



MINUTES

Ordinary Council Meeting Tuesday, 21 February 2023

Date: Tuesday, 21 February 2023

Time: 4:00pm

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

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**MINUTES OF SHIRE OF KELLERBERRIN
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 110 MASSINGHAM STREET, KELLERBERRIN WA 6410
ON TUESDAY, 21 FEBRUARY 2023 AT 4:00PM**

1 DECLARATION OF OPENING

The presiding member opened the meeting at 4:03pm

2 ANNOUNCEMENT BY PRESIDING PERSON WITHOUT DISCUSSION

3 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT:

Cr Matt Steber (Shire President),
Cr Emily Ryan (Deputy President),
Cr Rod Forsyth,
Cr David Leake,
Cr Dennis Reid,
Cr Monica Gardiner,
Cr Kelsey Pryer

IN ATTENDANCE:

Raymond Griffiths (Chief Executive Officer),
Codi Brindley-Mullen (Manager of Governance)

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

4 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.

5 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.

5.1 Response to Previous Public Questions taken on Notice

5.2 Public Question Time

6 CONFIRMATION OF PREVIOUS MEETINGS MINUTES

6.1 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 7 DECEMBER 2022

File Ref: MIN
Author: Codi Brindley-Mullen, Manager of Governance
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Minutes of the Special Council Meeting held on 7 December 2022

HEADING

STAFF RECOMMENDATION

That the Minutes of the Special Council Meeting held on 7 December 2022 be received as a true and accurate record.

COUNCIL RESOLUTION

MIN 001/23 MOTION - Moved Cr. Leake Seconded Cr. Pryer

That the Minutes of the Special Council Meeting held on 7 December 2022 be received as a true and accurate record.

CARRIED 7/0

6.2 MINUTES OF THE COUNCIL MEETING HELD ON 20 DECEMBER 2022

File Ref: ADM
Author: Codi Brindley-Mullen, Manager of Governance
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Minutes of the Council Meeting held on 20 December 2022

HEADING

December 2022 Council Meeting Minutes

STAFF RECOMMENDATION

That the Minutes of the Council Meeting held on 20 December 2022 be received as a true and correct record of the meeting.

COUNCIL RESOLUTION

MIN 002/23 **MOTION - Moved Cr. Forsyth** **Seconded Cr. Gardiner**

That the Minutes of the Council Meeting held on 20 December 2022 be received as a true and correct record of the meeting.

CARRIED 7/0

6.3 MINUTES OF THE ARTS & CULTURE COMMITTEE MEETING HELD ON 15 FEBRUARY 2023

File Ref: ADM
Author: Codi Brindley-Mullen, Manager of Governance
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Minutes of the Arts & Culture Committee Meeting held on 15 February 2023

HEADING

STAFF RECOMMENDATION

That the Minutes of the Arts & Culture Committee Meeting held on 15 February 2023 be received and the recommendations therein be adopted.

COUNCIL RESOLUTION

MIN 003/23 MOTION - Moved Cr. Ryan Seconded Cr. Forsyth

That the Minutes of the Arts & Culture Committee Meeting held on 15 February 2023 be received and the recommendations therein be adopted.

CARRIED 7/0

7 PRESENTATIONS

7.1 Petitions

7.2 Presentations

7.3 Deputations

8 REPORTS OF COMMITTEES

Nil

9 CORPORATE SERVICES REPORTS

9.1 COMMUNITY REQUESTS AND DISCUSSION ITEMS

File Ref: Various
Author: Codi Brindley-Mullen, Manager of Governance
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

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.

December 2022 Council Meeting

MIN 201/22 MOTION - Moved Cr. Forsyth Seconded Cr. Pryer

That Council;

- 1. Rectify Ski Lake Road with the current corrugations and pot hole;***
- 2. Acknowledge communication regarding Centenary Park;***
- 3. Acknowledge communication regarding RAV review requests;***
- 4. Follow up on its Gravel Agreements and processes.***

CARRIED 7/0

November 2022 Council Meeting

MIN 184/22 MOTION - Moved Cr. Forsyth Seconded Cr. Leake

That Council;

- 1. Provide a letter of in principal support to the Kellerberrin Men’s Shed for the hosting of their Inaugural Western Australian Festival of Men’s Sheds;***
- 2. Provide a letter of support to the Kellerberrin District High School, School Board regarding 2023 operations; and***
- 3. Acknowledge the advertising for expressions of interest for the operation of family day care services in Kellerberrin.***

October 2022 Council Meeting

MIN 165/22 MOTION - Moved Cr. Forsyth Seconded Cr. Pryer

That Council investigate the purchase of instructional signage for Baandee Lake.

CARRIED 7/0

STAFF COMMENT

December MIN 201/22

1. Ski Lake Road and pot hole rectified;
2. No action required;
3. No action required;
4. Gravel agreements followed up and process completed. Outstanding payment were made and agreements signed and filed.

November MIN 184/22

1. Letter sent to Kellerberrin Mens Shed on 16th November 2022
2. Letter issued via email on 16th November 2022 to Department of Education, Doug Cook, Ministers, Mia Davies & Darren Legh. Council received a written response from both the Department and Mia Davies.
3. Completed and Advertised.

October MIN 165/22

Design and pricing being investigated

TEN YEAR FINANCIAL PLAN

This does not directly affect the long term financial plan.

FINANCIAL IMPLICATIONS

Financial implications will be applicable depending on requests and decision of council.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

Section 2.7. The role of the council

- (1) The council —
 - (a) governs 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 2.7 amended: No. 17 of 2009 s. 4.]

Section 2.8. The role of the mayor or president

- (1) The mayor or president —
 - (a) presides at meetings in accordance with this Act; and
 - (b) provides leadership and guidance to the community in the district; and
 - (c) carries out civic and ceremonial duties on behalf of the local government; and
 - (d) speaks on behalf of the local government; and
 - (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; and
- (b) provides leadership and guidance to the community in the district; and
- (c) facilitates communication between the community and the council; and
- (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: 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: No. 64 of 1998 s. 30; amended: 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; or
 - (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; or
 - (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: 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 an electoral gift to the relevant person in relation to the election at which the relevant person was last elected; or
 - (ii) has given an electoral gift to the relevant person since the relevant person was last elected;
- or
- (eb) the relevant person is a council member and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last elected; or
 - (ec) the relevant person is a CEO and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last employed (or appointed to act) in the position of CEO; 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.

(1A) Subsection (1)(eb) and (ec) apply to a gift if —

- (a) either —
 - (i) the amount of the gift exceeds the amount prescribed for the purposes of this subsection; or

- (ii) the gift is 1 of 2 or more gifts made by 1 person to the relevant person at any time during a year and the sum of the amounts of those 2 or more gifts exceeds the amount prescribed for the purposes of this subsection;
- and
- (b) the gift is not an excluded gift under subsection (1B).
- (1B) A gift is an excluded gift —
- (a) if —
 - (i) the gift is a ticket to, or otherwise relates to the relevant person's attendance at, an event as defined in section 5.90A(1); and
 - (ii) the local government approves, in accordance with the local government's policy under section 5.90A, the relevant person's attendance at the event;
- or
- (b) if the gift is in a class of gifts prescribed for the purposes of this subsection.

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; or
 - (b) an interest in the imposition of any rate, charge or fee by the local government; or
 - (c) an interest relating to —
 - (i) 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; or
 - (ii) a gift permitted by section 5.100A; or
 - (iii) reimbursement of an expense that is the subject of regulations made under section 5.101A;
- or
- (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;
- or
- [(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; or
 - (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; or
 - (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; or
 - (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; or
 - (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: 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; No. 26 of 2016 s. 12.]

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.
- (1A) Subsection (1) does not apply if —
 - (a) the interest disclosed is an interest relating to a gift; and
 - (b) either —
 - (i) the amount of the gift exceeds the amount prescribed for the purposes of this subsection; or
 - (ii) the gift is 1 of 2 or more gifts made by 1 person to the disclosing member at any time during a year and the sum of the amounts of those 2 or more gifts exceeds the amount prescribed for the purposes of this subsection.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with —
 - (a) the extent of any participation allowed by the council or committee; and
 - (b) if the decision concerns an interest relating to a gift, the information prescribed for the purposes of this paragraph.
- (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.

[Section 5.68 amended: No. 16 of 2019 s. 30.]

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.
- (5) A decision under this section must be recorded in the minutes of the meeting relating to the matter.

[Section 5.69 amended: No. 49 of 2004 s. 53; No. 16 of 2019 s. 31.]

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: 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.
Penalty for this subsection: a fine of \$10 000 or imprisonment for 2 years.
- (2A) Subsection (2) applies to a CEO even if the advice or report is provided in accordance with a decision made under section 5.71B(2) or (6).

- (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 for this subsection: a fine of \$10 000 or imprisonment for 2 years.

[Section 5.70 amended: No. 16 of 2019 s. 32.]

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.

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

The following consultation took place;

- Council Members
- Chief Executive Officer

STAFF RECOMMENDATION

That Council note any requests or ideas to be actioned.

COUNCIL RESOLUTION

MIN 004/23 MOTION - Moved Cr. Reid Seconded Cr. Pryer

That Council note no requests received.

CARRIED 7/0

9.2 STATUS REPORT OF ACTION SHEET

File Ref: Various
Author: Codi Brindley-Mullen, Manager of Governance
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

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.

STAFF 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.

TEN YEAR FINANCIAL PLAN

There is no direct impact on the long term financial plan.

FINANCIAL IMPLICATIONS

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.

STATUTORY IMPLICATIONS

NIL know at this time.

STAFF 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.

TEN YEAR FINANCIAL PLAN

There is no direct impact on the long term financial plan.

FINANCIAL IMPLICATIONS

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.

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 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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Manager Works and Services
- Council Staff
- Council
- Community Members.

STAFF RECOMMENDATION

That Council receive the status report.

COUNCIL RESOLUTION

MIN 005/23 MOTION - Moved Cr. Forsyth Seconded Cr. Leake

That Council receive the status report.

CARRIED 7/0

9.3 SHIRE OF KELLERBERRIN ELECTORS MEETING MINUTES

File Ref: FIN 01
Author: Codi Mullen, Personal Assistant
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

The Shire of Kellerberrin Annual Electors Meeting was held on Wednesday, 8th February 2023. The Local Government Act requires Council to consider the minutes of the Electors Meeting at the next practicable Ordinary Meeting date.

STAFF COMMENT

It is statutory and compliance requirements for the Council to consider the minutes of its Electors' Meeting held on Wednesday, 8th February 2023.

Council in adopting the Electors Meeting minutes are adopting the motions put forward within the Electors Meeting.

Should Council wish to accept the minutes the motions are then to be discussed and voted upon within General Business of Council separately and provide reasons to the decision of Council in relation to the motion/s of the Electors Meeting. The minutes provided do not have any recommendations held within them therefore will only be received.

The contents of the minutes (as attached) only have questions and answers that occurred at the meeting. This is in line with regulations and Councils requirements for recording minutes, however Council's Manager of Governance has taken comprehensive notes of the meeting which included discussion points of which will be available for members or the community should they wish to review. This is so members and community members are assured that what was discussed at the meeting wasn't pushed aside and left out, it has been recorded though not contained in official minutes of the meeting.

TEN YEAR FINANCIAL PLAN

NIL

FINANCIAL IMPLICATIONS

NIL

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 5.32 – Minutes of Electors' Meetings

The CEO is to-

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

Local Government Act 1995 – section 5.33 – Decisions made at Electors' Meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable;*
 - (a) at the first ordinary council meeting after that meeting; or*
 - (b) at a special meeting called for that purpose, whichever happens first.*

(2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Electors

STAFF RECOMMENDATION

That the minutes of the Shire of Kellerberrin Electors Meeting held in the Crèche at the Kellerberrin Recreation Centre on Wednesday, 8th February 2023, be received.

COUNCIL RESOLUTION

MIN 006/23 MOTION - Moved Cr. Gardiner Seconded Cr. Ryan

That the minutes of the Shire of Kellerberrin Electors Meeting held in the Crèche at the Kellerberrin Recreation Centre on Wednesday, 8th February 2023, be received.

CARRIED 7/0

9.4 KELLERBERRIN AQUATIC CENTRE - OPERATIONAL PLAN

File Ref: ADM
Author: Codi Brindley-Mullen, Manager of Governance
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

The Shire of Kellerberrin over the past three (3) years have been completing upgrade works at the Swimming Pool being;

- New Pump and Plant Room including new pumps – Stage one (1)
- New Amenities Building – Stage two (2)
- New Swimming Pool and Surrounds – Stage three (3)

In the provision of new facilities there is a requirement to renew the operations manual for the Kellerberrin Aquatic Centre as the previous version is now outdated with the new facilities being constructed.

In addition to having this plan updated for our own operations it is also a requirement of the Department of Health to have an updated relevant plan for the complex. This operational plan is to be signed off on prior to the facilities being permitted to open.

STAFF COMMENT

The operational plan for the facility is split into Seven (7) sections being;

1. Administration
2. Facility Design Requirements
3. Circulation and Water Treatment Systems
4. Chemical Safety and Handling
5. Water Quality and Testing
6. Staff Qualifications
7. General Sanitation and Operational Requirements

The operational plan is a comprehensive plan which covers across all aspects of operating the facility for Council. Within the plan there is policies and procedures that are to be adhered to.

With the plan having policies in place Management thought it would be beneficial to present the full plan to the Council for your knowledge and adopt the plan and the policies within the document.

Once Council has adopted the plan it will be provided to the Department of Health so they have time to review the document and provide final sign off on the plan prior to the construction being complete.

TEN YEAR FINANCIAL PLAN

Nil known at this time.

FINANCIAL IMPLICATIONS

Nil know at this time.

STATUTORY IMPLICATIONS

NIL

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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance

STAFF RECOMMENDATION

That Council;

1. Adopt the Kellerberrin Aquatic Centre Operational Plan as presented.
2. Incorporate the Policies held within the Operation Plan into Council's Policy Manual as adopted policies of Council; and
3. Provide the Operational Plan to the Department of Health.

COUNCIL RESOLUTION

MIN 007/23 MOTION - Moved Cr. Reid Seconded Cr. Leake

That Council;

- 1. Adopt the Kellerberrin Aquatic Centre Operational Plan as presented.***
- 2. Incorporate the Policies held within the Operation Plan into Council's Policy Manual as adopted policies of Council; and***
- 3. Provide the Operational Plan to the Department of Health.***

CARRIED 7/0

9.5 COMMUNITY BUDGET SUBMISSION

File Ref: FIN 04
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Council's February 2022 Council Meeting – 15th February 2022

MIN 008/22 MOTION - Moved Cr. Steber Seconded Cr. Ryan

That Council declines the incorporation of a Business Support Grant to be added to the Community Grants Program.

CARRIED 6/1

Council at its Electors meeting on Wednesday, 8th February 2023 had the following question asked of Council regarding the Community Budget Submissions.

Is the community/sporting funding still relevant to our community? Can this been changed or redirected to an industry attraction program, business opportunity?

The programme would be designed to attract and establish new businesses as well as growth in existing businesses of all types... also encouraging employment opportunities.

- To encourage and promote, support, investment, industry and employment opportunities. E.g. Help cut the red tape that arises and more.*
- Shire budget of \$30,000 to \$50,000 each financial year*

Below is the current allocation of the Community Budget Submissions.

The process has only been for Community/Sporting Groups that meet either of the three (3) criterion set by Council being;

- Community Donations (\$20,000) – Max \$2,000 per applicant.***
Examples of eligible projects under this category include a new initiative or a significant one off project, capital project and repairs or maintenance or improvement to Council owned/managed facilities. Groups ***MUST*** contact Councils Community Development Officer's regarding the possibility of external funding prior to seeking funds from Council.
- Public Relations (\$3,000) – Max \$300 per application***
Examples of eligible projects under this category include public relations promotion through donations, sponsorships and waivers of fees and charges for Council owned/manager facilities.
- Community Grants (\$7,000) – Max \$3,000 per applicant***
Examples of eligible projects under this category include organisation that provide services or programs to residents of the Shire on an ongoing basis.

STAFF COMMENT

In reviewing surrounding Councils community budget guidelines and policies they are proving opportunities to the business sector for grant funding through Business Support Grants to encourage the growth of small business and business innovation as well as upkeep/maintenance/enhancement of infrastructure.

The process can operate in two ways, it can request applications early in the calendar year closing the applications in March/April of each year giving Council the opportunity to assess the applications prior to Budget and then making a budget allocation for the successful allocations.

OR

Council can leave the application process open all year round and assess the application of an application by application basis with a maximum amount allocated in the budget annually for this particular grant allocation and once this amount is met no further funding provided.

TEN YEAR FINANCIAL PLAN

Should Council wish to approve the additional donation/grant the Long Term Financial Plan will be affected and these additional funds will need to be sort from operations.

FINANCIAL IMPLICATIONS

Should Council wish to approve the additional donation/grant the Long Term Financial Plan will be affected and these additional funds will need to be sort from operations.

STATUTORY IMPLICATIONS

Nil known at this time.

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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Electors Meeting

STAFF RECOMMENDATION

That Council;

1. approves the incorporation of a Business Support Grant to be added to the Community Grants Program;
2. instructs the Manager of Governance to prepare a draft policy and application form for Councils approval;
3. Set an annual figure during the budget process for allocation to this new Community Grant funding pool.

MOTION

Moved Cr. Pryer Seconded Cr. Ryan

That Council;

1. approves the incorporation of a Business Support Grant to be added to the Community Grants Program;
2. instructs the Manager of Governance to prepare a draft policy and application form for Councils approval;
3. Set an annual figure during the budget process for allocation to this new Community Grant funding pool.

LOST 0/7

9.6 CHEQUE LIST DECEMBER 2022

File Number: N/A
Author: Zene Arancon, Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. December 2022 Payment List (under separate cover)

BACKGROUND

Accounts for payment from 1st December 2022 to 31st December 2022

TRUST

TRUST TOTAL	\$ 50,342.35
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MUNICIPAL FUND**Cheque Payments**

34989 - 34997	\$ 42,546.72
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EFT Payments

14178 - 14304	\$ 1,290,727.35
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Direct Debit Payments

	\$ 46,084.45
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TOTAL MUNICIPAL

	\$ 1,379,358.52
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STAFF COMMENT

During the month of December 2022, the Shire of Kellerberrin made the following significant purchases:

Distinctive Pools	\$507,133.54
Claim #4 - Stage 3 Swimming Pool & Surrounds	
Distinctive Pools	\$144,258.14
Claim #5 - Stage 3 Swimming Pool & Surrounds	
EverGreen Synthetic Grass	\$78,404.09
Replacing the Bowling green 38m x 38m payment for "B" Green – Insurance Claim	
Fire And Emergency Services (WA)	\$65,035.50
ESLB 2nd Quarter Contribution 2022-2023 & 2021-2022 BRM Planning LG Grant Agreement (BRPC) - unspent funds	
Western Australian Treasury Corporation	\$53,815.35
Loan No. 118 & 119 principal & interest payments	
Department of Transport - TRUST DIRECT DEBITS Licensing CRC	\$49,009.05
Licensing payments December 2022	
Northam Holden/Mazda	\$40,695.20
Purchase of Mazda vehicle - Doctor	
Yorky Farms	\$ 27,500.00
Supply of gravel for Yorkrakine Rock Road & Yelbeni Road culvert	

EverGreen Synthetic Grass	\$ 25,971.00
Bowling Green remove old plinths, supply & install new plinths and final payment LGIS claim PR0035008	
United Card Services Pty Ltd	\$24,597.31
Total fuel supplies November 2022	
KR & JM Tiller	\$ 22,000.00
Purchase of gravel for Goldfields Road	
LG Corporate Solutions	\$ 21,359.35
Consultant fee preparation of AFR & monthly reports October-December 2022	
Beam Superannuation	\$20,322.27
Superannuation Payroll 08/12/2022	
Water Corporation	\$ 15,440.50
Water charges various Shire properties & standpipes October-December 2022	
Shire of Northam	\$15,308.40
Reimbursement - Bushfire risk mitigation coordinator grant agreement for 2022- 2023	
Shire Of Kellerberrin	\$ 14,314.75
T1262 & T1263 BCITF levy	
Nova Corvus Consulting Pty Ltd	\$ 13,411.86
Consultant services for WSN Project Management 21st November to 2nd December 2022	
Nova Corvus Consulting Pty Ltd	\$13,035.00
Consultant services for WSN Project Management 7 November to 18 November 2022	
Youlie and Son Contracting	\$ 12,650.00
Equipment hire -truck & trailer for carting gravel South Doodlakine Rd. November 2022	
Beam Superannuation	\$11,457.58
Superannuation Payroll 22/12/2022	
Skills Training & Engineering Services Pty Ltd	\$10,600.00
Training - EWP HRWL / Working with Heights / Yellow Card 28/11/2022- 01/12/2022	
Frontline Fire & Rescue Equipment	\$10,593.25
Purchase of various fire protection gears, equipment & chemicals for the Bushfire Sheds & volunteers	
Water Corporation	\$10,450.47
Water charges various Shire properties & buildings October-December 2022	
R Munns Engineering Consulting Services	\$10,236.16
Consulting work on South Doodlakine Rd., Baandee Nth Rd., Doodlakine-Bruce Rock Rd. & Doodlakine-Kununoppin Rd.	

Great Southern Fuel Supplies Total fuel supplies November 2022	\$9,726.90
Donovan Payne Architects Contract administration fees Swimming Pool redevelopment	\$9,680.00
Nova Corvus Consulting Pty Ltd Consultant services for WSNF Project Management December 2022	\$9,570.00
Avon Waste Domestic & commercial collections November 2022	\$8,795.78
Cloud Collections Pty Ltd Costs 3 years unpaid rates process A346, A299, A1846 & A1127	\$6,998.97
McGrath Foundation Ltd Donation to McGrath Foundation from Night of Colour	\$6,914.46
Brooks Hire Service Pty Ltd Hire of 70T excavator for South Doodlakine Rd. works November 2022, hire of knuckle broom & scissor lift for working with heights training for Outside Crew	\$6,839.04
Prostate Cancer Foundation of Australia Ltd Donation to Prostate Cancer Foundation from Night of Colour	\$6,387.19
Farmways Kellerberrin Pty Ltd Purchase of orb zinc, corner mould, various retic parts for GSG Oval, gas bottles, toilet roll dispenser & various under \$200	\$6,379.61
OEM Group 2006 Pty Ltd Purchase of spitwater pressure cleaner	\$6,250.00
Ovarian Cancer Australia Donation to Ovarian Cancer from Night of Colour	\$5,932.64
The Leukaemia Foundation of Australia Donation to Leukaemia Foundation from Night of Colour	\$5,932.64
Shire of Northam Old quarry tipping fees September-October 2022	\$5,500.93

TEN YEAR FINANCIAL PLAN

There is no direct impact on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2022/2023 Operating Budget

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

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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Finance Officer

STAFF RECOMMENDATION

That Council notes that during the month of December 2022, 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 \$ 1,379,358.52 on vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling \$ 50,342.35 on vouchers EFT, CHQ, Direct payments*

COUNCIL RESOLUTION

MIN 008/23 MOTION - Moved Cr. Leake Seconded Cr. Pryer

That Council notes that during the month of December 2022, 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 \$ 1,379,358.52 on vouchers EFT , CHQ, Direct payments***
2. ***Trust Fund payments totalling \$ 50,342.35 on vouchers EFT, CHQ, Direct payments***

CARRIED 7/0

9.7 CHEQUE LIST JANUARY 2023

File Number: N/A
Author: Zene Arancon, Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. January 2023 Payment List (under separate cover)

BACKGROUND

Accounts for payment from 1st January to 31st January 2023.

TRUST

TRUST TOTAL	\$ 50,426.50
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MUNICIPAL FUND**Cheque Payments**

34998 - 35000	\$ 8,899.10
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EFT Payments

14311 - 14426	\$ 647,480.81
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Direct Debit Payments

	\$ 38,829.86
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TOTAL MUNICIPAL

	\$ 695,209.77
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STAFF COMMENT

During the month of January 2023, the Shire of Kellerberrin made the following significant purchases:

Distinctive Pools Claim #6 - Stage 3 Swimming Pool redevelopment	\$ 291,509.46
Department of Transport - TRUST DIRECT DEBITS Licensing CRC Licencing payments January 2023	\$ 49,386.50
Office of the Auditor General Audit fees for the year ended 30 June 2022	\$ 40,810.00
Western Australian Treasury Corporation Principal & interest payment Loan 121 and GFEE for Loans 118, 119, 120 & 121	\$ 37,406.89
Innes & Co Supply of gravel for South Doodlakine Rd.	\$ 26,873.00
Mineral Crushing Services WA PTY LTD Supply of washed 14 / 10 aggregate and haulage for South Doodlakine Road	\$ 25,775.64
United Card Services Pty Ltd Total Fuel supply December 2022	\$ 20,308.10
WCS Concrete Pty Ltd Purchase of head walls for Goldfields Rd, Yokrakine Rock Rd & South Doodlakine Rd works	\$ 12,811.70
Avon Waste Domestic & commercial rubbish collections December 2022	\$ 12,618.33

Beam Superannuation Superannuation payrun 19/01/2023	\$ 12,023.17
Beam Superannuation Superannuation payrun 5/1/2023	\$ 11,148.91
Mineral Crushing Services WA PTY LTD Carting of Gravel for South Doodlakine Rd. December 2022	\$ 10,370.00
Donovan Payne Architects Architect Fees - Swimming Pool stage 3	\$ 10,147.50
Deputy Commissioner Of Taxation GST Debtors December BAS 2022	\$ 9,066.00
Synergy Power charges various Shire properties October-December 2022	\$ 8,772.01
Synergy Power charges various Shire properties & buildings October-December 2022	\$ 7,245.29
Youlie and Son Contracting Hire of truck only for works on Doodlakine South Rd.	\$ 6,894.25
Conplant Pty Ltd Purchase of hub wheel front, shaft axles, bolts, bearings & seals for P23	\$ 6,303.37
Farmways Kellerberrin Pty Ltd Purchase of weed chemicals, battery for wood chipper, gas bottles for Caravan Park & various under \$200	\$ 6,230.17
Australian Skin Cancer Foundation Distribution of funds from Night of Colour auction	\$ 5,932.64
DS Agencies Pty Ltd Purchase of 120lt frame bin enclosure for Townsite litter control	\$ 5,390.00
Nova Corvus Consulting Pty Ltd Consultant services for WSFN Project Management 2-13 January 2023	\$ 5,321.25
Water Corporation Water charges various Shire properties & buildings October-December 2022	\$ 5,316.25
Kellerberrin & Districts Club Inc. Contribution towards Rec Centre Manager January 2023.	\$ 5,148.73
GPR Truck Service & Repairs Replacement interaxle drive shaft for P8	\$ 5,049.00

TEN YEAR FINANCIAL PLAN

There is no direct impact on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2022/2023 Operating Budget

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

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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Finance Officer

STAFF RECOMMENDATION

That Council notes that during the month of January 2023, 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 \$ 695,209.77 on vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling \$ 50,426.50 on vouchers EFT, CHQ, Direct payments*

COUNCIL RESOLUTION

MIN 009/23 MOTION - Moved Cr. Reid Seconded Cr. Gardiner

That Council notes that during the month of January 2023, 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 \$ 695,209.77 on vouchers EFT , CHQ, Direct payments***
2. ***Trust Fund payments totalling \$ 50,426.50 on vouchers EFT, CHQ, Direct payments***

CARRIED 7/0

9.8 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - DECEMBER 2022

File Number: N/A
Author: Brett Taylor, Senior Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Please see below the Direct Debit List and Visa Card Transactions for the month of December 2022.

Municipal Direct Debit List

Date	Name	Details	\$	Amount
1/12/2022	Shire of Kellerberrin	Creditors Payment		174,769.52
1/12/2022	Shire of Kellerberrin	Creditors Payment		507,133.54
6/12/2022	Department of Communities	Rent		420.00
6/12/2022	Shire of Kellerberrin	Creditors Payment		34,324.21
6/12/2022	OEM Group	Purchase Pressure Cleaner		6,250.00
7/12/2022	Department of Transport	Vehicle Inspection Fees		72.40
8/12/2022	Shire of Kellerberrin	Precision Superannuation		20,322.27
8/12/2022	Shire of Kellerberrin	Pay Run		66,940.39
12/12/2022	ATO	BAS November 2022		1,336.00
12/12/2022	Bills Machinery	Baine Marie Trays Town Hall		666.00
14/12/2022	Shire of Kellerberrin	Precision Superannuation		198.90
16/12/2022	Shire of Kellerberrin	Creditors Payment		281,706.86
20/12/2022	Department of Communities	Rent		420.00
21/12/2022	Shire of Kellerberrin	Creditors Payment		243,293.22
22/12/2022	Shire of Kellerberrin	Precision Superannuation		11,457.58
22/12/2022	Shire of Kellerberrin	Creditors Payment		49,500.00
22/12/2022	Shire of Kellerberrin	Pay Run		65,065.42
28/12/2022	Nayax Australia	Vending Machine Caravan Park		38.17
30/12/2022	NAB	BPAY Charge		54.28
30/12/2022	NAB	Account Fees - Trust		14.20
30/12/2022	NAB	Account Fees - Muni		48.80
30/12/2022	NAB	Merchant Fees - Trust		6.99
30/12/2022	NAB	Merchant Fees - Caravan Park		61.25
30/12/2022	NAB	Merchant Fees - Muni		133.21
30/12/2022	NAB	Merchant Fees - CRC		404.34
30/12/2022	NAB	NAB Connect Fees		52.48
TOTAL			\$	<u>741,720.36</u>

Trust Direct Debit List

Date	Name	Details	\$	Amount
31-Dec-22	Department of Transport	Licencing Payments December		49,009.05
TOTAL			\$	<u>49,009.05</u>

Visa Transactions

Date	Name	Details	\$	Amount
01-Dec-22	Seek	Builder/Carpenter Advert		346.50
06-Dec-22	Shire of Kellerberrin	Licencing KE00		30.50
09-Dec-22	Shire of Kellerberrin	Licencing KE00		18.50
09-Dec-22	Merredin Leisure Centre	Refreshments – Christmas		68.00
13-Dec-22	Telstra	SIM Card Recharge Notice Board		150.00
		Traffic Management Course		
16-Dec-22	Invarion	S.Beckham		76.95

29-Dec-22	NAB	Card Fee	9.00
		TOTAL - CEO	\$ 699.45
Date	Name	Details	\$ Amount
12-Dec-22	KMART	Christmas Decorations	60.00
12-Dec-22	Carroll-Richardson Flagworld	Flags - Australia Day	805.89
16-Dec-22	KOZ Art	Anzac Signage - Lest We Forget	275.00
20-Dec-22	Seek	Advert Executive Assistant	346.50
29-Dec-22	NAB	Card Fee	9.00
		TOTAL - MOG	1,496.39
30-Nov-22	Australia Post - Malaga	Stationery - WSNF Officer	19.20
02-Dec-22	Jaycar Malaga	Parts Vehicle WSNF Officer	19.95
05-Dec-22	Corrigin Windmill Motel	Refund form Overcharge November	-240.00
06-Dec-22	Dome Warwick	Meals WSNF Officer	9.90
06-Dec-22	Royal on the Water	Meals WSNF Officer	63.57
07-Dec-22	CPP Regal Place	Parking WSNF Officer	7.07
15-Dec-22	Dome Warwick	Meals WSNF Officer	10.40
19-Dec-22	BP Cunderdin	Meals WSNF Officer	28.44
23-Dec-22	Dome Warwick	Meals WSNF Officer	10.40
29-Dec-22	NAB	Card Fee	9.00
		TOTAL -WSFN OFFICER	-62.07
		TOTAL VISA TRANSACTIONS	\$ 2,133.77

STAFF COMMENT

The Direct Debit List and Visa Card Transactions are presented for Council to note for the month of December 2022.

TEN YEAR FINANCIAL PLAN

There are no direct implication on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

Financial Management of 2022/2023 Budget.

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer

STAFF RECOMMENDATION

That Council note the direct debit list for the month of December 2022 comprising of;

- (a) Municipal Fund – Direct Debit List*
- (b) Trust Fund – Direct Debit List*
- (c) Visa Card Transactions*

COUNCIL RESOLUTION

MIN 010/23

MOTION - Moved Cr. Forsyth

Seconded Cr. Leake

That Council note the direct debit list for the month of December 2022 comprising of;

- (a) Municipal Fund – Direct Debit List***
- (b) Trust Fund – Direct Debit List***
- (c) Visa Card Transactions***

CARRIED 7/0

9.9 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - JANUARY 2023

File Number: N/A
Author: Brett Taylor, Senior Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Please see below the Direct Debit List and Visa Card Transactions for the month of January 2023.

Municipal Direct Debit List				
Date	Name	Details	\$	Amount
3-Jan-23	Department of Communities	Rent		420.00
3-Jan-23	Alleasing	Gym Equipment Lease		3,075.84
5-Jan-23	Shire of Kellerberrin	Precision Superannuation		11,148.91
5-Jan-23	Shire of Kellerberrin	Pay Run		73,673.96
9-Jan-23	Department of Transport	Vehicle Inspections		84.00
12-Jan-23	Shire of Kellerberrin	Creditors Pay Run		129,867.85
16-Jan-23	Shire of Kellerberrin	Creditors Pay Run		8,930.85
17-Jan-23	Department of Communities	Rent		420.00
19-Jan-23	Shire of Kellerberrin	Precision Superannuation		12,023.17
19-Jan-23	Shire of Kellerberrin	Pay Run		175.06
19-Jan-23	Shire of Kellerberrin	Pay Run		69,707.71
19-Jan-23	ATO	Tax Office Payments		9,066.00
24-Jan-23	Shire of Kellerberrin	Creditors Pay Run		9,970.00
27-Jan-23	Shire of Kellerberrin	Creditors Pay Run		498,712.11
30-Jan-23	Nayax Australia Pty Ltd	Vending Machine Caravan Park		38.17
31-Jan-23	NAB	Merchant Fees - Trust		5.73
31-Jan-23	NAB	Merchant Fees - Trust		96.95
31-Jan-23	NAB	Merchant Fees - Caravan Park		76.74
31-Jan-23	NAB	Merchant Fees - Muni		453.08
31-Jan-23	NAB	National B-Pay Charge		80.04
31-Jan-23	NAB	Account Fees - Muni		50.90
31-Jan-23	NAB	Account Fees - Trust		10.00
		TOTAL	\$	828,087.07
Trust Direct Debit List				
Date	Name	Details	\$	Amount
31-Jan-23	Department of Transport	Licencing Payments January 2023		49,386.50
		TOTAL	\$	49,386.50

Visa Transactions				
Date	Name	Details	\$	Amount
04-Jan-23	United Petroleum	Fuel KE1		223.55
25-Jan-23	Toodyay Traders	Hoses - Australia Day		291.15
27-Jan-23	NAB	Card Fee		9.00
		TOTAL - CEO	\$	523.70
04-Jan-23	Auspire Nedlands	Australia Council Subscription		739.55
05-Jan-23	Auspire Nedlands	Certificates Australia Day		2.03
06-Jan-23	Discount Party Supplies	Party Supplies Australia Day		196.87
09-Jan-23	Vistaprint	Banners Australia Day		375.94
11-Jan-23	Air BnB Surry Hills	Accommodation Band Australia Day		227.59
17-Jan-23	Ebay	Tattoos Australia Day		21.97
18-Jan-23	JB Hi-Fi	Super Pet DVD Australia Day		25.97
23-Jan-23	The Jaffa Room	Movie Licence Australia Day		198.00
25-Jan-23	Kellerberrin Farmers Coop	Evie the Elf Promotion		57.50
27-Jan-23	NAB	Card Fee		9.00
		TOTAL - MOG	\$	1,854.42
Date	Name	Details	\$	Amount
03-Jan-23	El Cabello Golf	Meals WSNF Officer <i>(Refunded by Officer)</i>		65.00
04-Jan-23	Australia Post Warwick	Stationery WSNF Officer		12.00
12-Jan-23	Potato Patahto	Meals WSNF Officer		10.00
16-Jan-23	Sense & Co Midland	Meals WSNF Officer		46.00
16-Jan-23	Officeworks Malaga	Stationery WSNF Officer		218.95
18-Jan-23	Officeworks Malaga	Stationery WSNF Officer		17.98
19-Jan-23	Town of Cambridge	Parking WSNF Officer		5.80
19-Jan-23	Officeworks Malaga	Stationery WSNF Officer		89.00
23-Jan-23	City Of Melville	Parking WSNF Officer		2.30
23-Jan-23	Potato Patahto	Meals WSNF Officer		10.00
23-Jan-23	Potato Patahto	Meals WSNF Officer		51.00
24-Jan-23	Cuballing Roadhouse	Meals WSNF Officer		22.20
24-Jan-23	Dome Mount Pleasant	Meals WSNF Officer		10.65
25-Jan-23	Cuballing Tavern	Meals WSNF Officer		33.00
27-Jan-23	Toasted Carine	Meals WSNF Officer		17.50
27-Jan-23	NAB	Card Fee		9.00
		TOTAL - WSNF OFFICER		620.38
		TOTAL VISA TRANSACTIONS	\$	2,998.50

STAFF COMMENT

The Direct Debit List and Visa Card Transactions are presented for Council to note for the month of January 2023.

TEN YEAR FINANCIAL PLAN

There are no direct implication on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

Financial Management of 2022/2023 Budget.

STATUTORY IMPLICATIONS**Local Government (Financial Management) Regulations 1996**

34. Financial activity statement report — s. 6.4

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity December be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (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 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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer

STAFF RECOMMENDATION

That Council note the direct debit list for the month of January 2023 comprising of;

- (a) Municipal Fund – Direct Debit List*
- (b) Trust Fund – Direct Debit List*
- (c) Visa Card Transactions*

COUNCIL RESOLUTION

MIN 011/23

MOTION - Moved Cr. Gardiner

Seconded Cr. Ryan

That Council note the direct debit list for the month of January 2023 comprising of;

- (a) Municipal Fund – Direct Debit List*
- (b) Trust Fund – Direct Debit List*
- (c) Visa Card Transactions*

CARRIED 7/0

9.10 FINANCIAL ACTIVITY STATEMENT - DECEMBER 2022

File Number: FIN
Author: Brett Taylor, Senior Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

The Regulations detail the form and manner in which financial activity statements are to be presented to the Council on a monthly basis, and are to include the following:

- Annual budget estimates
- Budget estimates to the end of the month in which the statement relates
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates
- Material variances between budget estimates and actual revenue/expenditure (including an explanation of any material variances)
- The net current assets at the end of the month to which the statement relates (including an explanation of the composition of the net current position)

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year.

Council's July 2022 Ordinary Meeting of Council – 19th July 2022

MIN 109/22 MOTION - Moved Cr. Steber Seconded Cr. Reid
That Council:

PART G – MATERIAL VARIANCE REPORTING FOR 2022/2023

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 2022/2023 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

STAFF COMMENT

Pursuant to Section 6.4 of the Local Government Act 1995 (the Act) and Regulation 34(4) of the Local Government (Financial Management) Regulations 1996 (the Regulations), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the Shire's financial performance in relation to its adopted / amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31st December 2022.

TEN YEAR FINANCIAL PLAN

Financial Management of 2022/2023 Budget.

FINANCIAL IMPLICATIONS

Financial Management of 2022/2023 Budget.

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 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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer

STAFF RECOMMENDATION

That Council adopt the Financial Report for the month of December 2022 comprising;

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

COUNCIL RESOLUTION

MIN 012/23 MOTION - Moved Cr. Pryer Seconded Cr. Leake

That Council adopt the Financial Report for the month of December 2022 comprising;

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

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

9.11 FINANCIAL ACTIVITY STATEMENT - JANUARY 2023

File Number: FIN
Author: Brett Taylor, Senior Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

The Regulations detail the form and manner in which financial activity statements are to be presented to the Council on a monthly basis, and are to include the following:

- Annual budget estimates
- Budget estimates to the end of the month in which the statement relates
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates
- Material variances between budget estimates and actual revenue/expenditure (including an explanation of any material variances)
- The net current assets at the end of the month to which the statement relates (including an explanation of the composition of the net current position)

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year.

Council's July 2022 Ordinary Meeting of Council – 19th July 2022

MIN 109/22 MOTION - Moved Cr. Steber Seconded Cr. Reid
That Council:

PART G – MATERIAL VARIANCE REPORTING FOR 2022/2023

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 2022/2023 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

STAFF COMMENT

Pursuant to Section 6.4 of the Local Government Act 1995 (the Act) and Regulation 34(4) of the Local Government (Financial Management) Regulations 1996 (the Regulations), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the Shire's financial performance in relation to its adopted / amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31st January 2023.

TEN YEAR FINANCIAL PLAN

Financial Management of 2022/2023 Budget.

FINANCIAL IMPLICATIONS

Financial Management of 2022/2023 Budget.

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 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

The following consultation took place;

- Chief Executive Officer
- Manager of Governance
- Senior Finance Officer

STAFF RECOMMENDATION

That Council adopt the Financial Report for the month of January 2023 comprising;

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

COUNCIL RESOLUTION

MIN 013/23 MOTION - Moved Cr. Reid Seconded Cr. Gardiner

That Council adopt the Financial Report for the month of January 2023 comprising;

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

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

9.12 BUILDING REPORTS DECEMBER 2022

File Ref:	BUILD06
Author:	Amanda Stewart, Administration Officer
Authoriser:	Raymond Griffiths, Chief Executive Officer
Attachments:	1. Building Application Received December 2022 (under separate cover) 2. Building Permits Issued December 2022 (under separate cover)

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.

STAFF COMMENT

1. There were three (3) applications received for a "Building Permit" during the December period.
2. There was three (3) "Building Permit" issued in the December period.

TEN YEAR FINANCIAL PLAN

There is no direct impact on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

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)

STATUTORY IMPLICATIONS

- Building Act 2011
- Shire of Kellerberrin Town Planning Scheme 4

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

The following consultation took place:

- Building Surveyor
- Owners
- Building Contractors
- Chief Executive Officer

STAFF RECOMMENDATION

That Council;

- 1. Acknowledge the "Return of Proposed Building Operations" for the December 2022 period.*
- 2. Acknowledge the "Return of Building Permits Issued" for the December 2022 period.*

COUNCIL RESOLUTION

MIN 014/23

MOTION - Moved Cr. Forsyth

Seconded Cr. Pryer

That Council;

- 1. Acknowledge the "Return of Proposed Building Operations" for the December 2022 period.*
- 2. Acknowledge the "Return of Building Permits Issued" for the December 2022 period.*

CARRIED 7/0

9.13 BUILDING REPORTS JANUARY 2023

File Ref: BUILD06
Author: Amanda Stewart, Administration Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

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.

STAFF COMMENT

1. There were zero (0) applications received for a "Building Permit" during the January period.
2. There were zero (0) "Building Permit" issued in the January period.

TEN YEAR FINANCIAL PLAN

There is no direct impact on the Long Term Financial Plan.

FINANCIAL IMPLICATIONS

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)

STATUTORY IMPLICATIONS

- Building Act 2011
- Shire of Kellerberrin Town Planning Scheme 4

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

The following consultation took place:

- Building Surveyor
- Owners
- Building Contractors
- Chief Executive Officer

STAFF RECOMMENDATION

That Council;

1. *Acknowledge the "Return of Proposed Building Operations" for the January 2023 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the January 2023 period.*

COUNCIL RESOLUTION

MIN 015/23

MOTION - Moved Cr. Leake

Seconded Cr. Ryan

That Council;

1. *Acknowledge the "Return of Proposed Building Operations" for the January 2023 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the January 2023 period.*

CARRIED 7/0

10 DEVELOPMENT SERVICES REPORTS

Nil

11 WORKS & SERVICES REPORTS

Nil

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

14 CONFIDENTIAL MATTERS

Nil

15 CLOSURE OF MEETING

The Meeting closed at 4:24pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 March 2023.

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CHAIRPERSON