



AGENDA

Ordinary Council Meeting Tuesday, 20 June 2023

Date: Tuesday, 20 June 2023

Time: 4:00pm

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

Shire of Kellerberrin

Ordinary Council Meeting 20th June 2023

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Kellerberrin will be held on Tuesday, 20th June 2023 in the Council Chamber, 110 Massingham Street, Kellerberrin WA 6410 commencing at 4:00pm.

Raymond Griffiths
Chief Executive Officer
Wednesday, 14 June 2023

Disclaimer

The Shire of Kellerberrin warns that anyone who has any application lodged with the Shire of Kellerberrin must obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Kellerberrin in respect of the application.

Signed Chief Executive Officer

**DECLARATION OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR
INTEREST AFFECTING IMPARTIALITY**

Chief Executive Officer, Shire of Kellerberrin

In accordance with Section 5.60-5.65 of the *Local Government Act* and Regulation 34(B) and 34(C) of the *Local Government (Administration) Regulations*, I advise you that I declare a (☒ appropriate box):

☐ financial interest (Section 5.60A)

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.

☐ proximity interest (Section 5.60B)

A person has a proximity interest in a matter if the matter concerns a proposed —

- (a) change to a planning scheme affecting land that adjoins the person's land;
- (b) change to the zoning or use of land that adjoins the person's land; or
- (c) development (as defined in section 5.63(5)) of land that adjoins the person's land.

☐ interest affecting impartiality/closely associated persons (Regulation 24C). I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected but does not include a financial or proximity interest as referred to in section 5.60.

in the following Council / Committee Meetings to be held on _____

in Item number/s _____

the *nature* of the interest being _____

☐ Further, that I wish to remain in the Chamber to participate in proceedings. As such, I declare the extent of my interest as being:

Yours faithfully

(Councillor's signature)

Councillor's Name

The *Local Government Act* provides that it is the member's obligation to declare the Nature of an interest if they believe that they have a financial interest, proximity interest, closely associated persons or an interest affecting impartiality in a matter being discussed by Council.

The Act provides that the Nature of the interest may be declared in writing to the Chief Executive Officer prior to the meeting or declared prior to discussion of the Agenda Item at the meeting. The Act further provides that the Extent of the interest needs to be declared if the member seeks to remain in the Chamber during the discussion, debate or voting on the item.

A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.

The decision of whether to disclose a financial interest is yours and yours alone. Nobody can disclose for you and you can not be forced to make a disclosure.

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1 DECLARATION OF OPENING**2 ANNOUNCEMENT BY PRESIDING PERSON WITHOUT DISCUSSION****3 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE****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 COUNCIL MEETING HELD ON 16 MAY 2023**

File Ref: MIN
Author: Michelle Wilson, Executive Assistant
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Minutes of the Council Meeting held on 16 May 2023

HEADING**STAFF RECOMMENDATION**

That the Minutes of the Council Meeting held on 16 May 2023 be received as a true and correct record of the meeting.

7 PRESENTATIONS

7.1 Petitions

7.2 Presentations

7.3 Deputations

8 REPORTS OF COMMITTEES

Nil

9 CORPORATE SERVICES REPORTS

9.1 STATUS REPORT OF ACTION SHEET

File Ref: Various
Author: Michelle Wilson, Executive Assistant
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Status Report June 2023 (under separate cover)

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

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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.

9.2 COMMON SEAL REGISTER AND REPORTING

File Ref: ADM52
Author: Michelle Wilson, Executive Assistant
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Common Seal Register June 2023 (under separate cover)

BACKGROUND

To seek Council's endorsement for the application of the Shire of Kellerberrin Common Seal in accordance with the Common Seal Register.

STAFF COMMENT

Application of the Seal is accompanied by the signatures of the President and Chief Executive Officer.

A register is maintained to record all occasions on which the Seal is applied. The register is maintained, updated and should be presented to Council on a quarterly basis. A process will be put in place to ensure that this occurs. It is recommended that Council formalises the receipt of the affixation of the Common Seal Report for endorsement.

Generally, the Common Seal is only applied in circumstances where the Council has specifically resolved to enter into an agreement, lease or dispose of or acquire land. There are however, occasions where the Seal is required to be applied urgently and Council's endorsement is sought retrospectively.

Attached to this report is a short list of agreements that require Council endorsement for use of the Common Seal.

TEN YEAR FINANCIAL PLAN

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

FINANCIAL IMPLICATIONS

There are no financial impacts.

STATUTORY IMPLICATIONS

Shire of Kellerberrin Standing Orders Local Law 2016

Clause 19.1 The Council's Common Seal

- (1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.
- (2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.
- (3) The common seal of the local government is to be affixed to any local law which is made by the local government.
- (4) The CEO is to record in a register each date on which the common seal of the Local Government was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.
- (5) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.

Penalty \$1,000

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;

- Councils President
- Councils Deputy President
- Chief Executive Officer
- Manager of Governance

STAFF RECOMMENDATION

That Council acknowledge that the Shire of Kellerberrin's Common Seal was affixed to three (3) documents in this quarter.

9.3 COUNCIL POLICY MANUAL REVIEW

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

BACKGROUND

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

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

June Ordinary Council Meeting – 21 June 2022

MIN 083/22 MOTION - Moved Cr. Steber Seconded Cr. Gardiner

That Council;

- 1. Adopts the Policies as presented;***
- 2. Endorse the removal of Policies from the Policy manual as presented;***
- 3. Instruct the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.***

CARRIED 7/0

December Ordinary Council Meeting – 21 December 2021

MIN 203/21 MOTION - Moved Cr. Steber Seconded Cr. Leake

That Council

- 1. Adopts the Policies as presented;***
- 2. Endorse the removal of Policies from the Policy manual as presented;***
- 3. Instruct the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.***

CARRIED 7/0

November Ordinary Council Meeting – 16 November 2021

MIN 184/21 MOTION - Moved Cr. Leake Seconded Cr. Gardiner

That Council;

- 1. Adopts the Policies as presented;***
- 2. Endorse the removal of Policies from Policy manual as presented;***
- 3. Instruct the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.***

CARRIED 7/0

STAFF COMMENT

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

Policy making is an important function of local government. Policies guide decision making and therefore affect all those who may be impacted by a decision.

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

Council staff have created the following new policies:

Child Safe Awareness Policy

In 2018 the State Government accepted or accepted in principle, all 310 recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) applicable to Western Australia.

The Royal Commission acknowledged the role that local governments play in creating and maintaining child safety in their communities and made a number of recommendations aimed at using this role to promote the safety and wellbeing of children and young people.

All local governments are to create their own Child Safe Awareness Policy and fulfill their obligations under the Royal Commission Recommendation 6.12.

Training Policy

The Shire of Kellerberrin's Training Policy aims to invest in employee's development to ensure the continuing success of the business and the employees are largely responsible for that success.

TEN YEAR FINANCIAL PLAN

Nil (not applicable at this date and therefore unknown)

FINANCIAL IMPLICATIONS

Nil (not applicable at this date and therefore unknown)

STATUTORY IMPLICATIONS

Nil (not applicable at this date and therefore unknown)

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
- Executive Assistant

STAFF RECOMMENDATION

That Council

1. Adopts the Policy Manual as presented;
2. Instruct the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.

9.4 ROAD BUDGET 2023/2024

File Ref: ENG45.1 & FIN04
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Roadworks Budget (under separate cover)

BACKGROUND

Council in May of every year presents a Roadworks budget to the Council for adoption and incorporation into the Annual Budget program.

STAFF COMMENT

Council currently has the following Roads locked in through the Commodity Route Funding and Regional Road Group Programs:

Regional Road Group

- Doodlakine South Road – 5.97 SLK to 7.90 SLK (Full Reconstruction)
- Doodlakine South Road – Reseal of the following sections;
 - 0.86 – 1.45
 - 2.80 – 5.17
 - 5.49 – 5.95
- Doodlakine South Road – Clearing Permit Application for 9.70 – 12.45 SLK.
- Kellerberrin Yelbini Road – Clearing Permit Application

Commodity Route Funding

- Goldfields Road – 3.37 SLK - 4.87 SLK (Highway heading east 1.5 kms) (Carry over funding from 2022/2023)
- Goldfields Road – 4.87 – 5.77 SLK

Roads to Recovery

Council currently has the following works allocated to its Roads to Recovery allocation;

- Sewell Street – Highway to back lane (near Chris Bloom residence)
- Connelly Street – Reconstruct between Hinckley and Moore Street

Council also has some additional works programmed for the 2023/2024 as per the attached Road program.

Please note the figures attached is the 2023/2024 Road Programme and are subject to change as the payroll budget may change with wage increases approved by the state and Council hasn't completed the review for its Plant Operating Costs and Depreciation, however there won't be a massive affect as a result of the above.

TEN YEAR FINANCIAL PLAN**2.3.1 Capital Works Funding Sources**

Council's capital works program is funded by a number of sources, which includes:

- Council funds: and
- other sources, such as the Roads to Recovery, Regional Road Grants, Regional and Local Community Infrastructure Program, Department of Sports and Recreation, Wheatbelt Development Commission, Lotterywest, and also income from sales.

Council has an allocated percentage increase in Capital and Operational funding for roads projecting out to 2031.

FINANCIAL IMPLICATIONS

2023/2024 Capital and Operating Budget.

Roads to Recovery Funding \$365,020 (Doodlakine South Road)

Regional Road Group Funding. \$484,269

Commodity Route Funding - \$275,000 (Goldfields Road) (23/24)

Commodity Route Funding - \$55,000 Carry over funding (22/23)

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 community consultation has taken place;

- Chief Executive Officer
- Manager Works and Services
- Manager of Governance
- Councils Consulting Engineer – Mr Rod Munns

STAFF RECOMMENDATION

That Council endorse the attached 2023/24 Roadworks program as presented and request this program be incorporated into its 2023/2024 Draft Budget.

9.5 DRAFT FEES & CHARGES 2023/2024

File Ref: FIN04
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

In accordance with Regulation 5(2) of the Local Government (Financial Management) Regulations, a local government is to undertake a review of its fees and charges regularly; and not less than once in every financial year. This report provides the council with a recommended Schedule of Fees and Charges to apply for the financial year commencing on 1st July 2023, for its consideration.

Council adopts fees and charges as part of its annual budget process, though fees and charges can be imposed or amended at any stage of the financial year provided the proposed changes are advertised accordingly (absolute majority required).

Council considers the annual schedule of fees and charges separately from the budget document to enable more time to contemplate each proposed charge for the forthcoming year.

Council's 17th May 2022 – Ordinary Meeting of Council

COUNCIL RESOLUTION

MIN 001/22 MOTION - Moved Cr. Leake Seconded Cr. Forsyth

That Council;

- 1. Adopts the fees and charges for 2022/23 as presented with the following amendments;***
 - a. Increase Tree Planter to \$200.00 per day***
 - b. Gym per year to \$180.00***
 - i. Pensioner/Senior/Disability discount of 30% on all gym fees excluding bond.***
- 2. Include the fees and charges in the 2022/23 Draft Budget.***

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

REASON: Council increased Tree Planter and Gym charges to help cover the cost to operate both items.

Council's 15th February 2022 – Ordinary Meeting of Council**MIN 007/22 MOTION - Moved Cr. Forsyth Seconded Cr. Gardiner*****That Council;***

- 1. Adopts the amendment to Councils fees and charges for 2021/22 as per the following;***
 - a. Centenary Park – Commercial Use – Adding a fee of \$33.00***
 - b. Caravan Park – Booking Fee – Adding a fee of \$1.8% to accommodation charges for the use of stripe. This only relates to online or bookings using stripe for payment.***
 - c. Exhibition Hall – Hire of Exhibition Hall Facility – Add wording Exhibition Hall courts to the fee and charge that already existing for outdoor Basketball/Netball/Tennis courts or Bowling Greens being \$115 per day.***
 - d. The water charges listed are to remain the same price, however become listed as GST free.***
- 2. Incorporate the new fees and charges into the Fees and Charges 2021/2022 document.***
- 3. Advertise the new charges on Council Website, Noticeboard, CRC, Ratepayers and all Social Media Platforms.***

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

Council's 20th July 2021 – Ordinary Meeting of Council**MIN 121/21 MOTION - Moved Cr. O'Neill Seconded Cr. McNeil*****That Council***

- 1. Adopts the fees and charges for 2021/22 as presented; and***
- 2. Include the fees and charges in the 2021/22 Annual Budget Document.***

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

Council's 30th March 2020 – Special Meeting of Council**Moved: Cr Dennis Reid Seconded: Cr Matt Steber*****That Council;***

- 1. Request the Chief Executive Officer prepare a DRAFT 2020/2021 Budget with the following considerations;***
 - (a) Zero percent (0%) rate increase, essentially a freeze on the rate in the dollar;***
 - i. Seek confirmation as to whether Council will be receiving a Rural Revaluation, as this may affect a change in rates per individual properties irrespective of rate increase freeze;***
 - (b) Zero percent (0%) increase in Councils fees and charges, (remain as per 2019/20);***
 - i. No Annual Food Licence Levies issued***
 - ii. No Alfresco Licence Levies Issued***
 - iii. No Lodging House Levies Issued.***

(c) 2020/2021 Non-payment of rates penalty interest not apply until March 2021;

(d) No Instalment administration fees on all instalment options for 2020/2021

(e) No Instalment interest applied to all instalment options for 2020/2021

- 2. Offers, upon request, a waiver of interest on outstanding rates for those business/individuals directly affected by the Commonwealth/State Government's decision to close various businesses between 23 March and 31 July 2020;***
- 3. Offers, upon request, a waiver of interest on outstanding rates for those businesses/individuals directly affected by the State Governments decision to close Western Australia's borders, between 23 March and 31 July 2020;***
- 4. Writes to and lobbies the State Government for urgent financial assistance that can be used to assist the community as a matter of urgency; and***
- 5. Writes to the Federal Government and the Western Australian Local Government Association requesting an increase to the Federal Assistance Grant Scheme funding for both the 2020/21 and 2021/22 financial years.***

CARRIED 7/0

BY ABSOLUTE MAJORITY

STAFF COMMENT

Council's administration has reviewed the fees and charges from 2022/2023 financial year as to whether we have covered all aspects of Councils operations and ensure that the current charge out rates are covering the costs of operations.

Councils Management and Staff reviewed the fees and charges in line with current operations and reviewed surrounding Councils fees and charges as a comparison and have come up with the following suggested changes;

INCREASED

The following fees & Charges have been increased due to

Private Works - Labour

- Increased Builders Rate to \$132 per hour to ensure cover Hourly rate plus overheads.

Council needs to consider the increase it wishes to have for the bin charges. Avon Waste have advised that the bin services will increase 5.8% and the Shire of Northam have advised that the deposit rate for rubbish will increase \$40 per tonne. This has an impact of between \$20,000 - \$40,000.

This increases for Avon Waste is the kerbside mainly with the recycling costs as well. The Shire of Northam is the deposit of waste from kerbside and the bins at the transfer station.

COMMENTS

Please find attached a copy of the updated proposed 2023/24 Fees and Charges.

TEN YEAR FINANCIAL PLAN

NIL

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2023/2024 Budget will be affected minimally due to some increases in fees.

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

** Absolute majority required.*

6.17. Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - (a) the cost to the local government of providing the service or goods;
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96;
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

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
- Administration Staff
- Council

STAFF RECOMMENDATION

That Council;

1. Adopts the fees and charges for 2023/24 as presented; and
2. Include the fees and charges in the 2023/24 Draft Budget.

9.6 CHEQUE LIST MAY 2023

File Ref: N/A
Author: Nikayla Ovens, Finance Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. May 2023 Payment List (under separate cover)

BACKGROUND

Accounts for payment from 1st May to 31st May 2023

TRUST

Trust Total	\$61,181.95
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MUNICIPAL FUND

Cheque	\$23,873.52
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EFT	\$536,046.90
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Direct Debit	\$74,574.88
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Municipal Total	\$634,495.30
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STAFF COMMENT

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

Distinctive Pools	\$ 235,294.75
Stage 3 – Swimming Pool	
GPR Truck Service & Repairs	\$ 30,534.84
Repair to Freightliner Prime Mover	
Water Corporation	\$ 18,128.29
Standpipe Charges	
Kellerberrin Community Resource Centre	\$ 12,250.00
Library Payment from Shire July 2022-April 2023 and Yearly information Bay Contribution	
Donovan Payne Architects	\$ 11,247.50
Contract Administration – Memorial Swimming Pool	
Western Australian Treasury Corporation	\$ 11,140.49
Loan No. 119 Interest payment - Construct CEACA Senior Units -Hammond St	
Sunny Sign Company Pty Ltd	\$ 9,333.50
Signs and arches for swimming pool and Mather Road	
Sapio Pty Ltd	\$ 9,323.88
Wheatbelt Secondary Freight Network - IT fit out of new offices	
Pool & Pump Service & Repairs Pty Ltd	\$ 9,087.57
Service, Supply and Install pump and plant equipment for Pool.	
Avon Waste	\$ 9,016.80
Domestic Rubbish and recycling Collection April 2023	
Woodstock Electrical Services	\$ 7,411.14
Repair Lights and Wiring at Hockey Oval due to bird damage.	

AFGRI Equipment Australia Pty Ltd	\$	7,385.93
Misc. parts for Repairs to John Deere Grader Hydraulics		
Market Creations Pty Ltd	\$	7,056.50
Wheatbelt Secondary Freight Network - Creation and hosting of website		
United Card Services Pty Ltd	\$	6,511.34
Fuel Supplies for the Month of April 2023		
Sunny Sign Company Pty Ltd	\$	5,805.36
Custom Arch Frame for Pool and Industrial Area		
Market Creations Pty Ltd	\$	5,645.20
WSFN - Creation and hosting of website		

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 May 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 **\$634,495.30** on vouchers EFT, CHQ, Direct payments*
2. *Trust Fund payments totalling **\$61,181.95** on vouchers EFT, CHQ, Direct payments*

9.7 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - MAY 2023
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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 May 2023.

Municipal Direct Debit List

Date	Name	Details	\$	Amount
2-May-23	Department of Health	Chlorine Permit - Pool & Dams		129.00
4-May-23	Shire of Kellerberrin	Creditors Payment		190,677.08
5-May-23	Department of Transport	Vehicle Inspection Fees		73.70
8-May-23	Shire of Kellerberrin	Precision Superannuation		13,872.67
9-May-23	Department of Communities	Rent		420.00
11-May-23	Shire of Kellerberrin	Pay Run		92,576.19
11-May-23	ATO	BAS April 2023		30,101.00
12-May-23	Shire of Kellerberrin	Precision Superannuation		14,517.65
12-May-23	Shire of Kellerberrin	Creditors Payment		150.00
18-May-23	Shire of Kellerberrin	Creditors Payment		345,219.82
19-May-23	Nayax Australia Pty Ltd	Vending Machine Caravan Park		38.17
23-May-23	Department of Communities	Rent		420.00
23-May-23	Minetrans Pty Ltd	Seat Covers Rosa Bus		1,513.60
25-May-23	Shire of Kellerberrin	Pay Run		77,524.91
26-May-23	Shire of Kellerberrin	Precision Superannuation		13,489.09
31-May-23	NAB	B-Pay Fees		23.92
31-May-23	NAB	Account Fees - Trust		12.40
31-May-23	NAB	Account Fees - Muni		29.10
31-May-23	NAB	Merchant Fees - Trust		6.04
31-May-23	NAB	Merchant Fees - Muni		102.86
31-May-23	NAB	Merchant Fees - Caravan Park		117.17
31-May-23	NAB	Merchant Fees - CRC		510.11
TOTAL			\$	781,524.48

Trust Direct Debit List

Date	Name	Details	\$	Amount
31-May-23	Department of Transport	Licencing Payments May 2023		59,131.95
TOTAL			\$	59,131.95

Visa Transactions

Date	Name	Details	\$	Amount
08-May-23	SP Madison Accessories	Farewell Gift Manager of Governance		199.95
17-May-23	Crown Gifts	Gift S.O'Neill Ex-Shire President		510.00
24-May-23	JSC Investments Pty Ltd	Deposit Bull Bar KE3		870.00
24-May-23	Pathwest Laboratory	Drug and Alcohol Test		110.00
29-May-23	NAB	Card Fee		9.00
TOTAL - CEO			\$	1,698.95

Date	Name	Details	\$	Amount
10-May-23	Kellerberrin Farmers Coop	Refreshments Meeting		56.50
25-May-23	Audel Power Tools	Parts John Deere Grader		626.71
29-May-23	NAB	Card Fee		9.00
TOTAL -DCEO				692.21

01-May-23	Bunnings	Stationery WSFN Manager	30.07
01-May-23	MM Electrical Midland	Stationery WSFN Manager	68.98
02-May-23	Kmart	Stationery WSFN Manager	217.50
02-May-23	Miss Maud	Meals WSFN Manager	195.40
10-May-23	Kellerberrin Farmers Coop	Meals WSFN Manager	45.00
11-May-23	Officeworks	Stationery WSFN Manager	40.78
12-May-23	Vistaprint	Stationery WSFN Manager	45.98
12-May-23	Vistaprint	Stationery WSFN Manager	57.98
16-May-23	Officeworks	Stationery WSFN Manager	39.98
18-May-23	The Principal Bar	Meals WSFN Manager	88.50
26-May-23	Australia Post	Stationery WSFN Manager	50.70
29-May-23	NAB	Card Fee	9.00
TOTAL -WSFN PROGRAMME MANAGER			889.87
01-May-23	Officeworks	Stationery WSFN Director	11.98
01-May-23	The Good Guys	Stationery WSFN Director	600.00
02-May-23	Woolworths	Meals WSFN Director	32.99
04-May-23	City of Perth	Parking WSFN Director	9.59
15-May-23	Jaycar Electrics	Parts KE003 WSFN Director	59.80
16-May-23	Woolworths	Meals WSFN Director	5.90
16-May-23	Nespresso	Meals WSFN Director	48.70
17-May-23	Woolworths	Meals WSFN Director	16.00
29-May-23	Dome Northam	Meals WSFN Director	54.05
29-May-23	NAB	Card Fee	9.00
TOTAL - WSFN PROGRAMME DIRECTOR			848.01
TOTAL VISA TRANSACTIONS			\$ 4,129.04

STAFF COMMENT

The Direct Debit List and Visa Card Transactions are presented for Council to note for the month of March 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 May 2023 comprising of;

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

9.8 FINANCIAL ACTIVITY STATEMENT - MAY 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 May 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 May 2023 comprising;

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

9.9 BUILDING REPORTS MAY 2023

File Ref: BUILD06
Author: Jacki Peak, 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 May period.
2. There were zero (0) "Building Permit" issued in the May 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

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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 May 2023 period.

2. *Acknowledge the "Return of Building Permits Issued" for the May 2023 period.*

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**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

14.1 2023/2024 Draft Wages Budget

This matter is considered to be confidential under Section 5.23(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

14.2 Sale of Toyota Prado - KE1

This matter is considered to be confidential under Section 5.23(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

14.3 Sale of Ford Wildtrak - KE 2

This matter is considered to be confidential under Section 5.23(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

15 CLOSURE OF MEETING