



MINUTES

Special Council Meeting Wednesday, 31 March 2021

Date: Wednesday, 31 March 2021

Time: 07.45

**Location: Council Chamber
110 Massingham Street
Kellerberrin WA 6410**

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**MINUTES OF SHIRE OF KELLERBERRIN
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 110 MASSINGHAM STREET, KELLERBERRIN WA 6410
ON WEDNESDAY, 31 MARCH 2021 AT 07.45 AM**

1 DECLARATION OF OPENING

The Presiding member opened the at 7.50 am.

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT:

Cr Rod Forsyth (Shire President)
Cr Scott O'Neill (Deputy President)
Cr Wendy McNeil
Cr Matt Steber
Cr Dennis Reid
Cr Emily Ryan

IN ATTENDANCE:

Mr Raymond Griffiths (Chief Executive Officer)
Mr Lenin Pervan (Deputy Chief Executive Officer)

APOLOGIES

Cr David Leake

LEAVE OF ABSENCE

Nil

3 DECLARATION OF INTEREST

Note: Under Section 5.60 – 5.62 of the Local Government Act 1995, care should be exercised by all Councillors to ensure that a “financial interest” is declared and that they refrain from voting on any matters which are considered may come within the ambit of the Act.

A Member declaring a financial interest must leave the meeting prior to the matter being discussed or voted on (unless the members entitled to vote resolved to allow the member to be present). The member is not to take part whatsoever in the proceedings if allowed to stay.

4 PUBLIC QUESTION TIME

Council conducts open Council meetings. Members of the public are asked that if they wish to address the Council that they state their name and put the question as precisely as possible. A maximum of 15 minutes is allocated for public question time. The length of time an individual can speak will be determined at the President's discretion.

4.1 Response to Previous Public Questions taken on Notice

4.2 Public Question Time

5 PRESENTATIONS

5.1 Petitions

5.2 Presentations

5.3 Deputations

6 CORPORATE SERVICES REPORTS

6.1 COMPLIANCE AUDIT RETURN 2020

File Ref: FIN01
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Compliance Audit Return

BACKGROUND

Council's March 2021 Audit Committee Meeting – 31 March 2021

Council's officers provided the below recommendation to the Council Audit Committee for adoption.

That the Audit Committee;

- 1. Having received the 2020 Compliance Audit Return (Attachment A), recommend to Council to adopt the 2020 Compliance Audit Return; and***
- 2. Recommend that Council authorises the Shire President and Chief Executive Officer to sign in joint the Certificate.***
- 3. Recommend to Council that it authorises the CEO to submit the CAR to the department by 31 March 2021.***

The Compliance Audit Return (CAR) is a statutory reporting tool that seeks to evaluate the Shire's compliance with targeted sections of the Local Government Act 1995 during the period 1 January 2020 to 31 December 2020.

The Shire has completed the 2020 CAR and it is included in this report at Attachment 1 for the Audit Committee's consideration and Council decision. The complete 2020 CAR is recommended for adoption, after which it will be lodged with the Department of Local Government, Sport and Cultural Industries (the Department) as required by 31 March 2021.

STAFF COMMENT

In completing the 2020 CAR, Council's Management have undertaken an audit of the Shire's activities, practices and procedures in line with the Act and its associated Regulations.

Council's staff have some new regulations that need to be fulfilled and added to our new compliance calendar from the new regulations that have been adopted. Majority of these regulations relate to advertising of Registers on the Website and some new Council policies.

Finance

Item 11 – Due to the new regulations required for the Annual Financial Report the reports were all held back after the audit was complete until a final decision was made on the new regulations. The new regulations came into effect in late November 2020.

Optional Questions

Item 5 - (Events attendance policy) – The policy hasn't been completed, this was an oversight which has been rectified and will be presented to Council's April 2021 Council Meeting for adoption.

Item 6 – (Events attendance register) There was no attendance by Councillors at events, a register has now been uploaded to the website.

Item 8 – (Professional Development Policy) – Council had a training policy however it didn't include the statutory required training elements, therefore a new one has been created for adoption at the April 2021 meeting.

TEN YEAR FINANCIAL PLAN

NIL

FINANCIAL IMPLICATIONS

NIL

STATUTORY IMPLICATIONS

Section 7.13 of the Local Government Act 1995 provides for the making of Regulations in regards to Audits.

Regulation 13 of the Local Government (Audit) Regulations 1996 prescribes the statutory requirements for which compliance audit needed.

Regulations 14 and 15 of the Local Government (Audit) Regulations 1996 state the following:

14. Compliance audits by local governments
 - (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
 - (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
 - (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
 - (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –
 - (a) presented to council at a meeting of the council; and
 - (b) adopted by council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO
 - (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with-
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.

- (2) In this regulation – certified in relation to a compliance audit return means signed by
- (a) the mayor or president; and
 - (b) the CEO.

STRATEGIC COMMUNITY PLAN

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community
3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny

COMMUNITY CONSULTATION

Chief Executive Officer

Deputy Chief Executive Officer

CEO Personal Assistant

STAFF RECOMMENDATION

That Council;

1. Adopt the 2020 Compliance Audit Return; and
2. Authorises the Shire President and Chief Executive Officer to sign in joint the Certificate.
3. Authorises the CEO to submit the CAR to the department by 31 March 2021.

COUNCIL RESOLUTION

MIN 028/21

MOTION - Moved Cr. McNeil

Seconded Cr. Ryan

That Council;

- 1. Adopt the 2020 Compliance Audit Return; and***
- 2. Authorises the Shire President and Chief Executive Officer to sign in joint the Certificate.***
- 3. Authorises the CEO to submit the CAR to the department by 31 March 2021.***

CARRIED 6/0

- 7 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 8 CLOSURE OF MEETING**

The Meeting closed at 7.52am.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Shire of Kellerberrin held on 20 April 2021.

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CHAIRPERSON