

SHIRE OF KELLERBERRIN

MINUTES

Minutes of the Ordinary Council Meeting held at the Shire of Kellerberrin Council Chamber, 110 Massingham Street Kellerberrin on Tuesday, 23rd July 2019, commencing at 2.07pm

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISTORS

The Presiding Member opened the meeting at 2.07pm

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:

Cr. Forsyth	President
Cr. O'Neill	Deputy President
Cr. Leake	Member
Cr. Reid	Member
Cr. Steber	Member
Cr. McNeil	Member
Mr Raymond Griffiths	Chief Executive Officer
Ms Kate Dudley	Deputy Chief Executive Officer
Mr Mick Jones	Manager of Works and Services
Mr Lewis York	Town Planner (entered the meeting at 3.06pm and left the meeting at 3.40pm)
Mr Brett Taylor	Senior Finance Officer (left the meeting at 2.36pm)
Mrs Natasha Giles	Communtiy Development Officer (left the meeting at 2.36pm)

Apologies:

Nil

Leave of Absence:

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTION TAKEN ON NOTICE:

Nil

4. PUBLIC QUESTION TIME:

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. DECLARATION OF INTEREST:

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Shire of Kellerberrin Ordinary Council Meeting Minutes, 18th June, 2019

COUNCIL RESOLUTION

MIN114/19 MOTION: Moved Cr.McNeil 2nd Cr. Steber

That the minutes of the Shire of Kellerberrin Ordinary Council Meeting held on Tuesday 18th June 2019, be confirmed as a true and accurate record

CARRIED 6/0

7.2 Shire of Kellerberrin Special Council Meeting Minutes, 24th June, 2019

COUNCIL RESOLUTION

MIN115/19 MOTION: Moved Cr.Leake 2nd Cr. Reid

That the minutes of the Shire of Kellerberrin Special Council Meeting held on Tuesday 24th June 2019, 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

MIN116/19 MOTION: Moved Cr.Steber 2nd Cr. O'Neill

That the Presidents Reports for June 2019 be received and noted.

CARRIED 6/0

10.2 Standing Orders

MIN117/19 MOTION: Moved Cr.Leake 2nd Cr. Reid

That Standing Order numbers 8.9 – Speaking Twice & 8.10 – Duration of Speeches be suspended for the duration of the meeting to allow for greater debate on items in the agenda.

CARRIED 6/0

11.1 CORPORATE SERVICES – AGENDA ITEM

Agenda Reference:	11.1.1
Subject:	Community Requests and Discussion Items
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin - Council
File Ref:	Various
Disclosure of Interest:	N/A
Date:	1 st July 2019
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

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

June 2019 Council Meeting

MIN 097/19 MOTION - Moved Cr. Reid 2nd Cr. Steber

That Council;

- 1. Provides \$550.00 financial support for Wheatbelt Ag Care Community Support Services Inc.; and***
- 2. endorse the grant application to Landcorp for further release of industrial land blocks.***

May 2019 Council Meeting

MIN 073/19 MOTION - Moved Cr. McNeil 2nd Cr. Steber

That Council review the Leake Street footpath near Dryandra for a pothole.

April 2019 Council Meeting

MIN 044/19 MOTION - Moved Cr. Leake 2nd Cr. Steber

That Council:

- 1. Ensures that some Gravel is put in at the crossover near the Kellerberrin District High School, Library Car park .’***
- 2. Refer the request for white lines on the Kellerberrin Yoting Road “S” bends to Main Roads WA for review.***
- 3. Request that the Boundary markers presented to Council by the Men’s shed be approved up to a maximum of 20, ensuring that the wording is completed professionally.***
- 4. Make contact with the Water Corporation with regards to works undertaken on the South Doodlakine road as the road repair has failed near Chandler’s driveway where previous works have been undertaken.***
- 5. Rectify pot holes on Doodlakine-Kunnunoppin Road near Bowen’s property.***

June MIN 097/19

1. Letter issued to Wheatbelt Ag Care, 24th June 2019. Invoice being paid 30th July 2019.
2. Landcorp applications are not open at this stage.

May MIN 073/19

1. MWS inspected the footpath but noted that it was in the Dryandra Carpark.

April MIN 044/19

1. Item Noted, Town Crew to complete works
2. Main Roads were contact via email 2nd May 2019, Gren Putland has arranged for request to be carried out.
3. Item Noted
4. Action completed 29th April 2019
5. Item Noted, Town Crew Completed 18th April 2019.

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 RESOLUTION

MIN118/19 MOTION -

Moved Cr.Reid

2nd Cr. McNeil

That Council;

1. *Submit the Shackleton Road Petition to the Minister for Transport with a “cc” to Hon. Darren West and Mia Davies; and*
2. *Investigate and install roadside convex mirrors within car parks, subject to Main Roads approval.*

CARRIED 6/0

Agenda Reference:	11.1.2
Subject:	Status Report of Action Sheet
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin - Council
File Ref:	Various
Disclosure of Interest:	N/A
Date:	1 st July 2019
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council at its March 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 —
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 - (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.

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- (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.

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A councillor —

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- (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

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- (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.]

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- (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 RESOLUTION

MIN119/19 MOTION - Moved Cr. Steber

2nd Cr. McNeil

That Council receive the Status Report.

CARRIED 6/0

2.39pm At this time the Senior Finance Officer and Community Development Officer left the meeting.

Agenda Reference:	11.1.3
Subject:	WE-ROC Council Meeting Minutes and Resolutions
Location:	Kellerberrin Recreation and Leisure Centre
Applicant:	WE-ROC Council
File Ref:	ORG-10
Disclosure of Interest:	Nil
Date:	5 th July 2019
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 26th June, 2019, in the Council Chambers at the Kellerberrin Recreation & Leisure Centre, 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 26th June, 2019, in the Kellerberrin Recreation & 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 WE-ROC.

Resolutions arising out of the 26th June 2019, 2019 WE-ROC Council Meeting summarised hereunder,

RESOLUTION:	Moved: Cr Day	Seconded: Mr Criddle
That the Minutes of the Council Meeting held Wednesday 1 May 2019 be confirmed as a true and correct record.		
CARRIED		

RESOLUTION:	Moved: Mr Clarke	Seconded: Cr Forsyth
That the Minutes of the Executive Meeting held Wednesday 29 May 2019 be received.		
CARRIED		

RESOLUTION:	Moved: Cr Day	Seconded: Cr Strange
That the Status Report for June 2019 be received.		
CARRIED		

RESOLUTION:	Moved: Mr Clarke	Seconded: Cr Hooper
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 31 May 2019 be received.		
CARRIED		

RESOLUTION: Moved: Cr Day

Seconded: Cr Hooper

That the Accounts Paid for the period 1 April 2019 to 31 May 2019 totalling \$21,417.58 be approved.

CARRIED

RESOLUTION: Moved: Cr Day

Seconded: Cr Forsyth

That the combined Wheatbelt Communities Inc and WEROC Draft Budget for the year ending 30 June 2020, as presented, with a general subscription for each Member Organisation set at \$12,000 (excluding GST) and in accordance with the Wheatbelt Communities Inc Constitution, be adopted.

CARRIED

RESOLUTION: Moved: Mr Griffiths

Seconded: Cr Forsyth

That the Shire of Tammin be approached to ascertain whether the Shire may wish to join/rejoin WEROC.

CARRIED

RESOLUTION: Moved: Cr Strange

Seconded: Mr Criddle

- a) The Executive Officers Report be received;
- b) That two members from each local government as appointed by the individual Member Councils be the
- c) appointed to the WEROC Committee and the draft constitution be amended to reflect that arrangement in
- d) regard to membership;
- e) That a draft constitution be developed and referred to Member Councils for comment prior to the WEROC
- f) Council Meeting on 21 August 2019; and
- g) That WEROC Executive Committee only meet on an as needs basis.

CARRIED

RESOLUTION: Moved: Mr Mollenoyux

Seconded: Mr Clarke

That WEROC seek quotations from suitably qualified records management consultants to undertake a review of Member Councils' recordkeeping policies and procedures to ensure they adequately support their respective Record Keeping Policies.

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 26th June, 2019

COUNCIL RESOLUTION

MIN120/19 MOTION - Moved Cr.Steber 2nd Cr. McNeil

That Council receive the Minutes of the Council Meeting of the Wheatbelt East Regional Organisation of Councils (WE-ROC) held on Wednesday 26th June, 2019

CARRIED 6/0

Agenda Reference:	11.1.4
Subject:	CEACA Committee Meeting Minutes and Resolutions
Location:	Merredin Regional Community and Leisure Centre
Applicant:	CEACA Council
File Ref:	AGE - 03
Disclosure of Interest:	Nil
Date:	5 th July, 2019
Author:	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, 5th June, 2019 held at the Merredin Regional Community and Leisure Centre, are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and CEACA to keep this Council abreast of forward/strategic planning initiatives of the Council Group and to consider outcomes from the CEACA Council Meetings.

COMMENT

Attached to this agenda item is a copy of the last CEACA Council Meeting Minutes held on Wednesday, 5th June, 2019 held at the Merredin Regional Community and Leisure Centre.

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

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

Resolutions arising out of the Wednesday, 5th June, 2019 CEACA Council Meeting summarised hereunder,

RESOLUTION: **Moved: Stephen Strange** **Seconded: Louis Geier**

That the Minutes of the Committee Meeting of the Central East Aged Care Alliance Inc held Tuesday 26 February 2019 be confirmed as a true and accurate record of the proceedings.

CARRIED

RESOLUTION: **Moved: Ricky Storer** **Seconded: Gary Shadbolt**

That the Minutes of the Special Committee Meeting of the Central East Aged Care Alliance Inc held Friday 12 April 2019 be received.

CARRIED

RESOLUTION: **Moved: Ken Hooper** **Seconded: Gary Shadbolt**

That the Minutes of the Executive Committee Meeting of the Central East Aged Care Alliance Inc held Friday 12 April 2019 be received.

CARRIED

RESOLUTION: **Moved: Gary Shadbolt** **Seconded: Ken Hooper**

That the Minutes of the Executive Committee Meeting of the Central East Aged Care Alliance Inc held Wednesday 22 May 2019 be received.

CARRIED

RESOLUTION: **Moved: Louis Geier** **Seconded: Ken Hooper**
That the CEACA Application Eligibility and Rent Assessment Form be lifted from the table.

CARRIED

RESOLUTION: **Moved: Gary Shadbolt** **Seconded: Rod Forsyth**
1. That the CEACA Application Eligibility and Rent Assessment Form be circulated to Members for comment by no later than Friday 14 June 2019; and
2. That the CEACA Executive Committee be granted delegated authority to finalise the CEACA Application Eligibility and Rent Assessment Form for finalisation and circulated to Members.

CARRIED

RESOLUTION: **Moved: Quentin Davies** **Seconded: Rod Forsyth**
That the Action Sheet as presented, other than those matters separately considered, be received.

CARRIED

RESOLUTION: **Moved: Wayne Della Bosca** **Seconded: Ricky Storer**
That the Executive Officer's report as presented be received.

CARRIED

RESOLUTION: **Moved: Gary Shadbolt** **Seconded: Quentin Davies**
That CEACA note the resignation of Onida Truran and move a vote of thanks for her contribution to the work of the CEACA Committee.

CARRIED

RESOLUTION: **Moved: Rod Forsyth** **Seconded: Rachel Kirby**
That the Chair's Report to the Central East Aged Care Alliance Committee Meeting be received.

CARRIED

RESOLUTION: **Moved: Stephen Strange** **Seconded: Quentin Davies**
That the Project Manager's updated report for May 2019 be received.

CARRIED

RESOLUTION: **Moved: Stephen Strange** **Seconded: Louis Geier**
1. That the Draft Budget for the year ending 30 June 2020, as presented, be received with a general contribution for each Member Organisation set at \$20,000 (excluding GST) and be referred to Member Organisations for comment, with all comments to be submitted to the Executive Officer no later than Tuesday 25 June 2019; and
2. That comments, on the Draft Budget, received from Member Organisations by Tuesday 25 June 2019 be referred to a Central East Aged Care Alliance Special Committee meeting on Wednesday 3 July 2019 for the purpose of adopting the 2019/2020 Budget.

CARRIED

RESOLUTION: **Moved: Louis Geier** **Seconded: Quentin Davies**
That the discussions of CEACA's Executive Committee in relation to Management of CEACA's Housing being constructed through the CEACA Seniors Housing Project be noted, with the matter to be listed for discussion at the Special Meeting of the CEACA Committee to be held on Wednesday 3 July 2019.

CARRIED

RESOLUTION: **Moved: Stephen Strange** **Seconded: Rod Forsyth**

That the CEACA Committee request Members to consider delaying the implementation of the valuation on the completed CEACA aged housing until 1 July 2020.

CARRIED

RESOLUTION: **Moved: Stephen Strange** **Seconded: Quentin Davies**

That the CEACA Committee:

- 1. Enter into contract negotiations with Mr Nicholas Hopkin as its new CEACA Executive Officer under contract conditions presented.**
- 2. Subject to Mr Hopkins agreement to the proposed contract, CEACA's Chairperson is delegated authority to execute the contract.**

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, 5th June, 2019

COUNCIL RESOLUTION

MIN121/19 MOTION - Moved Cr. Reid 2nd Cr. McNeil

That Council receive the Minutes of the Council Meeting of the Central East Aged Care Alliance of Councils (CEACA) held on Wednesday, 5th June, 2019

CARRIED 6/0

Agenda Reference:	11.1.5
Subject:	Great Eastern Country Zone of WALGA Meeting Minutes and Resolutions
Location:	Merredin Recreation and Leisure Centre
Applicant:	Great Eastern Country Zone of WALGA
File Ref:	OLGOV-16
Disclosure of Interest:	Nil
Date:	5 th July 2019
Author:	Raymond Griffiths, Chief Executive Officer

BACKGROUND

The Minutes of the recent Meeting, held on Thursday 27th June, 2019 at the Merredin Recreation and Leisure Centre, of the Great Eastern Country Zone (GECZ) are provided to Council formally, with the aim of providing a stronger link and partnership development between member Councils and Great Eastern Country Zone to keep this Council abreast of forward/strategic planning initiatives of the Zone.

COMMENT

Attached to this agenda item is a copy of the recent Zone Meeting Minutes (not confirmed) held on Thursday 27th June, 2019. 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 Onida Truran** **Seconded: Cr Geoff Waters**

That the minutes of the Great Eastern Country Zone meeting held Wednesday 24 April 2019 are confirmed as a true and accurate record of the proceedings.

CARRIED

RESOLUTION **Moved: Cr Eileen O'Connell** **Seconded: Cr Kellie Mortimore**

That the Great Eastern Country Zone position on the Wheatbelt Conference be;

- 1. There is value in holding Wheatbelt Conferences;**
- 2. Not hold a Wheatbelt Conference in 2020 and look to hold a conference in 2021;**
- 3. Request the three (3) Wheatbelt Zone Executive Committees to meet and discuss the future of Wheatbelt conferences during the 2019 Local Government convention**

CARRIED

RESOLUTION **Moved: Cr Stephen Strange** **Seconded: Cr Geoff Waters**

That the Budgeted Profit and Loss Statement and Projected Cash Reserves of the Great Eastern Country Zone of WALGA for the year ending 30 June 2020 be adopted utilising option 2, which provides for the subscriptions to be halved and set at \$1,750.00 per Council.

CARRIED

RESOLUTION **Moved: Cr Stephen Strange** **Seconded: Cr Tony Sachse**
That the remaining items contained in the Minutes of the Executive Committee Meeting of the Great Eastern Country Zone held Thursday 13 June 2019 be endorsed.
CARRIED

RESOLUTION **Moved: Mr Jamie Criddle** **Seconded: Cr Rodney Forsyth**
That the Great Eastern Country Zone
1. Supports the Shire of Westonia's position to seek clearing and mining approval for the proposed Greenfinch mining operation.
2. Requests WALGA to raise the issue with relevant authorities to ensure that the Greenfinch Project has every chance of success.
CARRIED

RESOLUTION **Moved: Cr Onida Truran** **Seconded: Cr Geoff Waters**
That the Local Government Agricultural Freight Group Report and the Wheatbelt Secondary Freight Network reports be received.
CARRIED

RESOLUTION **Moved: Cr Ricky Storer** **Seconded: Cr Eileen O'Connell**
That the Wheatbelt District Emergency Management Committee Report be received.
CARRIED

RESOLUTION **Moved: Cr Stephen Strange** **Seconded: Cr Rodney Forsyth**
That the State Councillor Report be received
CARRIED

RESOLUTION **Moved: President Cr Eileen O'Connell** **Seconded: Cr Onida Truran**
That the Great Eastern Country Zone WALGA June 2019 Status Report be noted.
CARRIED

RESOLUTION **Moved: Cr Onida Truran** **Seconded: Cr Kellie Mortimore**
That the Great Eastern Country Zone supports all Matters for Decision as listed above in the State Council Agenda.
CARRIED

RESOLUTION **Moved: Cr Wayne Della Bosca** **Seconded: Cr Ricky Storer**
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 27th June, 2019.

COUNCIL RESOLUTION

MIN122/19 MOTION - Moved Cr. Leake 2nd Cr. McNeil

That Council receive the Minutes of the Great Eastern Country Zone of WALGA meeting, held on Thursday 27th June, 2019.

CARRIED 6/0

Agenda Reference:	11.1.6
Subject:	Bushfire Advisory Committee – Minutes
Location:	Kellerberrin Recreation and Leisure Centre
File Ref:	BUSH00
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	12 July 2019
Author:	Kate Dudley, Deputy Chief Executive Officer

BACKGROUND

The Bushfire Advisory Committee met on Monday, 17th June 2019 at the Kellerberrin Recreation and Leisure Centre.

COMMENT

The Bushfire Advisory Committee minutes are available at attachment A to this report.

Resolutions arising from the meeting were:

COMMITTEE DECISION BF5 – 18/19 Moved: M. Steber Seconded: R. Forsyth

That the minutes of the Bush Fire Advisory Committee meeting held on 12 September 2018 are confirmed as a true and correct record.

CARRIED 12/0

COMMITTEE DECISION BF6 – 18/19 Moved M. McDonald Seconded Kevin Tiller

That the Committee endorse the new fire truck to be located in Doodlakine and current fire truck be relocated to Mt Caroline.

CARRIED 12/0

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Nil

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 FINANCIAL PLAN IMPLCATIONS

Nil

COMMUNITY CONSULTATION

Nil

ABSOLUTE MAJOURITY REQUIRED

No

STAFF RECOMMENDATION

That Council adopt the minutes of the Bushfire Advisory Committee held on Monday, 17 June 2019.

COUNCIL RESOLUTION

MIN123/19 MOTION - Moved Cr. Reid 2nd Cr. Steber

That Council adopt the minutes of the Bushfire Advisory Committee held on Monday, 17 June 2019.

CARRIED 6/0

Agenda Reference:	11.1.7
Subject:	WA Local Government Association Member Motions for Consideration
Location:	2019 Annual General Meeting of WALGA
Applicant:	Member Local Governments of WALGA
File Ref:	OLGOV-12
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	8 th July 2019
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council will be represented by Shire President Cr Forsyth, Cr. Steber, Cr. Reid and Mr Raymond Griffiths, Chief Executive Officer at the 2019 Local Government Week convention to be held at the Perth Convention and Exhibition Centre (PCEC) from 7th to 9th August 2019 with Cr Forsyth and Cr Steber being Councils authorised voting delegates at the AGM.

The Annual General Meeting of WALGA is scheduled for the Wednesday afternoon session of the convention (7th August). There are nine member motions to be presented as part of the agenda for the 2019 AGM of the Western Australian Local Government Association (WALGA).

COMMENT

The following motions are summarised for Council to consider. Council appointed Delegates attending the Annual General Meeting of the WA Local Government Association are required to vote according to the indicative determinations from the Council in regards to the following summary motions presented in the mentioned Agenda and Meeting.

A full copy of the Motions have been attached to this Agenda Item for detailed Council reading and direction to appointed Delegates;

AGENDA ITEM	LOCAL GOVERNMENT PROPONENT	MOTION TITLE
3.1	Shire of Gin Gin	Coastal Erosion.
3.2	City of Kwinana	Department of Housing Leasing Residential Property to Charitable Organisations
3.3	Shire of Manjimup	Motorist Taxation Revenue and Spending in WA.
3.4	Shire of Bridgetown/Greenbushes	Biosecurity Groups (BSG's)
3.5	Shire of Dardanup	WALGA Members Support for Waste to Energy
3.6	Shire of Mundaring	Memberships of Development Assessment Panels
3.7	Shire of Dundas	Review of the <i>Mining Act 1978</i>
3.8	Shire of Dundas	Financial Assistance Grants
3.9	City of Bayswater	Third Party Appeal Rights

The following comments are provided for Council's information and to assist in the decision making process.

Item 3.1

Executive Member Delegate to move:

MOTION

That WALGA advocate to the Federal and State Governments with respect to the importance of responding to the increasing challenges faced by Coastal Councils, and develop policy initiatives to include:

1. Introduction of a national funding formula to provide the resources necessary to manage and maintain the coast effectively on behalf of all Australians, including the funds needed to increase the adaptive capacity of Councils to address climate impacts.
2. Allocation of additional Financial Assistance Grants to address coastal hazards, and broadening of the range of 'disabilities' listed under Financial Assistance Grants to include factors such as the vulnerability of coastal areas and communities to coastal hazards.
3. Development of an intergovernmental agreement on the Coastal Zone that will provide a co-ordinated national approach to coastal governance through and in cooperation with Australian state, territory and local governments and clearly define the roles and responsibilities of each tier of government in relation to coastal zone management.
4. Creation of a National Coastal Policy, the basis of which is formed by the intergovernmental agreement on the Coastal Zone, that outlines the principles, objectives and actions to be taken to address the challenges of integrated coastal zone management for Australia.
5. An increase in funding for Australian climate science research programs conducted by CSIRO and other research bodies, including the restoration of funding for the National Climate Change Adaption Research Facility or establishment of a similar body, and continuing support for CoastAdapt. This is essential to ensure that appropriate guidance in responding to coastal hazards is accessible by Australia's coastal Councils so that coastal communities and assets are adequately prepared to address the adverse effects of climate change impacts.

Notes

- WALGA advocate for more resources to be provided to Coastal Councils to manage coastal hazards.
- Intergovernmental Agreement to develop a coordinated national approach to Coastal Issues.

Item 3.2

City of Kwinana Delegate to move:

WALGA advocate to the Minister for Housing to:

1. Cease the policy of the Department of Housing leasing their housing assets to charitable/not for profit organisations who are then eligible for charitable Local Government rate exemptions; or
2. Provide Local Governments with a rate equivalent payment annually as compensation for the loss of rates income; or
3. Include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.

Notes

- Department of Housing policy and practice to lease housing assets, to not for profit organisations is eroding Local Governments' rate base.

Item 3.3

Shire of Manjimup Delegate to move:

To support the independent position of the RAC, that WALGA call on the State and Federal Government to:

- 1. Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's \$845m road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and**
- 2. Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.**

Notes

- Fair distribution of funding from motorists to road maintenance, congestion and road safety is sought.
- An inquiry into road user pricing should be established.

Item 3.4

Shire of Bridgetown-Greenbushes Delegate to move:

That WALGA revokes its current policy position of not supporting the establishment and operations of Recognised Biosecurity Groups (RBGs) and that the decision on whether to support RBGs is to rest with individual Local Governments.

Notes

- Current WALGA policy position is that local government isn't supportive of Recognised Biosecurity Groups (RBGs).
- Since development of this policy position 16 RBGs have been established in Western Australia, covering land within 61 separate local governments.
- Individual local governments can be discouraged from trying to work with the RBG in its area due to the current sector policy provision.
- It is timely to review the current policy position

Item 3.5

Shire of Dardanup Delegate to move:

That WALGA continue to support Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 and seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.

In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill

Notes

- Seeking support for the Waste Strategy: Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 from WALGA Members.
- To seek firm commitments from the State Government as to how it will be achieved, including alternative options and incentives to reduce and eventually

Item 3.6

Shire of Mundaring Delegate to move:

That WALGA investigate increasing Local Government membership in Development Assessment Panels

Notes

- DAP includes 3 experts and 2 elected members, which is considered by DoPLH as a balanced decision-making framework;
- There is a need to strengthen transparency and increase public respect for the DAP process;
- It is proposed that WALGA advocate for increasing local government membership on DAP.

Item 3.7

Shire of Dundas Delegate to move:

That:

1. **WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the outdated *Mining Act 1978* and that the revision address FIFO and DIDO, and its impact on local communities; and**
2. **The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructures as a Legacy project.**

Notes

- FIFO and DIDO to be limited in a reviewed Mining Act, similar to the Stronger Resource Communities Act in Qld <https://www.legislation.qld.gov.au/view/whole/pdf/inforce/current/act-2017-028>
- That an MOU with Councils is addressed as a compulsory part of the mining application process
- That the MOU forms part of the Audit process of the relevant Local Government

Item 3.8

Shire of Dundas Delegate to move:

That WALGA requests the Hon. Minister of Local Government and Communities David Templeman to assist all Local Governments to Lobby the Federal Government to retain the Financial Assistance Grant at one percent of the of Commonwealth Taxation Revenue.

Notes

- Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure;
- Expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%.; and
- Calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1 % of Commonwealth Taxation revenue and therefore to provide a Fairer Share of Federal funding for our local communities.

Item 3.9

City of Bayswater Delegate to move:

1. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.
2. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.

Notes

- Further amendments proposed to the Preferred Model for Third Party Appeals Process

POLICY IMPLICATIONS.

Notices inviting Council to nominate delegates or observers to conferences, meetings and similar occasions be circulated to all Councillors. Any Councillors who wish to represent Council at such an event shall request nomination at a Council Meeting. Council shall decide by resolution to nominate such representatives as Council may consider are appropriate.

Councillors receiving authorisation to attend are required to provide a written report on attendance of meeting.

Council will pay the conference/meeting registration fees, accommodation expenses as deemed appropriate by Council and travelling expenses for the delegate if using their private vehicle, at a rate prescribed in the Local Government Industrial Award 2010.

Conference – Local Government Week

The Council President, Deputy President and the Chief Executive Officer will be the nominated delegates for Council. In the event of these delegates not being able to attend, Council may decide by resolution, to choose other Councillors to replace them.

Councillors wishing to attend the Annual Conference in addition to the nominated delegates should advise when registrations are requested or when notice of Conference is presented to Council.

Council shall determine by resolution all matters pertaining to representatives, numbers of Councillors attending and payment of expenses, but the following shall be used as a guide;

1. Council shall pay the expenses of Annual Conference delegates.
2. Council shall pay the cost of conference registration for the delegate and the annual dinner fee for both the delegate and delegate's partner.
3. Council shall pay the accommodation expenses, which includes bed and breakfast for the delegate and delegate's partner.

Other Conferences, Meetings and Occasions

All proposals for attendance at other conferences and meetings shall firstly be subject to an assessment by Council with advice from the Chief Executive Officer based on the following criteria – Whether the proposal relates to an objective identified within the current or future strategic direction of Council.

The current relevance of the proposal to the Shire.

Historic or expected attendance.

The relationship of the proposal to the outcomes to be delivered and how these relate to the Councillor's role as either a Presiding Member, Committee Member or Councillor.

Equity of opportunity and the remaining period of office of the Councillor concerned including recognition of the number of opportunities previously provided to the Councillor.

Whether there are more cost effective options to acquire the relevant knowledge and information.

Whether it is appropriate that more than one Councillor attend.

The total cost of travel, accommodation, registration, meals and other expenses and the potential impact of these on the Shire's budget allocation including the future impact on conference attendance by other Councillors during the current financial year.

Administration Process

Registration for all approved conferences and meetings including travel and accommodation must be organised through the Chief Executive Officer. Where possible, all airfares and other travel arrangements including registration, accommodation and associated fees and charges shall be paid direct by the Shire.

Reimbursement of Expenses

Authorised expenditure shall be reimbursed to the Councillor delegate upon presentation of receipts. Councillor delegates will be personally liable for any outstanding amounts not properly authorised.

The Chief Executive Officer is responsible for implementing this policy.

STATUTORY IMPLICATIONS: Nil (not known at this time – decision making processes)

STRATEGIC PLAN IMPLICATIONS

WALGA Strategic Plan 2010-2015

Our Vision for Local Government – “Local Governments in Western Australia will be built on good governance, local leadership, democracy, community engagement and diversity.

Local Government will also have the capacity to provide economically, socially and environmentally sustainable services and infrastructure that meet the needs of their community”.

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

COMMUNITY CONSULTATION: Nil (elected body to determine)

ABSOLUTE MAJORITY REQUIRED: Yes

STAFF RECOMMENDATION

That Council directs its appointed delegates to vote as follows;

AGENDA ITEM	MOTION TITLE	Support/Oppose
3.1	Coastal Erosion.	Support
3.2	Department of Housing Leasing Residential Property to Charitable Organisations	Support
3.3	Motorist Taxation Revenue and Spending in WA.	Support
3.4	Biosecurity Groups (BSG's)	Support
3.5	WALGA Members Support for Waste to Energy	Support
3.6	Memberships of Development Assessment Panels	Support
3.7	Review of the <i>Mining Act 1978</i>	Support
3.8	Financial Assistance Grants	Support
3.9	Third Party Appeal Rights	Support

BY ABSOLUTE MAJORITY

COUNCIL RESOLUTION

MIN124/19 MOTION - Moved Cr. Steber

2nd Cr. O'Neill

That Council directs its appointed delegates to vote as follows;

AGENDA ITEM	MOTION TITLE	Support/Oppose
3.1	<i>Coastal Erosion.</i>	<i>Support</i>
3.2	<i>Department of Housing Leasing Residential Property to Charitable Organisations</i>	<i>Support</i>
3.3	<i>Motorist Taxation Revenue and Spending in WA.</i>	<i>Support</i>
3.4	<i>Biosecurity Groups (BSG's)</i>	<i>Support</i>
3.5	<i>WALGA Members Support for Waste to Energy</i>	<i>Support</i>
3.6	<i>Memberships of Development Assessment Panels</i>	<i>Support</i>
3.7	<i>Review of the Mining Act 1978</i>	<i>Support</i>
3.8	<i>Financial Assistance Grants</i>	<i>Support</i>
3.9	<i>Third Party Appeal Rights</i>	<i>Support</i>

CARRIED 6/0
BY ABSOLUTE MAJORITY

3.06pm At this time the Town Planner entered the meeting.

Agenda Reference:	11.1.8
Subject:	Establishment of Roadworks Advisory Committee
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	
Record No.:	ICR192104
Disclosure of Interest:	N/A
Date:	12 July 2019
Author:	Kate Dudley, Deputy Chief Executive Officer

BACKGROUND

In accordance with the *Local Government Act 1995* and section 5.8. Establishment of Committees. A local government may establish committees of three or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

COMMENT

After general discussion at the Special Council meeting on 23 July 2019, the Council was in support of establishing a Roadworks Advisory Committee. It was agreed that the Committee would comprise of two Shire of Kellerberrin staff members (as delegated by the CEO), two elected members and six to eight community members and that the purpose of the Committee would be to meet quarterly to provide recommendations to Council on roadwork management within the Shire of Kellerberrin.

The Committee would operate under the provisions of the *Local Government Act 1995*, the Shire's Code of Conduct and the draft Roadworks Advisory Committee - Terms of Reference (Attachment A).

The Council invited community members to submit an expression of interest (EOI) for membership on the proposed Roadworks Advisory Committee through advertisement in the Pipeline, the Shire website and on Facebook with the EOI process closing on Tuesday 16 July 2019. Over the two-week period, the council received two EOI for membership on the Committee.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 5.10(4) of the Act provides that the Council must appoint the President to each Committee if the President informs the Shire of their wish to be a member of a particular Committee. The Committee, once appointed, must select a Presiding Member at its first meeting.

Section 5.10 (5) of the Act provides for the CEO or their delegate to be appointed to a Committee that has or will have an employee if the CEO so wishes.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

This matter aligns with Goal 13 “Council leads the organisation and engages with the community in an accountable and professional manner” and particularly 13.1 Develop and maintain our integrated planning documents.

CORPORATE BUSINESS PLAN IMPLICATIONS

(Including Workforce Plan and Asset Management Plan Implications)

Nil

LONG TERM FINANCIAL PLAN IMPLICATIONS

Nil

ABSOLUTE MAJORITY REQUIRED

Yes

STAFF RECOMMENDATION

That Council;

1. *establish the Roadworks Advisory Committee as per the terms of reference (with an amendment to the number of committee members)*
2. *elect the following members to the Roadworks Advisory Committee:*
 - *Cr Rod Forsyth*
 - *Cr Matt Steber*
 - *Chief Executive Officer*
 - *Manager of Works Services*
 - *Name*
 - *Name*

COUNCIL RESOLUTION

MIN125/19 MOTION - Moved Cr. Leake 2nd Cr. O'Neill

That Council;

1. *establish the Roadworks Advisory Committee as per the terms of reference (with an amendment to the number of committee members)*
2. *elect the following members to the Roadworks Advisory Committee:*
 - *Cr Rod Forsyth*
 - *Cr Matt Steber*
 - *Chief Executive Officer*
 - *Manager of Works Services*
 - *Mr Ric Newman*
 - *Mr Grant Gardiner*

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.9
Subject:	Strategic Community Plan Review 2019
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	ADM56
Record Ref:	
Disclosure of Interest:	
Date:	12 July 2019
Author:	Kate Dudley, Deputy Chief Executive Officer

BACKGROUND

Council's April 2019 Ordinary Meeting of Council

MIN 058/19 MOTION – Moved Cr.Steber 2nd Cr.O'Neill

That Council;

1. ***Receive the DRAFT Strategic Community Plan as presented by Wheatbelt Business Network, and***
2. ***advertise the DRAFT Strategic Community Plan for Community Consultation for a up to Friday 7th June 2019.***

CARRIED 5/0

Council's March 2017 Ordinary Meeting of Council

MIN 025/17 MOTION – Moved Cr. O'Neill 2nd Cr. Leake

That Council adopts the revised 2016 Strategic Community Plan.

CARRIED 6/0

Council's April 2016 Ordinary Meeting of Council

COUNCIL RECOMMENDATION

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

That Council adopts:

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

CARRIED 7/0

Council's June 2013 Ordinary Meeting of Council

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

That Council adopt:

1. ***Strategic Community Plan***
2. ***Corporate Business Plan***
3. ***Long Term Financial Plan***
4. ***Asset Management Strategy***
5. ***Furniture and Equipment Asset Management Plan***
6. ***Plant and Equipment Asset Management Plan***

7. **Land and Buildings Asset Management Plan**
8. **Infrastructure Asset Management Plan**
9. **Workforce Plan;**
as presented.

CARRIED 6/0

Council's February 2013 Ordinary Meeting of Council

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

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

CARRIED 5/0

Council's December 2012 Ordinary Meeting of Council

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

That Council

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

CARRIED 5/0

Council's June 2012 Ordinary Meeting of Council

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

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

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

CARRIED 6/0

COMMENT

In August 2018 the Council engaged the services of Wheatbelt Business Network to assist in the process of the major review for the Strategic Community Plan which included two sessions with Councillors to review aspects of the Plan and seeking Council's direction.

The review of the Plan and consolidation of information from:

- Council interviews
- Staff interviews
- Community Surveys

As per council resolution, MIN058/19 the Draft Strategic Community Plan was advertised for public comment, with the submission period ending on 7 June 2019.

In this period the Council received no public submissions for the Draft Strategic Community Plan. It is therefore officer's view that the Strategic Community Plan 2019 be adopted as shown in Attachment A.

FINANCIAL IMPLICATIONS

Budgets for financial years from 2019/20 to 2023/24.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

5.56. Planning for the future

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

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

Local Government (Administration) Regulations 1996

Part 5 — Annual reports and planning

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

Division 1 — Preliminary

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

19BA. Terms used

In this Part —

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

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

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

Division 3 — Planning for the future

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

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

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and

- (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

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

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

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
 - (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
 - (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
 - (4) A local government is to review the current corporate business plan for its district every year.
 - (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
 - (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- [Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]*

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

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

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

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

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

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

STRATEGIC PLAN IMPLICATIONS

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

FUTURE PLAN IMPLICATIONS

When adopted, the revised Strategic Community Plan will replace Council's current Strategic Community Plan.

CONSULTATION

Chief Executive Officer
Senior Staff
Administration Staff
Councillors
Members of the Community

ABSOLUTE MAJORITY REQUIRED

Yes

STAFF RECOMMENDATION

That Council adopt the 2019 Strategic Community Plan 2019-2029 as shown in Attachment A.

COUNCIL RESOLUTION

MIN126/19 MOTION – Moved Cr. Leake 2nd Cr. Reid

That Council adopt the 2019 Strategic Community Plan 2019-2029 as shown in Attachment A.

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.10
Subject:	Proposed sale of 8 Ripper Street, Kellerberrin
Location:	8 Ripper Street, Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	A496
Record Ref:	
Disclosure of Interest:	N/A
Date:	11 th May 2019
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council's May Ordinary Meeting of Council – 21st May 2019

MIN 081/19 MOTION - Moved Cr. Leake 2nd Cr. Reid

That Council:

1. ***Appoints Livestock and Land as the Real Estate agent for the proposed sale of 8 Ripper Street, Kellerberrin on the basis:***
 - a. ***Property Listing Price as per Residential Property Appraisal prepared 7th May 2019***
 - b. ***4% Commission Rate.***

CARRIED 6/0

COMMENT

Livestock and Land have actively promoted the building for sale advertising the property throughout the local community, subsequently fielding three to four expressions of interests in purchasing the property.

Council on the 2nd July 2019 received from Livestock and Land a "Contract for Sale of Land or Strata by Offer and Acceptance" to purchase 8 Ripper Street for \$85,000.

FINANCIAL IMPLICATIONS

2019/2020 Budget- Council was aware of the offer to purchase therefore these funds have been budgeted to be received as income.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – Part 3, Division 3

Section 3.58

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

and

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

3.59. Commercial enterprises by local governments

- (1) In this section —

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

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

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

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

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

- (a) the consideration under the transaction; and
- (b) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that —

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

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

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

- (2) Before it —

- (a) commences a major trading undertaking;
- (b) enters into a major land transaction; or
- (c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.

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

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

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Our Vision

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

Our Vision is:

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

Our Focus Areas

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

4 Economic Development

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

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

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

Theme 4: Prosperity

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

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

Strategic Priority 4.1

An Overview

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

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

Our Objective

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

Our Desired Outcomes

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

Our Goals

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

Our Delivery Strategy

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

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

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

TEN YEAR FINANCIAL PLAN IMPLICATIONS - NIL

COMMUNITY CONSULTATION

Chief Executive Officer
Councillors

ABSOLUTE MAJORITY REQUIRED

YES

STAFF RECOMMENDATION

That Council approve the sale of Council owned 8 Ripper Street, Kellerberrin to Shane Douglas Bubb and Madelaine Regina Bubb of Lot 100 Great Eastern Highway, Kellerberrin, WA, 6410, by private agreement for the sum of \$85,000 subject to:

- 1. Council advertising the disposition of property for a period of 14 days as per section 3.58 Local Government Act 1995, in a local newsletter and/or newspaper circulating in the District and/or Council Public Notice Board.*
- 2. No submissions being received, Council authorises the Chief Executive Officer and Shire President to execute required Land Transfer documentation for Sale of Property.*

COUNCIL RESOLUTION

MIN127/19 MOTION - Moved Cr. Leake

2nd Cr. Steber

That Council approve the sale of Council owned 8 Ripper Street, Kellerberrin to Shane Douglas Bubb and Madelaine Regina Bubb of Lot 100 Great Eastern Highway, Kellerberrin, WA, 6410, by private agreement for the sum of \$85,000 subject to:

- 1. Council advertising the disposition of property for a period of 14 days as per section 3.58 Local Government Act 1995, in a local newsletter and/or newspaper circulating in the District and/or Council Public Notice Board.***
- 2. No submissions being received, Council authorises the Chief Executive Officer and Shire President to execute required Land Transfer documentation for Sale of Property.***

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.11
Subject:	2019/20 Budget
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	FIN 04
Reference Number:	
Disclosure of Interest:	N/A
Date:	11 th July 2019
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council's May Ordinary Meeting of Council – 21st May 2019

MIN 080/19 MOTION - Moved Cr. McNeil 2nd Cr. Steber

That Council instructs the Chief Executive Officer to:

- 1. Identify the properties that have a change in predominant use from their rate category of UV or Special Rural;***
- 2. Review their predominant use and provide guidance as to whether the use is different to the zoning.***
- 3. Request the Valuer General to provide a GRV for the properties that have a change in predominant use***
- 4. Prepare a report to Council identifying the properties including a comparison on current rates and futures rates should the assessment deem the predominant use warrants a change in valuation.***

MIN 088/19 MOTION - Moved Cr. Reid 2nd Cr. O'Neill

That Council resolve to:

- 1. Advertise the following differential rates and minimum rate for the 2019/2020 financial year.***

Gross Rental Value Properties		
Description	Rate in \$	Minimum Rate
Kellerberrin Residential	\$0.13368	\$782.00
Other Residential	\$0.13368	\$782.00
Kellerberrin Commercial	\$0.15360	\$859.00
Other Commercial	\$0.15360	\$859.00
Unimproved Value Properties		
Mining Tenements	\$0.020650	\$782.00
Rural	\$0.020650	\$782.00

- 2. Adopt the Objects and Reasons for the differential rate as shown in the attachment presented.***

2019/2020 BUDGET INFORMATION

Rates

The budget as presented has a 4.5% increase in Rates Levied, this being consistent with the Long Term Financial Plan and reflecting property revaluations undertaken by the Valuer General's Office (VGO) on Unimproved Valuations (Rural) only this financial year.

Reserve Account Movements

Council this year has proposed in addition to the Interest component of funds to allocate the following amounts to Council's Reserve Accounts in the 2019/20 financial year:

Reserve Account	Amount Allocated (Transfer to)
Long Service Leave Reserve	\$ 20,000
Community Bus Reserve	\$ 50,000
Housing Reserve	\$ 280,000
Swimming Pool Reserve	\$ 866,667
Pathways Reserve	\$ 50,000
	\$1,266,667

Significant Projects

The following projects have been included in the budget and have been funded from through a range of sources including Grants, General Revenue and Reserve funds:

1. Roads capital works program:

Baandee North Road - SLK 10.54 - 16.80 (Regional Road Group Program)	\$ 581,264
Baandee North Road = SLK 16.80 Onwards (Fed Govt Grant)	\$ 724,202
Bath Street	\$ 247,567
Chambers Street - Highway to Hammond Street (RTR)	\$ 124,453
Keller-Bencubbin Road - Tiller's to Rod Forsyth's (Commodity Route)	\$ 601,500
Dowding Street - Full Length (Commodity Route)	\$ 441,885
Mather Road - Hobb's to CBH (Commodity Route)	\$ 393,280
Centenary Park - Car Park	\$ 65,651
Hammond Street Footpath	\$ 62,622
Gravel Sheetting - Various Roads	\$ 486,737

<u>Schedule 04 - Governance</u>			
Council Chambers Kitchen Modifications	\$ 20,000		
IT/Furniture and Equipment	\$ 20,000		
<u>Schedule 10 - Community Amenities</u>			
Cemetery Upgrade - Patio & Bitumen and Kerbing	\$ 80,000		
Standpipe Readers	\$ 30,000		
<u>Schedule 12 - Transport</u>			
3 - 5 Tonne Excavator	\$ 62,395		
Plant Trailer to transport (Excavator/Bobcat)	\$ 12,000		
Bobcat Replacement	\$ 97,000		
<u>Schedule 13 - Economic Services</u>			
Caravan Park upgrades - Double Room Ensuite & Outdoor Kitchen	\$ 40,000		
Caravan Park - Purchase and Install additional Dongas	\$ 40,000		
<u>Schedule 14 - Other Property & Services</u>			
Digital Notice Board	\$ 80,000		

FINANCIAL IMPLICATIONS

Shire of Kellerberrin - 2019/2020 Budget

POLICY IMPLICATIONS - NIL

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

6.45. Options for payment of rates or service charges

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

6.46. Discounts

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

** Absolute majority required*

Local Government Act 1995

6.2. Local government to prepare annual budget

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

** Absolute majority required.*

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

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

Strategic Priority 2.1

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

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

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

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

LONG TERM FINANCIAL PLAN IMPLICATIONS

The current ten year financial model features an increase to rates between 16/17 and 20/21 of between 5.25% and 4.50% per annum; this was the basis for development of the 2019/2020 budget as presented.

COMMUNITY CONSULTATION

Chief Executive Officer

Deputy Chief Executive Officer

Manager Works & Services

Community Development Officer

Finance Officer

ABSOLUTE MAJORITY REQUIRED – YES

STAFF RECOMMENDATION

That Council:

PART A – MUNICIPAL FUND BUDGET FOR 2019//2020

Pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the council adopt the Municipal Fund Budget as contained in the Attachments of this agenda and the minutes, for the Shire of Kellerberrin for the 2019/2020 financial year which includes the following:

- *Statement of Comprehensive Income by Nature and Type on page (# 2) showing a net result for that year of \$923,336*
- *Statement of Comprehensive Income by Program on page (# 5) showing a net result for that year of \$923,336*
- *Statement of Cash Flows on page (# 7) of the Statutory Budget.*
- *Rate Setting Statement on page (# 8) of the Statutory Budget showing an amount required to be raised from rates of \$2,211,570.*
- *Notes to and Forming Part of the Budget on pages (10 to 31)*
- *Budget Program Schedules as detailed in attachments*
- *Transfers to / from Reserve Accounts as detailed in page (24)*

PART B – GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

1. *For the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995 impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values. 1.1. General Rates**
 - *Kellerberrin Residential (GRV) 13.3680 cents in the dollar*
 - *Other Residential (GRV) 13.3680 cents in the dollar*
 - *Kellerberrin Commercial (GRV) 15.3600 cents in the dollar*
 - *Other Commercial (GRV) 15.3600 cents in the dollar*
 - *Rural (UV) 2.0650 cents in the dollar*
 - *Kellerberrin Residential (GRV) \$782*
 - *Other Residential (GRV) \$782*
 - *Kellerberrin Commercial (GRV) \$859*
 - *Other Commercial (GRV) \$859*
 - *Rural (UV) \$782*
 - *Mining Tenements (UV) \$782*
2. *Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:*
 - *Full payment and instalment due date 29th August 2019*
 - *2nd half instalment due date 2nd January 2020*
 - *2nd quarterly instalment due date 31st October 2019*
 - *3rd quarterly instalment due date 02nd January 2020*
 - *4th quarterly instalment due date 03rd March 2020*
3. *Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$5 for each instalment after the initial instalment is paid.*
4. *Pursuant to Section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.*
5. *Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.*

PART C – GENERAL FEES AND CHARGES FOR 2019/2020

Pursuant to Section 6.16 of the Local Government Act 1995, council adopts the Fees and Charges included, inclusive of the draft 2019/2020 budget included as Attachments of this agenda and minutes.

PART D – OTHER STATUTORY FEES FOR 2019/2020

1. Pursuant to Section 53 of the Cemeteries Act 1986 the council adopts the Fees and Charges for the Kellerberrin Cemetery included at page # of the draft 2019/2020 budget included as Attachments to this agenda and minutes.
2. Pursuant to Section 245A(8) of the Local Government (Miscellaneous Provisions) Act 1960 the council adopts a swimming pool inspection fee of \$57.45 inclusive of GST.
3. Pursuant to Section 67 of the Waste Avoidance and Resources Recovery Act 2007, council adopt the following charges for the removal and deposit of domestic and commercial waste:
 - a. Residential Premises
 - i. 240ltr bin per weekly collection \$203 pa
 - ii. Additional Bins \$223.30 pa (GST Inclusive)
 - b. Commercial Premises
 - i. 240ltr bin per weekly collection \$203 pa
 - ii. Additional Bins \$223.30 pa (GST inclusive)
4. Pursuant to Section 67 of the Waste Avoidance and Resources Recovery Act 2007, and Section 6.16 of the Local Government Act 1995 council adopt the following charges for the deposit of domestic and commercial waste:
 - a. Kellerberrin Waste Transfer Station

Load or volume:

- Trailer (6 x 4) – First Per Annum – Free
- Trailer (6 x 4) – After First Load Per Annum – \$30.00
- Trailer (8 x 5) – First Per Annum – Free
- Trailer (8 x 5) – After First Load Per Annum – \$40.00
- Commercial waste (per cubic metre) – Cost Recovery Plus 5%
- Bed Mattress - \$10 per mattress

SIMPLE MAJORITY

PART E – ELECTED MEMBERS' FEES AND ALLOWANCES FOR 2019/2020

1. Pursuant to Section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996, council adopts the following meeting attendance fees for payment of elected members in lieu of Annual fees:
 - President \$300 per meeting.
 - Councillors \$200 per meeting
1. Pursuant to Section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, council adopts the following annual allowances for elected members:
 - Travel Allowance – President - \$50
 - Travel Allowance – Councillor - \$50

2. Pursuant to Section 5.98(5) of the Local Government Act 1995 and regulation 33 of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - President \$5,000

PART F – MATERIAL VARIANCE REPORTING FOR 201Y/201Z

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2019/2020 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

COUNCIL RESOLUTION

MIN128/19 MOTION - Moved Cr. Steber 2nd Cr. Reid

That Council:

PART A – MUNICIPAL FUND BUDGET FOR 2019//2020

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9. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

PART C – GENERAL FEES AND CHARGES FOR 2019/2020

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 - i. 240ltr bin per weekly collection \$203 pa
 - ii. Additional Bins \$223.30 pa (GST Inclusive)
 - b. Commercial Premises
 - i. 240ltr bin per weekly collection \$203 pa
 - ii. Additional Bins \$223.30 pa (GST inclusive)
8. Pursuant to Section 67 of the Waste Avoidance and Resources Recovery Act 2007, and Section 6.16 of the Local Government Act 1995 council adopt the following charges for the deposit of domestic and commercial waste:
 - a. Kellerberrin Waste Transfer Station

Load or volume:

- *Trailer (6 x 4) – First Per Annum – Free*
- *Trailer (6 x 4) – After First Load Per Annum – \$30.00*
- *Trailer (8 x 5) – First Per Annum – Free*
- *Trailer (8 x 5) – After First Load Per Annum – \$40.00*
- *Commercial waste (per cubic metre) – Cost Recovery Plus 5%*
- *Bed Mattress - \$10 per mattress*

SIMPLE MAJORITY

PART E – ELECTED MEMBERS’ FEES AND ALLOWANCES FOR 2019/2020

- Pursuant to Section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996, council adopts the following meeting attendance fees for payment of elected members in lieu of Annual fees:*
 - *President \$300 per meeting.*
 - *Councillors \$200 per meeting*
- Pursuant to Section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, council adopts the following annual allowances for elected members:*
 - *Travel Allowance – President - \$50*
 - *Travel Allowance – Councillor - \$50*
- Pursuant to Section 5.98(5) of the Local Government Act 1995 and regulation 33 of the Local Government (Administration) Regulations 1996, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:*
 - *President \$5,000*

PART F – MATERIAL VARIANCE REPORTING FOR 201Y/201Z

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2019/2020 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.12
Subject:	CBH Worker Accommodation
Location:	Shire of Kellerberrin
Applicant:	Mr. Bernard Lim (CDM Projects)
File Ref:	
Disclosure of Interest:	N/A
Date:	15 th July 2019
Author:	Mr Lewis York, Town Planner

BACKGROUND

Council's March Ordinary Meeting of Council – 19th March 2019

MIN 041/19 MOTION - Moved Cr. Reid 2nd Cr. Leake

That Council after considering submissions received approves the development application and endorse the attached plans for worker accommodation to be located at 33 Bedford Street, Kellerberrin, with the following conditions;

GENERAL CONDITIONS

- 1. Development approval only in accordance with the Drawing No 2019-404-0080 Revision A dated 08/01/2019***
- 2. Development Approval will expire if the development is not substantially commenced within two years of the approval date; and***
- 3. The development to be fenced appropriately on the Northern, Southern and Eastern aspect to assist with noise reductions.***
- 4. The site shall be adequately screened with vegetation, to the desire of the Shire.***

Advice notes;

- 1. The provision of planning approval is not considered Building approval and such works should be accompanied with a building permit;***

Mr. Bernard Lim on behalf of CBH has contacted the Shire looking to make changes to the development application that was approved as per the conditions of approval. The changes include locating the kitchen at the front of the development.

SITE

The site is located on Bedford Street, Kellerberrin, which is in the North- East corner of the Kellerberrin townsite boundary. The lot is zoned 'Residential' and Coded 'R2' in *Local Planning*



Scheme No.4. The lot is predominately cleared with only four (4) trees existing on the western side (adjacent to Bedford street). Attached are photos of the entrance to the lot (Bedford St.)

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

NIL

POLICY IMPLICATIONS

Shire of Kellerberrin Local Planning Scheme No.4

3.2. OBJECTIVES OF THE ZONES

The objectives of the zones are —

3.2.1 Residential Zone

- (a) To retain the single dwelling as the predominant form of residential development in the Shire's townsites.
- (b) To provide for lifestyle choice in and around the townsites with a range of residential densities.
- (c) To allow for the establishment of non-residential uses subject to local amenities not being adversely affected.

3.3. ZONING TABLE

3.3.1. The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any uses is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

3.3.2. The symbols used in the cross reference in the Zoning Table have the following meanings —

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

‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.

‘X’ means a use that is not permitted by the Scheme.

TABLE 1 – ZONING TABLE

USE CLASSES	ZONES					
	RESIDENTIAL	TOWN CENTRE	INDUSTRIAL	GENERAL AGRICULTURE	RURAL TOWNSITE	RURAL RESIDENTIAL
RESIDENTIAL						
Aged or dependent persons dwelling	P	D	X	X	P	X
Caretaker's dwelling	X	D	D	D	P	X
Grouped dwelling	P	D	X	D	D	X
Home business	D	D	X	D	D	D
Home occupation	D	D	X	D	D	D
Home office	P	D	X	D	D	P
Home store	A	D	X	A	D	A
Multiple dwelling	D	X	X	X	X	X
Park home park	X	A	X	X	A	X
Repurposed dwelling <i>AMD 2 GG 12/09/17</i>	D	A	X	D	D	D
Residential building	A	X	X	X	A	X
Rural home business	X	X	X	D	X	D
Second-hand dwelling <i>AMD 2 GG 12/09/17</i>	D	A	X	D	D	D
Single Dwelling	P	A	X	P	P	P
Transportable dwelling	<i>DELETED BY AMD 2 GG 12/09/17</i>					

Use determination: In 2017, the term ‘Transportable dwelling’ was deleted from all local planning schemes in Western Australia. This resulted in the new use class terms of ‘re-purposed’ and ‘second hand’ dwellings. In February 2019, the Shire wrote to the Department of Planning, Lands and Heritage seeking clarity on the use proposed in the abovementioned application and it was advised the application should be considered outside the parameters of the Zoning table as a ‘use not listed’. A use not listed therefore requires Council discretion.

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:

The proposal was advertised to surrounding landowners from February to 1 March 2018.

Summary of Submissions Received:

Received: 20/02/19

Deborah Ware- 24 George Street, Kellerberrin

- Don't approve of the proposed worker accommodation
- Believes Kellerberrin currently provides sufficient levels of worker accommodation
- Query: Maintenance of property out of season?
- Query: Availability out of season?
- Poor aesthetical appeal of modular units

Received: 28/02/2019

Sean and Judi Conway- 33 Bedford St, Kellerberrin

- Don't approve of the proposed worker accommodation

PLANNING ASSESSMENT

The changes to the proposal do not rear any significant planning concerns. However two issues have been raised upon deliberation with the Shires CEO. These were that the building will face west towards inclement weather conditions and also the street which has a potential to promote increased noise levels than the original approved layout. Upon raising this potential issue with the applicant it was argued that the modified layout provides a public and private zone within the development.

STAFF RECOMMENDATION

That Council;

Approve the attached modified plans No. 2019-404-006 for worker accommodation to be located at 33 Bedford Street, Kellerberrin, with the following conditions;

GENERAL CONDITIONS

1. *Development may be carried out only in accordance with the details of the application as approved herein and any approved plan;*
2. *Development Approval will expire if the development is not substantially commenced within two years of the approval date; and*
3. *The East side of the worker accommodation shall be adequately screened with vegetation, to the desire of the Shire.*

COUNCIL RESOLUTION

MIN129/19 MOTION - Moved Cr. Steber

2ndCr. Leake

That Council;

Approve the attached modified plans No. 2019-404-006 for worker accommodation to be located at 33 Bedford Street, Kellerberrin, with the following conditions;

GENERAL CONDITIONS

- 1. Development may be carried out only in accordance with the details of the application as approved herein and any approved plan;*
- 2. Development Approval will expire if the development is not substantially commenced within two years of the approval date; and*
- 3. The East side of the worker accommodation shall be adequately screened with vegetation, to the desire of the Shire.*

CARRIED 6/0

Agenda Reference:	11.1.13
Subject:	Development Application: Shed
Location:	21 Mitchell Street, Kellerberrin
Applicant:	Sue Redman
File Ref:	IPA1972
Disclosure of Interest:	N/A
Date:	4 July 2019
Author:	Mr Lewis York, Town Planner

BACKGROUND

An application has been received from Ms. Sue Redman on behalf of Mr. Steven Teale to erect a shed at 21 Mitchell Street, Kellerberrin (Lot 132). Existing on the lot is a single house, carport and existing outbuilding that will be replaced by the proposed shed.



PLANNING ASSESMENT

Planning Scheme No.4

The subject lot is zoned 'Residential' under the Shires *Local Planning Scheme No.4*. The objectives of the zone are:

4.2.1 Residential Zone

- (a) *To retain the single dwelling as the predominant form of residential development in the Shire's townsites.*
- (b) *To provide for lifestyle choice in and around the townsites with a range of residential densities.*
- (c) *To allow for the establishment of non-residential uses subject to local amenities not being adversely affected.*

Comment: The proposal adheres to all relevant scheme provisions.

R-Codes (2015)

The Residential Design Codes (R-Codes) apply to this application as the land is Coded (10/40). The R-Codes set out a development standards, most of which apply to this application.

Part 5 – Design elements for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40		Page 34
Design principles	Deemed-to-comply	5.4 Building design
Development demonstrates compliance with the following design principles (P)	Development satisfies the following deemed-to-comply requirements (C)	
5.4.3 Outbuildings		
P3 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.	C3 Outbuildings that: <ul style="list-style-type: none"> i. are not attached to a dwelling; ii. are non-habitable; iii. collectively do not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser; iv. do not exceed a wall height of 2.4m; v. do not exceed ridge height of 4.2m; vi. are not within the primary or secondary street setback area; vii. do not reduce the amount of open space required in Table 1; and viii. are set back in accordance with Tables 2a and 2b. 	

Setbacks (Table 2b)

The shed will be setback 1.1m from the side boundary. The R-codes setback requirement is 1.5m. The new structure will sit on the existing footings of the current shed, therefore will be setback at the same distance. As the existing shed is outside the allowable setback no concerns are raised by this proposal.

Table 2a: Boundary setbacks - Walls with no major openings

Wall height (m)	Wall length (m)													
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25
3.5 or less*	1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4.0	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.7	1.7	1.8
4.5	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.7	1.7	1.7	1.8	2.0
5.0	1.1	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.8	1.8	1.8	1.9	2.0	2.3
5.5	1.2	1.5	1.5	1.5	1.6	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.3	2.5
6.0	1.2	1.5	1.5	1.5	1.6	1.8	1.9	2.0	2.0	2.1	2.1	2.2	2.4	2.8
6.5	1.2	1.5	1.5	1.6	1.7	1.9	2.0	2.1	2.1	2.2	2.2	2.3	2.7	3.0
7.0	1.2	1.5	1.5	1.6	1.8	2.0	2.1	2.2	2.2	2.3	2.4	2.5	2.8	3.3
7.5	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.3	2.3	2.4	2.5	2.6	3.0	3.5
8.0	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.4	2.4	2.5	2.6	2.7	3.1	3.8
8.5	1.4	1.6	1.7	1.8	2.0	2.2	2.3	2.5	2.6	2.7	2.8	2.9	3.3	4.1
9.0	1.4	1.7	1.7	1.8	2.0	2.3	2.4	2.6	2.7	2.8	2.9	3.0	3.6	4.3
9.5	1.4	1.7	1.8	1.9	2.1	2.4	2.5	2.7	2.8	2.9	3.0	3.2	3.8	4.6
10.0	1.5	1.8	1.9	2.0	2.2	2.4	2.6	2.8	2.9	3.0	3.1	3.3	4.0	4.8

Take the nearest higher value for all intermediate height and length values.

* Possible nil setback in accordance with clause 5.1.3.

Table 2b: Boundary setbacks - Walls with major openings

Wall height (m)	Wall length (m)													
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25
3.5 or less*	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4.0	1.8	2.0	2.2	2.4	2.5	2.7	2.8	3.0	3.1	3.3	3.4	3.6	4.5	5.0
4.5	2.0	2.2	2.4	2.6	2.8	3.0	3.1	3.2	3.4	3.7	3.8	4.0	4.8	5.4
5.0	2.3	2.5	2.6	2.8	3.0	3.2	3.3	3.5	3.7	3.9	4.0	4.2	5.1	5.7
5.5	2.5	2.7	2.9	3.1	3.3	3.5	3.6	3.7	3.9	4.2	4.4	4.6	5.5	6.0
6.0	2.8	3.0	3.1	3.3	3.5	3.8	3.9	4.0	4.2	4.5	4.7	4.9	5.7	6.3
6.5	3.0	3.2	3.4	3.6	3.8	4.0	4.1	4.2	4.4	4.7	4.9	5.2	6.1	6.6
7.0	3.3	3.5	3.7	3.8	4.1	4.3	4.4	4.6	4.8	5.0	5.2	5.5	6.4	7.0
7.5	3.5	3.7	3.9	4.2	4.4	4.6	4.7	4.9	5.1	5.3	5.5	5.7	6.6	7.3
8.0	3.8	4.0	4.2	4.4	4.6	4.8	5.0	5.2	5.4	5.6	5.8	6.0	7.0	7.7
8.5	4.0	4.3	4.5	4.7	4.9	5.2	5.3	5.5	5.7	5.9	6.1	6.3	7.3	8.0
9.0	4.3	4.5	4.7	5.0	5.2	5.4	5.6	5.8	6.0	6.2	6.4	6.6	7.6	8.3
9.5	4.6	4.8	5.0	5.2	5.4	5.7	5.8	6.0	6.2	6.4	6.6	6.9	8.0	8.7
10.0	4.8	5.0	5.2	5.4	5.7	6.0	6.1	6.3	6.5	6.7	6.9	7.2	8.2	9.0

Take the nearest higher value for all intermediate height and length values.

Table 1: General site requirements for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40

1 R-Code	2 Dwelling type	3 Minimum site area per dwelling (m ²) ◆	4 Minimum lot area/rear battlexe (m ²) ▼	5 Minimum frontage (m) ▼	6 Open space		7 Minimum setbacks (m)		
					min total (% of site)	min outdoor living (m ²)	primary street	secondary street ●	other/rear
R2	Single house or grouped dwelling	Min 5000	-	50	80	-	20	10	10
R2.5	Single house or grouped dwelling	Min 4000	-	40	80	-	15	7.5	7.5
R5	Single house or grouped dwelling	Min 2000	-	30	70	-	12	6	*6
R10	Single house or grouped dwelling	Min 875 Av 1000	925	20	60	-	7.5	3	*6
R12.5	Multiple dwelling	1000	-	-	60	-	7.5	3	*6
	Single house or grouped dwelling	Min 700 Av 800	762.5	17	55	-	7.5	2	*6
R15	Multiple dwelling	800	-	-	55	-	7.5	2	*6
	Single house or grouped dwelling	Min 580 Av 666	655	12	50	-	6	1.5	*6
R17.5	Multiple dwelling	666	-	-	50	-	6	1.5	*
	Single house or grouped dwelling	Min 500 Av 571	587.5	12	50	36	6	1.5	*
R20	Multiple dwelling	571	-	-	-	-	6	1.5	*
	Single house or grouped dwelling	Min 350 Av 450	450	10	50	30	6	1.5	*
R25	Multiple dwelling	450	-	-	50	-	6	1.5	*
	Single house or grouped dwelling	Min 300 Av 350	425	8	50	30	6	1.5	*
R30	Multiple dwelling	350	-	-	50	-	6	1.5	*
	Single house or grouped dwelling	Min 260 Av 300	410	-	45	24	4	1.5	*
R35	Multiple dwelling	300	-	-	45	-	4	1.5	*
	Single house or grouped dwelling	Min 220 Av 260	395	-	45	24	4	1.5	*
R40	Multiple dwelling	260	-	-	45	-	4	1.5	*
	Single house or grouped dwelling	Min 180 Av 220	380	-	45	20	4	1	*
R50	Single house or grouped dwelling	Min 160 Av 180	380	-	40	16	2	1	*
R60	Single house or grouped dwelling	Min 120 Av 150	380	-	40	16	2	1	*
R80	Single house or grouped dwelling	Min 100 Av 120	380	-	30	16	1	1	*

All standards for single house or grouped dwellings within R100, R160 and R-AC areas are as for the R80 Code

Legend

- ◆ subject to variations permitted under clause 5.1.1 C1.4
- ▼ only applies to single houses
- secondary street: includes communal street, private street, right-of-way as street
- indicated not applicable
- * see Tables 2a and 2b and clause 5.1.3
- Av. average site area

Minimum Open Space Requirements (Table 1)

Minimum Open Space required by R-Codes: 60%

Area of Buildings: 267m²

Lot Area: 2,018m²

Open Space on lot 196: 75%

The new shed will not exceed open space requirements.

Using Discretion

As the application does not satisfy all the provisions of the R-Codes (principles C3iii and iv), Council can use its discretion to either a) approve b) approve with conditions or c) refuse the application under clause 2.4 of the R-Codes.

As the proposal breaches one of the R Codes requirements, (table 2-setbacks) Council approval is required and therefor discretion can be applied.

2.3 Planning approval for single houses on small lots

Planning approval is required for the erection of a single house on any lot smaller than 260m², except where the single house complies with a **local structure plan or local development plan**.

2.4 Judging merit of proposals

Where a proposal does not meet **deemed-to-comply** provision(s) of the R-Codes and addresses **design principle(s)**, the **decision-maker** is required to exercise judgement to determine the proposal.

Judgement of merit is exercised only for specific element(s) of a proposal which do not satisfy the relevant deemed-to-comply provision(s).

2.5 Exercise of judgement

2.5.1

Subject to clauses 2.5.2 and 2.5.3, the **decision-maker** is to exercise its judgement to consider the merits of proposals having regard to objectives and balancing these with the consideration of **design principles** provided in the R-Codes.

The decision-maker, in its assessment of a proposal that addresses the design principle(s), should not apply the corresponding **deemed-to-comply** provision(s).

2.5.2

In making a determination on the suitability of a proposal, the **decision-maker** shall exercise its judgement, having regard to the following:

- (a) any relevant purpose, objectives and provisions of the **scheme**;
- (b) any relevant objectives and provisions of the R-Codes;
- (c) a provision of a **local planning policy** adopted by the decision-maker consistent with and pursuant to the R-Codes; and
- (d) orderly and proper planning.

2.5.3

The **decision-maker** shall not vary the minimum or average **site area** per **dwelling** requirements set out in **Table 1** (except as provided in the R-Codes or the **scheme**).

2.5.4

The **decision-maker** shall not refuse to grant approval to an application where the application satisfies the **deemed-to-comply** provisions of the R-Codes and the relevant provisions of the **scheme** and any relevant **local planning policy**.

2.5.5

For the purpose of the R-Codes, a **local structure plan, local development plan or local planning policy**, will only be a relevant consideration in the exercise of judgement where it is:

- (a) specifically sanctioned by a provision of the R-Codes;
- (b) consistent with the **design principles** of the R-Codes; and
- (c) consistent with the objectives of the R-Codes.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

NIL

POLICY IMPLICATIONS

Local Planning Policy- Outbuildings

In 2018 Council approved a new Local Planning Policy which sets out provisions for total allowable area of outbuildings, wall height and ridge height restrictions. These provisions provide more relevant assessment criteria for Kellerberrin than the relevant deemed to comply requirements in the R Codes.

7.0 MAXIMUM DEVELOPMENT REQUIREMENTS

7.1 Maximum standards for outbuildings in R-Codes areas

(includes: Residential, Rural Residential and Rural Townsite zones as seen on Scheme Map)

7.1.1 In addition to the deemed-to-requirements of Part 5.4.3, C3 iii, iv and v of the R-Codes*, the following shall apply:

*(Part C3:i, ii, vi and viii of the R-Codes are still applicable)

R-Coded Areas and Zones:	Gross Total Area of Outbuildings (m ² or % of site area)	Wall Height (m)	Ridge Height* (m)
R2 (Residential and Rural Residential)	200m ² or 10% of the site area, whichever is lesser	4	5.5
R 2.5 - 5 (Residential)			
Lots less than 2000m ²	150m ² or 10% of the site area, whichever is lesser	3.5	4.5
Lots greater than 2000m ²	180m	3.5	4.5
R 10-40 (Residential and Rural Townsite)			
Lots less than 1000m ²	80m ² or 10% of the site area, whichever is lesser	3.5	4.5
Lots greater than 1000m ²	100m ² or 10% of the site area, whichever is lesser	3.5	4.5

*(Maximum Ridge Height is to be measured from natural ground level)

Area of outbuildings:

Allowed under LPP: 100m²

Proposed: 64m²

Wall Height under LPP: 3.5m

Proposed: 3.3m

Ridge Height LPP: 4.5m

Proposed: 4m

The proposal adheres to all clauses in the Shires LPP. Therefore raising no significant planning concerns. The shed will be constructed of new steel materials.

STATUTORY IMPLICATIONS

As Above

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 grants conditional development approval for the construction of a shed that will exceed the following prescriptions in Residential Codes, State Planning Policy 3.1 by:

- a) Boundary Setback: 1.5m (proposed 1.1m)*

GENERAL CONDITIONS:

- i. Planning approval will expire if the development is not substantially commenced within two years of this approval;*
- ii. The endorsed approved plans shall not be altered without prior written approval of the Shire;*
- iii. Use of the building shall be for domestic purposes only; and*
- iv. The outbuilding shall not be used for human habitation at any given time.*

Advice Note: Planning approval is not considered building approval. A building permit shall also be obtained.

COUNCIL RESOLUTION

MIN130/19 MOTION - Moved Cr. Leake 2nd Cr. Steber

That Council grants conditional development approval for the construction of a shed that will exceed the following prescriptions in Residential Codes, State Planning Policy 3.1 by:

- a) Boundary Setback: 1.5m (proposed 1.1m)***

GENERAL CONDITIONS:

- i. Planning approval will expire if the development is not substantially commenced within two years of this approval;***
- ii. The endorsed approved plans shall not be altered without prior written approval of the Shire;***
- iii. Use of the building shall be for domestic purposes only; and***
- iv. The outbuilding shall not be used for human habitation at any given time.***

Advice Note: Planning approval is not considered building approval. A building permit shall also be obtained.

CARRIED 6/0

3.40pm At this time the Town Planner left the meeting.

Agenda Reference:	11.1.14
Subject:	Direct Debit List and Visa Card Transactions for the month June 2019
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	1st July 2019
Author:	Brett Taylor- Senior Finance Officer

BACKGROUND

Municipal Direct Debit List

Date	Name	Details	\$	Amount
3-Jun-19	Westnet	Internet Fees		4.99
6-Jun-19	Shire of Kellerberrin	Creditors	211,206.92	
10-Jun-19	Department of Transport	Vehicle Inspections		108.56
11-Jun-19	Department of Housing	Rent		420.00
13-Jun-19	DLL	Photocopier Rent		265.21
13-Jun-19	Shire of Kellerberrin	Superchoice		7,609.44
13-Jun-19	Shire of Kellerberrin	Payrun	50,302.73	
20-Jun-19	Department of Housing	Rent		420.00
20-Jun-19	Shire of Kellerberrin	Creditors		5,940.00
21-Jun-19	Shire of Kellerberrin	ATO -BAS May 2019		6,582.00
21-Jun-19	Shire of Kellerberrin	Creditors	206,069.93	
28-Jun-19	NAB	B-Pay Fees		11.96
28-Jun-19	NAB	Bank Fees		41.00
28-Jun-19	NAB	Bank Fees		45.80
28-Jun-19	NAB	Merchant Fees		4.19
28-Jun-19	NAB	Merchant Fees		68.76
28-Jun-19	NAB	Merchant Fees - C/Park		81.80
28-Jun-19	NAB	Merchant Fees - CRC		252.24
28-Jun-19	Shire of Kellerberrin	Superchoice		10,454.14
28-Jun-19	Shire of Kellerberrin	Creditors		15,253.97
TOTAL			\$	515,143.64

Trust Direct Debit List

Date	Name	Details	\$	Amount
30-Jun-19	Department Licencing	Licencing June 2019		58,168.75
TOTAL			\$	58,168.75

Visa Transactions

Date	Name	Details	\$	Amount
03-Jun-19	Shell Meckering	Fuel KE1		184.53
17-Jun-19	Godfreys	Vacuum Bags Club/Rec Centre		124.75
18-Jun-19	Shire of Kellerberrin	Licencing New Fire Truck		59.85
28-Jun-19	NAB	Card Fee		9.00
TOTAL - CEO			\$	378.13
TOTAL - DCEO				0.00
TOTAL VISA TRANSACTIONS			\$	378.13

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

STRATEGIC PLAN IMPLICATIONS - Nil

CORPORATE BUSINESS PLAN IMPLICATIONS - Nil

TEN YEAR FINANCIAL PLAN IMPLICATIONS - Nil

COMMUNITY CONSULTATION – Nil

ABSOLUTE MAJORITY REQUIRED – No

STAFF RECOMMENDATION

1. *That the Direct Debit List for the month of June 2019 comprising;*
 - a) *Municipal Fund – Direct Debit List*
 - b) *Trust Fund – Direct Debit List*
 - c) *Visa Card Transactions*

Be adopted.

COUNCIL RESOLUTION

MIN131/19 MOTION - Moved Cr. Reid

2nd Cr. Steber

1. ***That the Direct Debit List for the month of June 2019 comprising;***
 - a) ***Municipal Fund – Direct Debit List***
 - b) ***Trust Fund – Direct Debit List***
 - c) ***Visa Card Transactions***

Be adopted.

CARRIED 6/0

Agenda Reference:	11.1.15
Subject:	Cheque List June 2019
Location:	Shire of Kellerberrin
Applicant:	N/A
File Ref:	N/A
Record Ref:	N/A
Disclosure of Interest:	N/A
Date:	12 th July 2019
Author:	Morgan Ware, Finance Officer

BACKGROUND

Accounts for payment from 1st June 2019 – 30th June 2019

TRUST

TRUST TOTAL	\$ 7,262.18
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MUNICIPAL FUND

Cheque Payments

34606 - 34623

\$ 45,486.83

EFT Payments

9578 - 9597

\$ 438,470.82

Direct Debit Payments

\$ 26,791.84

TOTAL MUNICIPAL

\$ 445,733.00

COMMENT

During the month of June 2019, the Shire of Kellerberrin made the following significant purchases:

Evoked Living Homes

\$ 123,396.22

Construction of Two (GROH) Houses on 72 Hammond Street, Kellerberrin
As per Tender and Contract 01-18

Western Australian Treasury Corporation

\$ 53,815.35

Loan No. 118 Interest payment - Rec Centre Redevelopment, Loan No. 120 Principal payment - Construction of Two GROH Houses, Loan No. 120 Interest payment - Construction of Two GROH Houses

Smith Earthmoving Pty Ltd

\$ 49,318.50

Gravel push up 20000 M3 Giles pit, Hire semi and trailer for road works, 99hrs for Baandee North project

United Card Services Pty Ltd

\$ 25,997.52

Fuel Purchases, May 19

E Giles & Co.

\$ 20,570.00

Supply of gravel (8012m3 @ 1.00/m), Supply of gravel (12558m3 @ 1.00/m)

Avon Waste

\$ 16,233.99

Domestic refuse collection- 479 @ 1.67 x 5 wks, Commercial Refuse Collection, 64 @ 1.67 x 5 weeks, Recycling Bins, 26th April 19, Additional Recycling Bulk Bins, 26th April 19, Cardboard Only Service, 4th 18th April 19, Transport Collection waste to Northam, KBN Hospital, 10 @ 1.67 x 4 weeks, Dryandra, 13 @ 1.67 x 4 weeks, KDHS, 12 @ 1.67 x 4 weeks, Caravan Park, 12 @ 1.67 x 4 weeks, Swimming Pool, 2 @ 1.67 x 4 weeks, Recreation Centre 10 @ 1.67 x 4 weeks, CRC 3 @ 1.67 x 4 weeks, Shire Office 3 @ 1.67 x 4 weeks, Hall 4 @ 1.67 x 4 weeks, Medical Centre 1 @ 1.67 x 4 weeks, Golf Club 4 @ 1.67 x 4 weeks, Service Transfer Station 17th April 19

Water Corporation	\$ 14,105.40
Water Charges for Shire owned facilities, 04/04/2019 to 05/06/2019	
Western Australian Treasury Corporation	\$ 12,682.59
Loan No. L117 Interest payment & Principal payment	
Innes & Co	\$ 11,654.50
Hire semi-trailer, KE604 & 1TOA618, 22nd to 30th March 19, 59hours, Hire semi and trailer, KE604 & 1TO617, 02/05/2019, 11/05/2019, 12/04/2019, 22.5hrs	
DKT Rural Agencies	\$ 11,614.30
Purchase 11 x 375 mm and 2 x 450mm stormpro pipes, Various chemicals for weed control on road side and town blocks Kellerberrin and Doodlakine, and vacant land, 2 packs droppers, 117cm	
WA Local Government Superannuation Plan Pty Ltd	\$ 7,861.16
Payroll Deductions	
R Munns Engineering Consulting Services	\$ 7,801.02
Consulting work on the reconstruction of Baandee North Rd project from SLK 10.54 to 16.54, mainly setting out of the work, 3 site visits & 6 days on site, Travel	
Fire And Emergency Services (WA)	\$ 7,161.89
18/19 ESL Quarter 4 in accordance with Dept of Fire and Emergency services of WA act	
Synergy	\$ 7,029.50
Streetlights Tariff Charge (257), Power consumption for Recreation Centre	
Deputy Commissioner Of Taxation	\$ 6,582.00
PAYG Tax	
Farmways Kellerberrin Pty Ltd	\$ 6,227.13
Purchase of laundry trough for DCEO house, Fence dropper 25 pack, Fence dropper bundle 25, K16030GB – Post hole borer gearbox, 20kg grease bucket, 2 x Large gas bottles for BBQ & kitchen at Caravan Park, 2 x Large Gas Bottles and other misc. items under \$100	
WA Local Government Superannuation Plan Pty Ltd	\$ 6,108.37
Payroll Deductions	
WCS Concrete Pty Ltd	\$ 6,094.00
Supply stable sand for floodway, Supply of 2m/3 of veggie mix soil collected ex yard, Supply & Delivery of 4.6m/3 of 20MPA concrete to Kellerberrin Caravan Park, Supply of 2t of concrete sand for Caravan Park, collected ex yard	
PW & PM Graham	\$ 5,940.00
Works on Post Office at the CRC, Repair door at Rec Centre Gym, Setting up & laying shed pads	
Water Corporation	\$ 5,919.99
Water Charges for standpipes from 10th Apr- 13th June 19	

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 June 2019, 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 \$ 445,733.00 on vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling \$ 7,262.18 on vouchers EFT, CHQ, Direct payments*

COUNCIL RESOLUTION

MIN132/19 MOTION - Moved Cr. McNeil

2nd Cr. Reid

That Council notes that during the month of June 2019, 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 \$ 445,733.00 on vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling \$ 7,262.18 on vouchers EFT, CHQ, Direct payments*

CARRIED 6/0

Agenda Reference:	11.1.16
Subject:	Financial Management Report for June 2019
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	
Record Ref:	
Disclosure of Interest:	
Date:	12 July 2019
Author:	Kate Dudley, Deputy Chief Executive Officer

BACKGROUND

Enclosed is the Monthly Financial Report for the month of June 2019.

FINANCIAL IMPLICATIONS (ANNUAL BUDGET)

Financial Management of 2018/2019 Budget

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

Yes

STAFF RECOMMENDATION

That the Financial Report for the month of June 2019 comprising;

- d) *Statement of Financial Activity*
- e) *Note 1 to Note 13*

Be adopted.

COUNCIL RESOLUTION

MIN134/19 MOTION - Moved Cr. O'Neill

2nd Cr. McNeil

That the Financial Report for the month of June 2019 comprising;

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

Be adopted.

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.17
Subject:	Shire of Kellerberrin – Private and Confidential Items
Location:	Shire of Kellerberrin
Applicant:	Shire of Kellerberrin
File Ref:	Various
Disclosure of Interest:	N/A
Date:	15 th July 2019
Author:	Mr Raymond Griffiths, Chief Executive Officer

BACKGROUND

Council wish to move behind closed doors to discuss Interim Audit – Annual Financial Report findings.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

5.23. Meetings generally open to public

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

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

STAFF RECOMMENDATION

That Council, in accordance with Section 5.23 (2) (a) of the Local Government Act 1995, moves behind closed doors to discuss Interim Audit – Annual Financial Report findings

COUNCIL RESOLUTION

MIN135/19 MOTION - Moved Cr. Steber 2nd Cr. Leake

That Council, in accordance with Section 5.23 (2) (a) of the Local Government Act 1995, moves behind closed doors to discuss Interim Audit – Annual Financial Report findings

CARRIED 6/0

Agenda Reference:	11.1.18
Subject:	Interim Audit – Annual Financial Report findings
Location:	Shire of Kellerberrin
Applicant:	Office of the Auditor General
File Ref:	
Record Ref:	
Disclosure of Interest:	
Date:	12 July 2019
Author:	Kate Dudley, Deputy Chief Executive Officer

This report is confidential under Section 5.23 - 2(c) of the Local Government Act 1995 in that it deals with “a matter affecting an employee or employees”.

COMMITTEE/STAFF RECOMMENDATION

That Council endorse the findings and management comments to the Interim Audit Report as presented.

COUNCIL RESOLUTION

MIN136/19 MOTION - Moved Cr. Steber

2nd Cr. Reid

That Council endorse the findings and management comments to the Interim Audit Report as presented.

CARRIED 6/0

COUNCIL RESOLUTION

MIN137/19 MOTION - Moved Cr. Leake

2nd Cr. O'Neill

That Council moves from behind closed doors

CARRIED 6/0

DEVELOPMENT SERVICES – AGENDA ITEM

Agenda Reference:	11.2.1
Subject:	Building Returns: June 2019
Location:	Shire of Kellerberrin
Applicant:	Various
File Ref:	BUILD06
Disclosure of Interest:	Nil
Date:	1 st July 2019
Author:	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 two (2) applications received for a "Building Permit" during the June period. A copy of the "Australian Bureau of Statistics appends".
2. There was one (1) "Building Permits" issued in the June 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

NO

STAFF RECOMMENDATION

That Council

1. *Acknowledge the "Return of Proposed Building Operations" for the June 2019 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the June 2019 period.*

COUNCIL RESOLUTION

MIN138/19 MOTION - Moved Cr. Reid 2nd Cr. McNeil

That Council;

1. ***Acknowledge the "Return of Proposed Building Operations" for the June 2019 period.***
2. ***Acknowledge the "Return of Building Permits Issued" for the June 2019 period.***

CARRIED 6/0

11.3 WORKS & SERVICES – AGENDA ITEMS

Nil

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

Nil

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

Nil

CLOSURE OF MEETING

The presiding member closed the meeting at 4.19pm

NEXT MEETING DATES

Ordinary Council Meeting Tuesday 20th August 2019