPLICATIONS:**

Nil

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

Nil

**LONG TERM PLAN IMPLICATIONS:**

Nil

**COMMUNITY CONSULTATION:**

Nil

**STAFF RECOMMENDATION**

*That Council host its Christmas Party Function for Councillors, Staff and Families at the ex-golf club clubhouse on Thursday the 20<sup>th</sup> December 2018 as a barbeque function commencing at 6.00pm*

**COUNCIL RECOMMENDATION**

**MIN 183/18 MOTION** - Moved Cr. Steber 2<sup>nd</sup> Cr. Reid

***That Council host its Christmas Party Function for Councillors, Staff and Families at the ex-golf club clubhouse on Thursday the 20<sup>th</sup> December 2018 as a barbeque function commencing at 6.00pm***

CARRIED 6/0

<b>Agenda Reference:</b>	11.1.9
<b>Subject:</b>	Annual Christmas/New Year Office Closure
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	PUB-02
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	3 <sup>rd</sup> October, 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

**BACKGROUND**

Council's October 2017 Ordinary Meeting of Council

**MIN 180/17 MOTION** - Moved Cr. White 2<sup>nd</sup> Cr. Leake

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

<i>Friday, 22<sup>nd</sup> December 2017</i>	<i>Public Service Day</i>
<i>Monday, 25<sup>th</sup> December 2017</i>	<i>Public Holiday (Christmas Day)</i>
<i>Tuesday, 26<sup>th</sup> December 2017</i>	<i>Public Holiday (Boxing Day)</i>
<i>Wednesday, 27<sup>th</sup> December 2017</i>	<i>RDO/Annual Leave</i>
<i>Thursday, 28<sup>th</sup> December 2017</i>	<i>RDO/Annual Leave</i>
<i>Friday, 29<sup>th</sup> December 2017</i>	<i>RDO/Annual Leave</i>
<i>Monday, 1<sup>st</sup> January 2018</i>	<i>Public Holiday (New Year's Day)</i>

CARRIED 7/0

Council's October 2016 Ordinary Meeting of Council

**MIN 165/16 MOTION** - Moved Cr. O'Neill 2<sup>nd</sup> Cr. McNeil

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

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

CARRIED 6/0

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

**COMMENT**

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

Christmas Day	Tuesday 26 <sup>th</sup> December, 2018
Boxing Day	Wednesday 27 <sup>th</sup> December, 2018
Service Holiday (in Lieu)	Monday 31 <sup>st</sup> December, 2018
New Year's Day	Tuesday 1 <sup>st</sup> January, 2019

The days in question, are the days in between Christmas and New Years i.e Friday 21<sup>st</sup> December 2018 through to Monday 31<sup>st</sup> December 2018. The additional holiday “in lieu”, which Local Government employees are entitled to can be utilised on one of these five days, should Council approve the proposal. This decreases the “juggling” of rosters and staffing levels to provide for the additional days. The remaining four days can be taken as either flexitime, Rostered Day Off (RDO), Annual Leave or Time in Lieu entitlements.

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

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

**FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

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

**POLICY IMPLICATIONS**

<b>ADVERTISING OF PUBLIC NOTICES</b>		<b>POLICY 2.11</b>
<b>PURPOSE</b>	<b>To provide guidance to staff to the approved advertising mediums for Local Public Notices and State wide Public Notices as required by the Local Government Act 1995</b>	

**POLICY** That the following media be recognised and approved as advertising mediums appropriate for the following classifications of Public Notices:

**Local Public Notices**

Wheatbelt Mercury – being a registered newspaper circulating generally throughout the District.  
 Council’s Public Notice board – for exhibition of a local public notice.  
 Pipeline Newsletter – for local Advertising to district residents.

Public Notices are to be advertised on as many occasions as the Local Government Act stipulates or at least once in each of the approved media.

**State wide Public Notice**

West Australian Newspaper – being a registered newspaper circulating generally throughout the State.

Public Notices are to be advertised on as many occasions as the Local Government Act stipulates or at least once.

**General**

All advertising notices to be authorised by the Chief Executive Officer or in his/her absences the authorised Officer as delegated by the Chief Executive Officer.

Thought is to be given as to the days in which advertisements are to be run to minimise costs.

The Chief Executive Officer is responsible for implementing this policy.

**DATE OF ADOPTION: November 2006 REVIEWED OCTOBER 2014**

**OFFICE HOURS POLICY 2.16**

**PURPOSE To detail the hours of operation for the Councils Office.**

**POLICY** The Office of the Shire of Kellerberrin is to be open to the public on normal working days as follows:

Monday to Friday	8:30am to 4:30pm	General Receipting
Monday to Friday	8:30pm to 5:00pm	General Office

The Chief Executive Officer is responsible for ensuring that the Office of the Shire of Kellerberrin is open to the public in accordance with this policy.

**DATE OF ADOPTION: November 2006 REVIEWED OCTOBER 2015**

**Public Service Days POLICY 4.30**

**PURPOSE To allow Council employees the entitlement to two Public Service Days per year.**

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

**STATUTORY IMPLICATIONS**

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

**STRATEGIC COMMUNITY PLAN IMPLICATIONS:**

Nil

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

Nil

**LONG TERM PLAN IMPLICATIONS:**

Nil

**COMMUNITY CONSULTATION:**

Nil

**STAFF RECOMMENDATION**

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

<i>Friday, 21<sup>st</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Monday, 24<sup>th</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Tuesday, 25<sup>th</sup> December, 2018</i>	<i>Public Holiday (Christmas Day)</i>
<i>Wednesday, 26<sup>th</sup> December, 2018</i>	<i>Public Holiday (Boxing Day)</i>
<i>Thursday, 27<sup>th</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Friday, 28<sup>th</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Monday, 31<sup>st</sup> December, 2018</i>	<i>Public Service Holiday</i>
<i>Tuesday, 1<sup>st</sup> January, 2019</i>	<i>Public Holiday (New Years Days)</i>



# COUNCIL RECOMMENDATION

MIN 184/18 MOTION - Moved Cr. Leake 2<sup>nd</sup> Cr. O'Neill

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

<i>Friday, 21<sup>st</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Monday, 24<sup>th</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Tuesday, 25<sup>th</sup> December, 2018</i>	<i>Public Holiday (Christmas Day)</i>
<i>Wednesday, 26<sup>th</sup> December, 2018</i>	<i>Public Holiday (Boxing Day)</i>
<i>Thursday, 27<sup>th</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Friday, 28<sup>th</sup> December, 2018</i>	<i>RDO/Annual Leave</i>
<i>Monday, 31<sup>st</sup> December, 2018</i>	<i>Public Service Holiday</i>
<i>Tuesday, 1<sup>st</sup> January, 2019</i>	<i>Public Holiday (New Years Days)</i>

CARRIED 6/0

<b>Agenda Reference:</b>	11.1.10
<b>Subject:</b>	Council Meeting Dates 2019 – Public Notice
<b>Location:</b>	Shire of Kellerberrin -
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	PUB-02
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	3 <sup>rd</sup> October, 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

## BACKGROUND

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

Council's October 2017 Ordinary Meeting of Council

**MIN 181/17 MOTION** - Moved Cr. Reid 2<sup>nd</sup> Cr. White

***That Council adopts the following Schedule of Council Ordinary Meeting dates for 2018 incorporating meeting location/venue, meeting commencement time and Public Question Time.***

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

**January 2018 – No Meeting  
Tuesday, 20<sup>th</sup> February 2018 – Kellerberrin Council Chambers  
Tuesday, 20<sup>th</sup> March 2018 – Kellerberrin Council Chambers  
Tuesday, 17<sup>th</sup> April 2018 – Kellerberrin Council Chambers  
Tuesday, 15<sup>th</sup> May 2018 – Kellerberrin Council Chambers  
Tuesday, 19<sup>th</sup> June 2018 – Kellerberrin Council Chambers  
Tuesday, 17<sup>th</sup> July 2018 – Kellerberrin Council Chambers  
Tuesday, 21<sup>st</sup> August 2018 – Kellerberrin Council Chambers  
Tuesday, 18<sup>th</sup> September 2018 – Kellerberrin Council Chambers  
Tuesday, 16<sup>th</sup> October 2018 – Kellerberrin Council Chambers  
Tuesday, 20<sup>th</sup> November 2018 – Kellerberrin Council Chambers  
Tuesday, 18<sup>th</sup> December 2018 – Kellerberrin Council Chambers**

CARRIED 7/0

Council's October 2016 Ordinary Meeting of Council

**MIN 167/16 MOTION** - Moved Cr. Steber 2<sup>nd</sup> Cr. Leake

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

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

**Meeting Day: every third Tuesday of the month**

**January 2017 – No Meeting**

**Tuesday, 21<sup>st</sup> February 2017 – Kellerberrin Council Chambers**

**Tuesday, 21<sup>st</sup> March 2017 – Kellerberrin Council Chambers**

**Tuesday, 18<sup>th</sup> April 2017 – Kellerberrin Council Chambers**

**Tuesday, 16<sup>th</sup> May 2017 – Kellerberrin Council Chambers**

**Tuesday, 20<sup>th</sup> June 2017 – Kellerberrin Council Chambers**

**Tuesday, 18<sup>th</sup> July 2017 – Kellerberrin Council Chambers**

**Tuesday, 15<sup>th</sup> August 2017 – Kellerberrin Council Chambers**

**Tuesday, 19<sup>th</sup> September 2017 – Kellerberrin Council Chambers**

**Tuesday, 17<sup>th</sup> October 2017 – Kellerberrin Council Chambers**

**Tuesday, 21<sup>st</sup> November 2017 – Kellerberrin Council Chambers**

**Tuesday, 19<sup>th</sup> December 2017 – Kellerberrin Council Chambers**

CARRIED 7/0

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

Council's October 2015 Ordinary Meeting of Council
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**MIN 170/15 MOTION** - Moved Cr. McNeil 2<sup>nd</sup> Cr. White

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

***Briefing Session: Councillors Briefing Session on Agenda 1:00 pm***

***Time: Meeting Commencement time 2:00 pm.***

***Public Question Time: commencing at 2:15 pm and limited to 15 minutes.***

***Place: Council Chambers 110 Massingham Street Kellerberrin***

***Meeting Day: every third Tuesday of the month***

**January 2016 – No Meeting**

**Tuesday, 16<sup>th</sup> February 2016 – Kellerberrin Council Chambers**

**Tuesday, 15<sup>th</sup> March 2016 – Kellerberrin Council Chambers**

**Tuesday, 19<sup>th</sup> April 2016 – Kellerberrin Council Chambers**

**Tuesday, 17<sup>th</sup> May 2016 – Kellerberrin Council Chambers**

**Tuesday, 21<sup>st</sup> June 2016 – Kellerberrin Council Chambers**

**Tuesday, 19<sup>th</sup> July 2016 – Kellerberrin Council Chambers**

**Tuesday, 16<sup>th</sup> August 2016 – Kellerberrin Council Chambers**

**Tuesday, 20<sup>th</sup> September 2016 – Kellerberrin Council Chambers**

**Tuesday, 18<sup>th</sup> October 2016 – Kellerberrin Council Chambers**

**Tuesday, 15<sup>th</sup> November 2016 – Kellerberrin Council Chambers**

**Tuesday, 20<sup>th</sup> December 2016 – Kellerberrin Council Chambers**

CARRIED 7/0

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

#### **COMMENT**

Council is required under legislation, to advertise its meetings advising of the date, commencement time, public question time and location of the meeting once each year. It is

generally this time of the year that Council should consider its Schedule of Ordinary Meetings for the 2019 calendar year.

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

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

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

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

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

## **FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

2018/2019 Budget – expense account for statutory advertising and Members Travelling and Meeting Attendance Fees.

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

## **POLICY IMPLICATIONS**

## **STATUTORY IMPLICATIONS**

### **Local Government Act (as amended) 1995**

#### **5.24. Question time for public**

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

Regulations about council and committee meetings and committees

- (3) Without limiting the generality of section 9.59, regulations may make provision in relation to —
  - (a) the matters to be dealt with at ordinary or at special meetings of councils;

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

are to be made available for inspection by members of the public.

- (4) Regulations providing for meetings to be held by telephone, video conference or other electronic means may modify the application of this Act in relation to those meetings to the extent necessary or convenient to facilitate the holding of those meetings in that way.

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

Local Government (Administration) Regulations 1996

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

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
  - (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the

CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Shire of Kellerberrin Standing Orders Local Law 2006

**STRATEGIC PLAN IMPLICATIONS - Nil.**

**CORPORATE BUSINESS PLAN IMPLICATIONS – Nil**

**(Including Workforce Plan and Asset Management Plan Implications)**

**LONG TERM PLAN IMPLICATIONS – Nil**

**COMMUNITY CONSULTATION - Council**

**ABSOLUTE MAJORITY REQUIRED - Yes**

**STAFF RECOMMENDATION**

*That Council adopts the following Schedule of Council Ordinary Meeting dates for 2019 at Council Chambers 110 Massingham Street Kellerberrin with meeting commencement time and Public Question Time:*

- *Briefing Session: Councillors Briefing Session on Agenda 1:00 pm*
- *Meeting Commencement time 2:00 pm.*
- *Public Question Time: commencing at 2:15 pm and limited to 15 minutes. Place: Meeting Day: every third Tuesday of the month*
  - *January 2019 – No Meeting*
  - *Tuesday, 19th February 2019 – Kellerberrin Council Chambers Tuesday, 19th March 2019 – Kellerberrin Council Chamber*
  - *Tuesday, 15th April 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 21st May 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 18th June 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 16th July 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 20th August 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 17th September 2019 – Kellerberrin Council Chambers Tuesday, 15th October 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 19th November 2019 – Kellerberrin Council Chambers*
  - *Tuesday, 17th December 2019 – Kellerberrin Council Chambers*

# COUNCIL RECOMMENDATION

MIN 185/18 MOTION - Moved Cr. Reid                      2<sup>nd</sup> Cr. Leake

***That Council adopts the following Schedule of Council Ordinary Meeting dates for 2019 at Council Chambers 110 Massingham Street Kellerberrin with meeting commencement time and Public Question Time:***

- ***Briefing Session: Councillors Briefing Session on Agenda 1:00 pm***
- ***Meeting Commencement time 2:00 pm.***
- ***Public Question Time: commencing at 2:15 pm and limited to 15 minutes. Place: Meeting Day: every third Tuesday of the month***
  - ***January 2019 – No Meeting***
  - ***Tuesday, 12th February 2019 – Kellerberrin Council Chambers Tuesday, 19th March 2019 – Kellerberrin Council Chamber***
  - ***Tuesday, 15th April 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 21st May 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 18th June 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 16th July 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 20th August 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 17th September 2019 – Kellerberrin Council Chambers Tuesday, 15th October 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 19th November 2019 – Kellerberrin Council Chambers***
  - ***Tuesday, 17th December 2019 – Kellerberrin Council Chambers***

CARRIED      6/0

**REASON:** February 2019 meeting date modified to ensure Councillor availability.

<b>Agenda Reference:</b>	11.11.11
<b>Subject:</b>	Dryandra Residential and Community Care Inc. – Rate Exemption
<b>Location:</b>	Leake Street, Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	A1663
<b>Record Ref:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	26 <sup>th</sup> September 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

**BACKGROUND**

Council has been reviewing the rates in its entirety from the extension of Townsite Boundary to our charitable organisations rate exemptions.

Council at its June 2017 Ordinary Council Meeting Council review the non-rating status of Milligan Units on the same basis of what Dryandra is currently receiving a waiver for as per the below:

Council’s June 2017 Ordinary Meeting of Council – 20<sup>th</sup> June 2017

**MIN 100/17 MOTION** - Moved Cr. Leake 2<sup>nd</sup> Cr. Steber

***That Council Rescinds Minute 197/07 adopted at the September 2007 Ordinary Meeting of Council.***

CARRIED 7/0  
**ABSOLUTE MAJORITY**

**MIN 101/17 MOTION** - Moved Cr. Steber 2<sup>nd</sup> Cr. Reid

***That Council apply a rateable status to Assessments 904 & 1754 for Milligan Units to ensure:***

- a. Uniform approach to Independent Living Units with CEACA units being rateable; and***
- b. Compliance with the Joint Venture Agreement for Cuolahan Cottages.***

CARRIED 7/0  
**ABSOLUTE MAJORITY**

**COMMENT**

Council has been providing rate relief to Dryandra Residential and Community Care since its opening in 1984 with the facility paying for Service Charges only being Rubbish.

Dryandra in 2012 – 2014 undertook a major expansion which saw the facility increase from a 21 bed facility to a 47 bed facility providing Aged Care Services to the Wheatbelt Region.

In the increase in facility it increases:

- Employees – Which require access to parking facilities
- Residents families – Which require access to parking facilities
- Additional Residents – Require disabled access facilities from Dryandra to Medical Services and to the town precinct itself.



Council has been in discussion with the board of Dryandra regarding the rates and the opportunity for the facility to become rateable to assist Council in providing services to the facility that will assist both the facility and the residents by:

- Providing additional parking facilities and maintaining these.
- Footpath construction/upgrades and maintenance to ensure that they can handle the increase in gopher operations.
- Leake Street upgrade to remove drain at the front of the facility as per request from the facility.

Dryandra Residential and Community Care is under contract Management currently through Baptistcare though the board is still in place which still oversees the operations of the facility.

It must be noted that Dryandra Residential and Community Care is a registered Charitable Organisation as a licenced charity as per below registration.

Charity ID	Charity Name
20697	DISABLED SURFERS ASSOCIATION OF AUSTRALIA INC
20404	DISTRICT 201 W1 OF THE INTERNATIONAL ASSOCIATION OF LIONS CLUBS INC
21847	DOCTORS FOR THE ENVIRONMENT (AUSTRALIA) INCORPORATED
17730	DOGS' REFUGE HOME (W.A.) INC
21933	DONATE YOUR DAY LTD
20578	DONGARA CHARITIES ASSOCIATION INC
21591	DONOR MATE AUSTRALIA LTD
22110	DOORS WIDE OPEN INC
20936	DORCUS HOUSE (AUSTRALIA) INC
18556	DOWN SYNDROME ASSOCIATION OF WA (INC)
22017	DREAMS2LIVE4 LTD
22055	DROUGHT ANGELS LTD.
20971	DRY JULY LIMITED AS TRUSTEE FOR THE DRY JULY FOUNDATION
17806	DRYANDRA RESIDENTIAL AND COMMUNITY CARE INC
22058	DUKE OF EDINBURGH'S AWARD IN AUSTRALIA (WA DIVISION) INCORPORATED
22282	DUNSBOROUGH AND BUSSELTON WILDLIFE CARE INC.
21059	DWELLINGUP COMMUNITY VILLAGE INC
22375	DYING WITH DIGNITY WESTERN AUSTRALIA INCORPORATED
20550	DYMOCKS CHILDREN'S CHARITIES LIMITED
20160	DYSLEXIA-SPELD FOUNDATION WA (INC)

**FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

2018/2019 Budget.

Council currently doesn't have a GRV for the Dryandra Facility though have sought a Valuation to provide an indication to Council on the rates it would generate should it become rateable.

It is anticipated that this modification could generate anywhere from \$5,000 to \$15,000 of additional rate revenue for Council.

**POLICY IMPLICATIONS – Nil**

**STATUTORY IMPLICATIONS**

***Local Government Act 1995 – Part 3, Division 3***

DATED: ..... PRESIDENT SIGNATURE: .....

**LGA - 6.26. Rateable land**

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land-
  - (a) land which is the property of the Crown and-
    - (i) is being used or held for a public purpose; or
    - (ii) is unoccupied, except-
      - I. where any person is, under paragraph (e) of the definition of "owner" in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or
      - II. where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of "owner" in section 1.4 occupies or makes use of the land;
  - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;
  - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;
  - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;
  - (e) land used exclusively by a religious body as a school for the religious instruction of children;
  - (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*;
  - (g) land used exclusively for charitable purposes;
  - (h) land vested in trustees for agricultural or horticultural show purposes;
  - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the *Financial Administration and Audit Act 1985*) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;
  - (j) land which is exempt from rates under any other written law; and
  - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the *Gazette*.

(6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

[Section 6.26 amended by No. 36 of 1999 s. 247.]

**LGA : s6.47 – Concessions**

Subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

**STRATEGIC COMMUNITY PLAN IMPLICATIONS**

**Strategic Priority 1.2**

**Our residents feel supported and cared for through the provision of a range of quality community services.**

<b>Goal 1.2.1</b>	<b>To create and activate cultural places that will draw community involvement.</b>
<b>Council's Role</b>	<ul style="list-style-type: none"> <li>▪ To collaborate with community members, groups, and external parties to create an inviting space for the enjoyment of all community members</li> <li>▪ To develop a public space strategy that will activate streetscapes and provide an environment for all members of the community and visitors to enjoy.</li> <li>▪ To lobby state and federal government for funding support to develop community and public facilities and provide improved services for the community and visitors.</li> </ul>
<b>Goal 1.2.2</b>	<b>To establish relationships to develop and deliver essential health and education services to the region.</b>
<b>Council's Role</b>	<ul style="list-style-type: none"> <li>▪ To create and foster relationships with state and federal agencies and external parties to provide additional essential services to the region</li> <li>▪ To lobby for the provision of increased and improved essential health and education services to the region</li> <li>▪ To lobby for additional grants and monetary support to fund the provision of essential services</li> </ul>
<b>Goal 1.2.3</b>	<b>To collaborate with partners to provide activities and events that will educate and enrich the lives of our residents and visitors of all ages.</b>
<b>Council's Role</b>	<ul style="list-style-type: none"> <li>▪ To establish relationships with external agencies / parties / government departments and identify programs and initiatives to enhance the lifestyle and wellbeing of community members and residents</li> <li>▪ To lobby for funding and grants to support the implementation of community lifestyle and wellbeing programs and initiatives</li> </ul>

**Strategic Priority 4.1**

**We are a sustainable, economically diverse and strong community**

<b>Goal 4.1.1</b>	<b>To encourage economic development through the provision of incentives to encourage new and diverse business, commercial and industrial opportunities.</b>
<b>Council's Role</b>	<ul style="list-style-type: none"> <li>▪ To identify opportunities to enhance the local economy.</li> <li>▪ To collaborate and facilitate discussions with external / private parties on business, commercial and industrial ventures in the Shire.</li> <li>▪ To undertake long term economic development and marketing planning for the Shire, focussing on the local and regional economy and opportunities.</li> <li>▪ Work with external government and non-government agencies to develop programs and initiatives to promote economic development in the region and</li> </ul>



<b>Agenda Reference:</b>	11.1.12
<b>Subject:</b>	Action Implementation and Tracking Report (Interim Audit)
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	FIN 01
<b>Record Ref:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	9 <sup>th</sup> October, 2018
<b>Author:</b>	Mr Sean Sibly, Deputy Chief Executive Officer

## BACKGROUND

Council Meeting – 18 <sup>th</sup> September 2018
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## COUNCIL RECOMMENDATION

**MIN 159/18 MOTION** - Moved Cr. Leake 2<sup>nd</sup> Cr. McNeil

*That Council endorse the Annual Financial Report – Interim Audit Results for the Year Ending 30 June 2018 as presented by staff.*

CARRIED 6/0

## COUNCIL RECOMMENDATION

**MIN 160 /18 MOTION** - Moved Cr. O'Neill 2<sup>nd</sup> Cr. Reid

*That Council:*

- 1. Note the findings and recommendation of the Regulation 17 Report as presented by staff; and*
- 2. Endorse the findings to the Regulation 17 Report as presented.*
- 3. Request the CEO to provide a written implementation report to Council for endorsement.*

CARRIED 6/0

Both the Regulation 17 audit and the Annual Financial Report – Interim Audit have returned findings, consisting of suggestions and recommendations, aimed at improving legislative compliance and governance at the Shire of Kellerberrin.

Council has previously endorsed the findings of these audits and committed to an implementation report in order to analyse, prioritise and track them, as well as further findings which may be issued as a result of future audits.

## COMMENT

The attached action tracking sheet details the implementation status of various findings to date.

**FINANCIAL IMPLICATIONS:** Nil

**POLICY IMPLICATIONS:** Nil

## STATUTORY IMPLICATIONS

**The Local Government (Audit) Regulations 1996, Regulation 17**

The Local Government (Audit) Regulations 1996, Regulation 17, requires the following: The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to:

- A) risk management;
- B) internal control; and
- C) legislative compliance.

The review may relate to any or all of the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject of a review no less than once every three (3) financial years (with effect 28 June 2018) The CEO is to report to the audit committee the results of that review.

**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 —



3.29 pm- Cr Forsyth Declared a Financial Interest and exited Council Chambers

Cr. O'Neill (Deputy President) Assumed the Chair as Cr. Forsyth (President) declared a Financial Interest and vacated Council Chambers.



<b>Agenda Reference:</b>	11.1.13
<b>Subject:</b>	2018/2019 Bitumen Tender
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	TEND 72
<b>Record Ref:</b>	TEND 02/2018
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	9 <sup>th</sup> October 2018
<b>Author:</b>	Mr Raymond Griffiths, Chief Executive Officer

**BACKGROUND**

Council in the 2018/2019 Budget has made provision for works on the following roadworks requiring Bitumen resurfacing;

- Baandee North Road - Regional Road Group
- Kwolyin West Road – Roads to Recovery
- Shackleton Road - Council

The works associated with the abovementioned roads all include the requirement of sealing. Therefore requests for quotations through the WALGA preferred panel where called for the following:

1. Bituminous surfacing application works

The request for quotations closed Friday 5<sup>th</sup> October 2018.

**COMMENT**

Council received the following quotations for the abovementioned requests for quotations;

**BITUMINOUS SURFACING APPLICATION WORKS**

1. Fulton Hogan
2. Downer Infrastructure
3. Bitutek
4. Colas WA

Please find attached a summary spreadsheet for all three components of the requests for quotations.

Council has received comment from its consulting engineer, Mr Rod Munns as per below:

*Raymond,*

*I have had a look at all of the tenders and rise and fall formulas and I would go with ColasWA. There rise and fall formula is reasonable, and as an example, for the 44,200 m2 of 2 coat primersealing on Baandee Nth Rd and Kwolyin West Rd, if you had say a \$25 / Tonne bitumen rise, ColasWA's extra cost would be \$ 2,983 + GST, FH would be \$ 3,091 + GST, and Bitutek would be \$ 1657 + GST (could not work out Downers), so is not a lot really given the disparity in summed totals. The complaint about the per visit issue from ColasWA is really not going to make any difference, and they are covering their butts for us getting them to add in other small jobs, which won't likely happen anyway.*

*ColasWA have been OK in a couple of north eastern wheatbelt shires last year, so I would accept their tender, although I am sure like last time, they will probably send a letter advising that they*

**DATED:** ..... **PRESIDENT SIGNATURE:** .....

will take no responsibility for the aggregate (since they still insist that the Aggregate from the Doodlakine Quarry is still not up to spec – even though they have test results to prove it) and may use this as an excuse if something goes wrong – which is normally the case with all of them anyway, ColasWA are just being up front with this, and like to cover their butts.

I hope this helps.

Regards

Rod Munns  
R Munns Engineering Consulting Services

**FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

Shire of Kellerberrin 2018/2019 - Capital Expenditure Budget - Roadworks.

Road Name	Budget	Actual	Actual	Actual	Actual
	Bitumen	COLAS	Bitutek	Fulton Hogan	Downer
Baandee North	\$165,760				
Kwolyin West	\$ 54,720				
Shackleton Road	\$ 16,800				
<b>TOTAL</b>	<b>\$237,280</b>	<b>\$205,188</b>	<b>\$234,834</b>	<b>\$272,056</b>	<b>\$350,052</b>

**POLICY IMPLICATIONS**

<b>TENDERS – PREPARATION/ADVERTISEMENT OF TENDER DOCUMENTS</b>		<b>POLICY 2.3</b>
<b>PURPOSE</b>	<b>To ensure that Council has the opportunity to review the scope of works for tenders prior to advertising and that tenders are advertised and awarded prior to the current contracts expiration.</b>	
<b>POLICY</b>	<p>Three (3) months prior to the expiration of a Contract a tender shall be listed under the responsible officers report in the Ordinary Meeting of Council Agenda and the Specifications appended.</p> <p>Any review shall be completed so that a tender can be advertised two (2) months prior to expiration of the contract.</p> <p>A tender shall be awarded one (1) month prior to expiration of the current Contract.</p>	
<b>DATE OF ADOPTION: November 2006</b>		<b>REVIEWED NOVEMBER 2006</b>

**STATUTORY IMPLICATIONS**

Local Government Act 1995 (As Amended)

Section 3.57

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Function and General) Regulations No. 2 2005  
Regulations 11 to 24 deals with tenders for providing goods and services in detail.

DATED: ..... PRESIDENT SIGNATURE: .....

Annual Compliance Audit Return – certification of compliance relating to tender processes and accountability toward the advertising and consideration of tenders received and awarded.

## 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.**

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

## CORPORATE BUSINESS PLAN IMPLCATIONS

**(Including Workforce Plan and Asset Management Plan Implications)**

**SHIRE OF KELLERBERRIN  
15 YEAR LONG TERM FINANCIAL PLAN  
FOR THE YEARS 2016/17 to 2030/31**

Asset Name	Details	Account / Job #	2026/29				2029/30				2030/31				
			Funding Source		Gross Purchase Price	Net Cost to Council	Funding Source		Gross Purchase Price	Net Cost to Council	Funding Source		Gross Purchase Price	Net Cost to Council	
			Grants / Contributions	Trade In / Sale			Grants / Contributions	Trade In / Sale			Grants / Contributions	Trade In / Sale			
<b>Schedule 01 - Governance</b>															
Plant & Equip	IT Farm Equipment CCTV				45,579	\$45,579			46,101	\$46,101			46,620	\$46,620	
Plant	Motor Vehicle (4)	402	042901		77,455			78,372					79,288		
Plant	Trade Existing Vehicle	402	042907	(48,114)		\$9,336		(48,925)		\$9,447		(49,745)		\$9,559	
Plant	Motor Vehicle (4)	402	042901												
Plant	Trade Existing Vehicle	402	042907	(51,254)	55,010	\$4,556		(51,864)	56,474	\$4,610		(52,481)	57,084	\$4,665	
<b>Schedule 02 - Health</b>															
Plant & Equip	Other Equip & Minor Items														
Plant	Motor Vehicle (4)	402	042901		35,011								35,427		
Plant	Trade Existing Vehicle	402	042907	(12,731)		\$22,280						(12,883)		\$22,545	
Plant	Motor Vehicle (4)	402	042901		35,011								35,427		
Plant	Trade Existing Vehicle	402	042907	(12,731)		\$22,280						(12,883)		\$22,545	
<b>Schedule 3 - Reserves</b>															
Information	CRACA Session Missing Project														
Mon Op Revenue	RPL Regional Fund - Welfare														
Mon Op Revenue	New Lease for 2 Assets														
Information	CRACA Session Missing Project														
Mon Op Revenue	RPL Regional Fund S&E														
Information	Staff Training Program														
Information	Regional Development Funding														
<b>Schedule 10 - Community Amenities</b>															
Information	Concretary Upgrade				5,000				5,000				5,000		
Information	Contributions & Donations			(5,000)		\$0	(5,000)		\$0	(5,000)		\$0			
Information	Manitigilgan Street Public Facilities														
Plant	Replace Community Bus														
Plant	Trade Existing Vehicle														
<b>Schedule 11 - Recreation &amp; Culture</b>															
Information	Renewal / Upgrade of Community Amenities				12,236	\$12,236			12,381	\$12,381			12,529	\$12,529	
Information	Caravan park Upgrade														
Information	Centennial Park & State FS - Stage 1														
Mon Op Revenue	Bus - RDA/Inher					\$0									
Building	Bus Centre Stage 2														
Building	Building Renewals	26 PA inc			119,900	\$114,142	(466,667)		116,425	\$116,425	(466,667)		118,753	\$118,753	
Plant & Equip	Town Hall								700,000	\$239,733			700,000	\$239,733	
Information	Mockup Oval Lighting														
Information	Minor Capex - Bus Cost & CSD				54,963	\$54,963			55,617	\$55,617			56,279	\$56,279	
Plant	Delimiting Road Renewals														
Mon Op Revenue	Grant - Delimiting Pool					\$0			\$0				\$0		
<b>Schedule 12 - Transport</b>															
Information	Roads Program	26 PA inc			2,112,241								2,346,946		
Mon Op Revenue	Grant: Flood path - connected core	1,196 PA inc			(23,951)		(23,325)					(23,692)			
Mon Op Revenue	Grant: Main Roads Direct	1,196 PA inc			1,222,110	(1,49,499)	(151,267)				(153,048)				
Mon Op Revenue	Grant: Regional Road Group	1,196 PA inc			(343,971)	(346,278)	(346,278)				(346,637)				
Mon Op Revenue	Grant: Roads to Recovery	1,196 PA inc			1,222,556	(993,514)	(791,764)				(718,117)				
Mon Op Revenue	Grant: A20N679				1,222,512		998,4217			\$1,035,971				\$1,089,542	
Building	New Depot & workshop														
Plant	Motor Vehicle (4)	402	122901		55,010				56,474				57,084		
Plant	Trade Existing Vehicle	402	122907	(51,254)		\$4,556		(51,864)		\$4,610		(52,481)		\$4,665	
Plant	Other Light Vehicle Renewals								96,628						
Plant	Trade Existing Vehicle														
Plant	Plant Replacement Program														
Plant	Trade Existing Vehicle				(80,000)	500,000	\$420,000					(80,000)	500,000	\$420,000	
Plant	Purchase PL Truck, Trailer, Dolly						\$0						\$0		
Plant	Roadwork Items Truck						\$0						\$0		
Building	Depot workshop building & floor repairs						\$0						\$0		
Building	Depot (transportable office)						\$0						\$0		
Information	Workshop to Extension						\$0						\$0		
<b>Schedule 14 - Other Property &amp; Services</b>															
Plant & Equip	Workshop - hot & cold checker														
Information	Towne Class														
Information	Department of Water Funding														
Plant & Equip	Other Equip & Minor Items														
						10,250	\$10,250	(1,714,304)	(204,859)	3,512,444	5,993,282	(1,729,891)	(288,472)	4,863,123	2,651,568

**LONG TERM FINANCIAL PLAN IMPLCATIONS**

**COMMUNITY CONSULTATION**

Chief Executive Officer  
Manager Works and Services  
Consultant Engineer - Mr Rod Munns.

**ABSOLUTE MAJORITY REQUIRED – YES**

**STAFF RECOMMENDATION**

*That Council accepts the Tender from Colas WA for 2018-2019 Bitumen Surfacing Works as per the following;*

- i. >1,000 <= 2,500 \$16.22 p/m2*
- ii. >2,500 <= 4,000 \$ 8.48 p/m2*
- iii. >4,000 <= 6,000 \$ 6.68 p/m2*
- iv. >6,000 <= 10,000 \$ 6.02 p/m2*
- v. >10,000 \$ 4.44 p/m2*
- vi. 2,000m2 separate section \$ 4.47 p/m2*

# COUNCIL RECOMMENDATION

MIN 188/18 MOTION - Moved Cr. Reid

2<sup>nd</sup> Cr. Steber

*That Council accepts the Tender from Colas WA for 2018-2019 Bitumen Surfacing Works as per the following;*

<i>i. &gt;1,000 &lt;= 2,500</i>	<i>\$16.22 p/m2</i>
<i>ii. &gt;2,500 &lt;= 4,000</i>	<i>\$ 8.48 p/m2</i>
<i>iii. &gt;4,000 &lt;= 6,000</i>	<i>\$ 6.68 p/m2</i>
<i>iv. &gt;6,000 &lt;= 10,000</i>	<i>\$ 6.02 p/m2</i>
<i>v. &gt;10,000</i>	<i>\$ 4.44 p/m2</i>
<i>vi. 2,000m2 separate section</i>	<i>\$ 4.47 p/m2</i>

LOST 0/5  
ABSOLUTE MAJORITY

MIN 189/18 MOTION - Moved Cr. Steber

2<sup>nd</sup> Cr. Leake

*That Council accepts the Tender from Bitutek for 2018-2019 Bitumen Surfacing Works as per the following;*

<i>i. &gt;1,000 &lt;= 2,500</i>	<i>\$20.22 p/m2</i>
<i>ii. &gt;2,500 &lt;= 4,000</i>	<i>\$ 9.95 p/m2</i>
<i>iii. &gt;4,000 &lt;= 6,000</i>	<i>\$ 7.39 p/m2</i>
<i>iv. &gt;6,000 &lt;= 10,000</i>	<i>\$ 6.27 p/m2</i>
<i>v. &gt;10,000</i>	<i>\$ 5.07 p/m2</i>
<i>vi. 2,000m2 separate section</i>	<i>\$ 5.37 p/m2</i>

CARRIED 5/0  
ABSOLUTE MAJORITY

**REASON: Bitutek are within the scope of Council's 2018/2019 Budget and Councillors were concerned with the current corrections provided to previous work undertaken by Colas therefore elected to change supplier.**

3.36 pm - Cr Forsyth entered Council Chambers and resumed the Chair.

<b>Agenda Reference:</b>	11.1.14
<b>Subject:</b>	Cheque List - September 2018
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	N/A
<b>File Ref:</b>	N/A
<b>Record Ref:</b>	N/A
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	05 <sup>th</sup> October 2018
<b>Author:</b>	Morgan Ware, Finance Officer

**BACKGROUND**

Accounts for payment from 1<sup>st</sup> September 2018 – 30<sup>th</sup> September 2018

**Trust Fund**

**TRUST TOTAL** **\$ 0.00**

**Municipal Fund**

Cheque Payments  
34486 - 34494 **\$ 19,702.07**

EFT Payments  
8746 - 8835 **\$ 411,667.59**

**Direct Debit Payments** **\$ 26,703.43**

**TOTAL MUNICIPAL** **\$ 431,369.66**

**COMMENT**

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

**Evoke Living Homes** **\$ 89,012.00**  
Deposit, Construction of Two (GROH) Houses on 72 Hammond Street, Kellerberrin  
As per Tender and Contract 01-18

**Spyker Business Solutions** **\$ 81,459.88**  
CCTV camera installation for Main Street & Centenary Park as per Quote: 09112017

**LGIS Property** **\$ 49,442.09**  
LGIS Motor Vehicle Insurance, LGIS Personal Accident Insurance, LGIS Salary Continuance,  
Motor Vehicle, 2018/2019

**Fire And Emergency Services (WA)** **\$ 17,818.42**  
2018/19 ESL Quarterly Payment, 1st Quarter, ESLB Contribution

**United Card Services Pty Ltd** **\$ 16,731.69**  
Fuel Purchases, August 18

<b>Smith Earthmoving Pty Ltd</b>	<b>\$ 13,970.00</b>
Develop new pit with vehicle and loading access at Pit, Rip and Push approx 7000m3 gravel at Durokoppin Rd, Scott Rd, Kellerberrin-Yelbini Rd, Clear scrub and topsoil, Make access track for trucks, Remove vegetation, Mob/Demob	
<b>Woodstock Electrical Services</b>	<b>\$ 11,911.96</b>
Remove all fittings from TAB area for upgrade, Mark and make safe lighting, computer, power and aerial cables. Extend cables rewire and refit in new room. Install TVs as requested and work with Tab tech to commission final fit. Materials & Labour, Installation of new exit signs in sleeping quarters of Caravan Park, Replace damaged signs all LED as requested x 4, Repair 4x light fittings & switches at Depot, Repair fan & sensor light at Public Toilets, Install 2 x hand dryers, Parts & Labour	
<b>Chatfield's Tree Nursery</b>	<b>\$ 11,570.58</b>
State NRM, Revegetation and Fencing	
<b>Local Pest Control</b>	<b>\$ 11,032.25</b>
Termite Inspection & Reports, General Pest Treatment for Kellerberrin Shire owned properties	
<b>Moore Stephens</b>	<b>\$ 9,025.50</b>
Compilation of the 2018/19 budget in statutory format including review services and advice, Final billing in relation to risk management, Internal controls & legislative compliance	
<b>Brooks Hire Service Pty Ltd</b>	<b>\$ 8,061.14</b>
Hire Roller Maintenance Grading, August 18	
<b>WA Local Government Superannuation Plan Pty Ltd</b>	<b>\$ 7,807.58</b>
Payroll Deductions	
<b>Avon Waste</b>	<b>\$ 7,768.07</b>
Domestic Refuse Collection, Commercial Refuse Collection, Recycling Bins, Additional Recycling Bins, Cardboard only service, Transport collection waste to Northam, Service Transfer station, Transport transfer station waste to Northam	
<b>VISA Payments - National Australia Bank</b>	<b>\$ 7,090.05</b>
CEO, Card purchases and fees	
<b>Cutting Edges Equipment Parts</b>	<b>\$ 6,065.99</b>
Parts, GB7858HT, GB7858HT, CE7755, CE7756, 8E4567	
<b>Synergy</b>	<b>\$ 5,785.50</b>
Power Consumption for Shire owned properties from August 18 to September 18	
<b>WA Local Government Superannuation Plan Pty Ltd</b>	<b>\$ 7,760.06</b>
Payroll Deductions	
<b>EverGreen Synthetic Grass</b>	<b>\$ 5,252.15</b>
Doodlakine Bowling Club, Installation of Synthetic Bowling Green as per Tender agreement	
<b>Synergy</b>	<b>\$ 5,171.45</b>
Power Consumption for Streetlights from 25/07/2018 to 24/08/2018	

Shire of Kellerberrin 2018/2019 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 IMPLICATIONS - Nil  
(Including Workforce Plan and Asset Management Plan Implications)**

**TEN YEAR FINANCIAL PLAN IMPLICATIONS - Nil**

**COMMUNITY CONSULTATION - Nil**

**ABSOLUTE MAJORITY REQUIRED – NO**

**STAFF RECOMMENDATION**

*That Council notes that during the month of September 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 \$ 431,369.66 on vouchers EFT , CHQ, Direct payments*
- 2. *Trust Fund payments totalling \$ 0.00 on vouchers EFT, CHQ, Direct payments*

**COUNCIL RECOMMENDATION**

**MIN 190/18 MOTION - Moved Cr. McNeil** **2<sup>nd</sup> Cr. Leake**

***That Council notes that during the month of September 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 \$ 431,369.66 on vouchers EFT , CHQ, Direct payments***
- 2. ***Trust Fund payments totalling \$ 0.00 on vouchers EFT, CHQ, Direct payments***

CARRIED  
6/0

<b>Agenda Reference:</b>	11.1.15
<b>Subject:</b>	Direct Debit List and Visa Card Transactions for the month September 2018
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	N/A
<b>Record Ref:</b>	N/A
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	10 <sup>th</sup> October 2018
<b>Author:</b>	Brett Taylor, Senior Finance Officer

**BACKGROUND**

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

**Municipal Fund – Direct Debit List**

Date	Name	Details	\$	Amount
3-Sep-18	Westnet	EFT Payment		4.99
4-Sep-18	Housing Authority	Fortnightly Rent		420.00
6-Sep-18	Dot Inspections	EFT Payment		58.17
6-Sep-18	Shire of Kellerberrin	Creditors Payment		48,724.53
7-Sep-18	Shire of Kellerberrin	Super choice		7,764.60
11-Sep-18	Shire of Kellerberrin	Creditors Payment		49,442.09
13-Sep-18	DLL	Monthly Rent		265.21
13-Sep-18	Shire of Kellerberrin	Creditors Payment		198,025.46
18-Sep-18	Housing Authority	Fortnightly Rent		420.00
20-Sep-18	Shire of Kellerberrin	Super choice		10,680.41
20-Sep-18	Shire of Kellerberrin	Creditors Payment		64,392.09
27-Sep-18	Shire of Kellerberrin	Creditors Payment		164,200.04
28-Sep-18	NAB	Account Fees - B PAY		181.88
28-Sep-18	NAB	Account Fees - Muni		48.20
28-Sep-18	NAB	Account Fees		74.00
28-Sep-18	NAB	Account Fees - Merchant Shire		209.96
28-Sep-18	NAB	Account Fees - Merchant Caravan Park		397.54
28-Sep-18	NAB	Account Fees - NAB Connect Fee		67.98
<b>TOTAL</b>			<b>\$</b>	<b><u>545,377.15</u></b>

**Trust Fund – Direct Debit List**

Date	Name	Details	\$	Amount
30-Sep-18	Department of Transport	D/D Licencing Payments Sept 2018	\$	<u>65840.40</u>
			<b>\$</b>	<b><u>65840.40</u></b>

**Visa Card Transactions**

Date	Name	Details	\$	Amount
14-Sep-18	Denmark Tavern	Beverages		92.50
14-Sep-18	Denmark Hotel	Meals		330.50
24-Sep-18	Seek	Job Advert- Plant Operator		308.00
28-Sep-18	RLSSWA	Pool Lifeguard Requalification		150.00
28-Sep-18	NAB	Card Fee		9.00
<b>TOTAL - CEO</b>			<b>\$</b>	<b><u>890.00</u></b>

DATED: ..... PRESIDENT SIGNATURE: .....

Date	Name	Details	\$	Amount
28-Sep-18	NAB	Card Fee		9.00
		TOTAL - DCEO	\$	9.00
		TOTAL VISA TRANSACTIONS	\$	<b><u>899.00</u></b>

## FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

➤ 2018/2019

### 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 sub regulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity December be shown —
  - (a) according to nature and type classification; or
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
  - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - (b) recorded in the minutes of the meeting at which it is presented.



<b>Agenda Reference:</b>	11.1.16
<b>Subject:</b>	Financial Management Report for September 2018
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	N/A
<b>Record Ref:</b>	N/A
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	9 <sup>th</sup> October, 2018
<b>Author:</b>	Sean Sibly, Deputy Chief Executive Officer

## BACKGROUND

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

## FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

- Financial Management of 2018/2019

## 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.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
  - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

**STRATEGIC PLAN IMPLICATIONS - Nil**

**CORPORATE BUSINESS PLAN IMPLICATIONS - Nil**

**TEN YEAR FINANCIAL PLAN IMPLICATIONS - Nil**

**COMMUNITY CONSULTATION – Nil**

**ABSOLUTE MAJORITY REQUIRED – No**

**STAFF RECOMMENDATION**

*That the Financial Report for the month of September 2018 comprising;*

- (a) Statement of Financial Activity*
- (b) Note 1 to Note 13*

*Be adopted.*

**COUNCIL RECOMMENDATION**

**MIN 192/18 MOTIONS - Moved Cr.McNeil** **2<sup>nd</sup> Cr. Reid**

*That the Financial Report for the month of September 2018 comprising;*

- (a) Statement of Financial Activity*
- (b) Note 1 to Note 13*

*Be adopted.*

CARRIED 6/0

## DEVELOPMENT SERVICES – AGENDA ITEM

<b>Agenda Reference:</b>	11.2.1
<b>Subject:</b>	Building Returns: September 2018
<b>Location:</b>	Shire of Kellerberrin
<b>Applicant:</b>	Various
<b>File Ref:</b>	BUILD06
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	4 <sup>th</sup> October, 2018
<b>Author:</b>	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 were one (1) applications received for a "Building Permit" during the September 2018 period. A copy of the "Australian Bureau of Statistics appends".
2. There was one (1) "Building Permits" issued in the September 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 September 2018 period.*
- 2. *Acknowledge the "Return of Building Permits Issued" for the September 2018 period.*

**COUNCIL RECOMMENDATION**

**MIN 193/18 MOTION - Moved Cr. O'Neill 2<sup>nd</sup> Cr. Reid**

*That Council*

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

CARRIED 6/0



**11.3 WORKS & SERVICES – AGENDA ITEMS**

Nil Items

**12 ELECTED MEMBERS OF MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil Items

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

**CLOSURE OF MEETING**

4.46 pm – Cr. Rodney Forsyth, Shire President declared the meeting closed.

**NEXT MEETING DATES**

Ordinary Council Meeting, Tuesday, 20<sup>th</sup> November, 2018 at 6.00pm.