



AGENDA

Ordinary Council Meeting Tuesday, 26 September 2023

Date: Tuesday, 26 September 2023

Time: 4:00pm

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

Shire of Kellerberrin

Ordinary Council Meeting 26th September 2023

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Kellerberrin will be held on Tuesday, 26th September 2023 in the Council Chamber, 110 Massingham Street, Kellerberrin WA 6410 commencing at 4:00pm.

Raymond Griffiths
Chief Executive Officer
Thursday, 21 September 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 ACKNOWLEDGEMENT OF COUNTRY**

We begin today by acknowledging the Ballardong Noongar people as traditional custodians of the land and skies on which we gather, and we pay our respects to their elders, past, present and emerging.

3 ANNOUNCEMENT BY PRESIDING PERSON WITHOUT DISCUSSION**4 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE****5 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.

6 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.

6.1 Response to Previous Public Questions taken on Notice**6.2 Public Question Time**

7 CONFIRMATION OF PREVIOUS MEETINGS MINUTES**7.1 MINUTES OF THE COUNCIL MEETING HELD ON 15 AUGUST 2023**

File Ref: MIN
Author: Michelle Wilson, Executive Assistant
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: 1. Minutes of the Council Meeting held on 15 August 2023

STAFF RECOMMENDATION

That the Minutes of the Council Meeting held on 15 August 2023 be received as a true and correct record.

7.2 MINUTES OF THE BUSHFIRE ADVISORY COMMITTEE MEETING HELD ON 19 SEPTEMBER 2023**File Ref:** BUSH00**Author:** Morgan Ware, Manager of Governance**Authoriser:** Raymond Griffiths, Chief Executive Officer**Attachments:** 1. Minutes of the Bushfire Advisory Committee Meeting held on 19 September 2023

Bush Fire Advisory Committee Meeting – Tuesday, 19th September 2023.

STAFF RECOMMENDATION

That the Minutes of the Bushfire Advisory Committee Meeting held on 19 September 2023 be received and the recommendations therein be adopted.

8 PRESENTATIONS

8.1 Petitions

8.2 Presentations

8.3 Deputations

9 REPORTS OF COMMITTEES

Nil

10 CORPORATE SERVICES REPORTS

10.1 STATUS REPORT OF ACTION SHEET

File Ref: Various
Author: Michelle Wilson, Executive Assistant
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.

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FINANCIAL IMPLICATIONS

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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.

10.2 COMMON SEAL REGISTER AND REPORTING

File Ref: ADM52

Author: Michelle Wilson, Executive Assistant

Authoriser: Raymond Griffiths, Chief Executive Officer

Attachments: 1. Common Seal Register September 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.

10.3 FEES AND CHARGES UPDATE

File Ref: FIN04
Author: Morgan Ware, Manager of Governance
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 amended/additional Fees and Charges to apply from 26th September 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's 20th June 2023 – June Ordinary Meeting of Council

MIN 062/23 MOTION - Moved Cr. Leake Seconded Cr. Ryan

That Council;

- 1. Adopts the fees and charges for 2023/24 as presented; and***
 - a. Increase the Rubbish Charge Domestic and Commercial to \$250 per service; and***
 - b. Increases the Rubbish Charges Additional Bin fee to \$275 per service***
- 2. Include the fees and charges in the 2022/23 Draft Budget.***

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

STAFF COMMENT

Council has been reviewing its fees and charges in line with operating costs for the following;

1. Hire of Road Sweeper
 2. Housing Rentals
1. Currently Council charge \$165/hour wet hire of the road sweeper, due to the increased costs in the acquisition and maintenance of the sweeper the fee proposed to increase to \$185.00
 2. Housing rentals have remained consistent despite the increase in rental and market value, as well as increase costs associated with ongoing maintenance and utilities. Unit 1/29 & 2/29 Leake Street is currently \$250/week for non-shire employees with the proposed increase to \$300/week

Therefore, Council's Management propose the following amendments to Councils 2023/24 fees and charges;

1. Hire of Road Sweeper - \$185/hr
2. Unit 1/29 Leake Street - \$300/week for Private rental
3. Unit 2/29 Leake Street - \$300/week for Private rental

TEN YEAR FINANCIAL PLAN

Nil

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2022/2023 Budget will be affected minimally due to new 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

Council's Vision – To welcome diversity, culture and industry; promote a safe and prosperous community with a rich, vibrant and sustainable lifestyle for all to enjoy.

Core Drivers - Core drivers identify what Council will be concentrating on as it works towards achieving Council's 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
- Council.

STAFF RECOMMENDATION

That Council;

1. *Adopts the amendment to Councils fees and charges for 2023/24 as per the following;*
 - a. Hire of Road Sweeper - \$185/hr,
 - b. Unit 1/29 Leake Street - \$300/week for private rental; and
 - c. Unit 2/29 Leake Street - \$300/week for private rental
2. *Incorporate the amendments into the Fees and Charges 2023/2024 document.*
3. *Advertise the new charges on Council Website, Noticeboard, CRC, Ratepayers and all Social Media Platforms.*

10.4 COMMUNITY DONATION/SPONSORSHIP - LEWIS LAWRENCE

File Ref: ADM 00
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Council on Sunday, 10th September 2023 received the below email from Lewis Lawrence seeking sponsorship from the Shire of Kellerberrin to assist with his training;

Hi my names Lewis Lawrence, i grew up in our beautiful town for about 10 years! Since moving to the city I became an international model for Australia!

I have represented Australia in maylasia, Phillipines and now heading to turkey for the runway model universe. I can't say how happy I am to have been brought up in our small town and being apart of our amazing community. But I have even more exciting news that I want to share with you guys. On the 9th of September I applied for an audition for the celebrity express. Not knowing exactly what it was I went a head and went to the audition finding out that this company have brought up stars in movies and tv shows we see today on tv. After the audition they said they would give me a call back to confirm if it was a yes or no from the judge. I received the call later that night at 7:30pm with be best news of my life and that could be a life changing career for me, it was a YES! Today (10th September) I went it for a meeting with the CEO and team and they explained to me that they saw a lot of potential and really enjoyed experiencing my personality and the way I interact with people.

I would say a lot of my personality came together from the beautiful community of Kellerberrin and I'm so grateful to have had such a supportive and close friendly community of people in my life. So we sat down and the directors of the company showed me the process and what's involved and what I will be attending, they have two facilities one in LA and one in Sydney that I will be attending each for a week, I will be working with some of the best actors and learning so much and will be the start of an acting career for myself they said.

At the end of the week of learning and coaching I will be doing an audition in front of some of the biggest producers in the acting scene and from there could be casted for movies or tv! the cost of it all was a bit overwhelming, now for a second I held my breathe and my heart stopped because it's a lot of money for myself to come up with on the spot as they will need to process all the payments before we can get the ball rolling. So I wanted to reach out and ask for the support of my home town to take a leap of faith in me and help me thrive in this journey and follow my dreams and ask if you would be open to sponsor me with all of this, I've know since I was little that I had this spark in me and that there was a big world out there that I need to discover and I would love to later down track come to kellerberrin and inspire all the younger generations and show them that anything is possible if you set your mind, heart and mind to something even for us small country folk. Thank you and look forward to hearing back from you all I will attach some photos and information about everything also.

STAFF COMMENT

The above request is not something that Council hasn't considered previously. Please find attached a copy of the documents/training course that Lewis is attending for background information.

Should Council consider any sort of contribution/donation for this request it should ensure that it has a return to the community to ensure that Kellerberrin receives an outcome on the allocation of funding.

TEN YEAR FINANCIAL PLAN

NIL

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2023/2024 Budget

041019 – Donations

\$20,000 - Community Donations and Grants

\$ 3,000 - Public Relations, Sponsorship, Donations and Waivers

\$ 7,000 - Donations and Gifts (provide services or programs to residents of the Shire of an ongoing basis.

Council has decided in previous years that the following events be provided with ongoing funding through the Community Budget program without having to make an application to Council:

- Kellerberrin Agricultural Society - \$3,000 to host the Annual Show.
- Central Wheatbelt Harness Racing Club - \$3,000 to host the Central Harness Racing Cup.
- Chrissy Up Keller - \$3,000 to host the Annual Christmas Community Function and Chrissy up Keller

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
- Shire President

STAFF RECOMMENDATION

That Council provide a contribution of \$3,000 as a scholarship to Lewis Lawrence for The Celebrity Experience with the following conditions;

- On completion of course and return to Kellerberrin a report to be provided to Council on the outcomes of the course;
- A presentation to the Kellerberrin District High School advising of experiences and opportunities; and
- Promote Kellerberrin in any media available.

10.5 SHIRE OF KELLERBERRIN - COMMUNITY CROPPING

File Ref: ICR202644 & ADM00
Author: Raymond Griffiths, Chief Executive Officer
Authoriser: Raymond Griffiths, Chief Executive Officer
Attachments: Nil

BACKGROUND

Council's December 2020 Ordinary Meeting of Council – 15th December 2020

MIN 203/20 MOTION - Moved Cr. Leake Seconded Cr. McNeil

That Council for a three year period;

- 1. Allocate the Scaddan Street property to the Kellerberrin Agricultural Society*
 - 2. Allocate Restdown Estate to the Kellerberrin Bowling Club*
 - 3. Allocate Industrial Area (Shire owned land) and Airstrip to FOKC*
 - 4. Allocate land from the Shackleton Road re-alignment to the Kellerberrin Bowling Club.*
- CARRIED 7/0**

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

MIN 030/19 MOTION - Moved Cr. Leake 2nd Cr. Reid

That Council adopt to receive the late application from the Kellerberrin Agricultural Society for Community Cropping submissions for reasons as per email dated Monday 18 March.

CARRIED 6/0

MIN 031 /19 MOTION - Moved Cr. Steber 2nd Cr. O'Neill

That Council for a two year period;

- 1. Allocate the Scaddan Street property to the Kellerberrin Agricultural Society;*
- 2. Allocate Restdown Estate to the Kellerberrin Bowling Club;*
- 3. Allocate Industrial Area (Shire owned land) and Airstrip to the Kellerberrin and Districts Club and*
- 4. Provide reimbursement of lease fees associated with lease land for Doodlakine Bowling Club up to \$3,000;*
- 5. Provide reimbursement of lease fees associated with lease land for P&C up to \$3,000;*
- 6. Allocate \$1,500 to the Men's Shed as a contribution in lieu of Community Cropping.*

CARRIED 5/1

Council's February 2019 Ordinary Meeting of Council – 12th February 2019

MIN 024/19 MOTION - Moved Cr. O'Neill 2nd Cr. Leake

That Council acknowledge receipt of the letter and advise that all community cropping land will be advertised for expressions of interest in February and presented to the March Council meeting.

CARRIED 6/0

| |
|--|
| Council's March 2018 Ordinary Meeting of Council – 20 th March 2018 |
|--|

MIN 033/18 MOTION - Moved Cr. White 2nd Cr. Leake***That Council:***

- 1. approves the cropping rights lease to the Kellerberrin Men's Shed on land described as Restdown Estate, Scott Street, Kellerberrin to the following conditions;***
- 2. approves the cropping rights lease to the Kellerberrin Bowling Club on lands described as lot 428 Scadden Street, Industrial Area and Air Strip, Kellerberrin to the following conditions;***

CONDITIONS

- a) One Year Lease Term***
- b) Fees be waived subject to compliance of conditions outlined in the Agreement***
- c) authorises the Chief Executive Officer and Shire President to execute the Lease Agreement.***

CARRIED 6/0

BY ABSOLUTE MAJORITY

| |
|--|
| Council's August 2013 Ordinary Meeting of Council – 20 th August 2013 |
|--|

MIN 122/13 MOTION - Moved Cr Bee. 2nd Cr O'Neill.***That Council;***

- 1. Advertise in the local pipeline the following lease (disposition) inviting submissions;***
 - five year lease to the Kellerberrin Community Men's Shed for the fenced off area of Restdown Estate commencing 1st January 2014.***
 - Offers the lease at nil cost, in lieu of its \$1,500.00 contribution through community budget.***
- 2. Subject to no submissions being received, delegates authority to the Chief Executive Officer to execute the lease documents.***

CARRIED 6 /0

BY ABSOLUTE MAJORITY**STAFF COMMENT**

Council has previously provided Council owned farmland available to the community for Community Cropping to enable a fundraising venture for Sporting and Community Clubs. The main areas have previously been:

- a) Restdown Estate
- b) Industrial Area
- c) Airport
- d) Lot 428 Scadden Street (Paddock west of Golf Course – previously leased by Lamplugh's)
- e) Shackleton Road Re-alignment section

With the three year period coming to an end at the completion of harvest this year Council may wish to give some consideration on how they wish the community cropping program is undertaken going forward.

The options could be:

1. Advertise for EOI's for the community cropping program for a three year term; or

2. Contact the Sport and Rec Committee to see if they are interested in undertaking the program with all sporting groups and they raise funds for specific projects being;
 - Indoor Court Flooring
 - Replace Flooring in hallways at Recreation Centre; or
 - Funding provided to clubs on application to the committee.

TEN YEAR FINANCIAL PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

STATUTORY IMPLICATIONS

Local Government Act 1995 (as amended)

- Schedule 6.2 relates to Provisions relating to Lease of Land where rates or service charges unpaid.
- Clause 1 details the form of lease and a local government may lease the land for such term not exceeding 7 years at one time, as it thinks fit or if the land is subject to the provisions of the Transfer of Land Act 1893, where the term of the lease exceeds 3 years, the lease shall be registered with the Register of Titles.

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
- Councillors

STAFF RECOMMENDATION

That Council

1. *Offer the community cropping land to the Sport and Recreation Committee.*
2. *On advice from the Sport and Rec Committee they decline the offer, advertise the community cropping programme for a three year period.*

10.6 LONG TERM FINANCIAL PLAN

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

BACKGROUND

Council's October 2016 Ordinary Meeting of Council

MIN 173/16 MOTION - Moved Cr. McNeil 2nd Cr. Leake

That Council adopts;

1. Rate increases of:

- a. 2017/2018 at 5%***
- b. 2018/2019 at 5%***
- c. 2019/2020 at 4.5%***
- d. 2020/2021 at 4.5%***
- e. 2021/2022 at 4.5%***
- f. 2022/2023 at 4.5%***
- g. 2023/2024 at 3.0%***
- h. 2024/2025 at 3.0%***
- i. 2025/2026 at 3.0%***
- j. 2026/2027 at 3.0%***
- k. 2027/2028 at 3.0%***
- l. 2028/2029 at 2.5%***
- m. 2029/2030 at 2.5%***
- n. 2030/2031 at 2.5%.***

2. The Long Term Financial Plan v1 – Review 2016 as presented.

CARRIED 6/0

Council's Feb 2016 Ordinary Meeting of Council

MIN 06/16 MOTION - Moved Cr. O'Neill 2nd Cr Reid

That Council adopt the Long Term Financial Plan – Review 2016 as presented with an average incremental Rates increase of 5.1% pa. for four years, followed by 4.9% pa. for four years, and then 4.5% pa.

CARRIED 5/0

Council's June 2013 Ordinary Meeting of Council

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

That Council adopt:

- 1. Strategic Community Plan***
- 2. Corporate Business Plan***
- 3. Long Term Financial Plan***
- 4. Asset Management Strategy***
- 5. Furniture and Equipment Asset Management Plan***
- 6. Plant and Equipment Asset Management Plan***
- 7. Land and Buildings Asset Management Plan***
- 8. Infrastructure Asset Management Plan***
- 9. Workforce Plan;***

as presented.

CARRIED 6/0

Council's February 2013 Ordinary Meeting of Council

MIN 22/13 MOTION - Moved Cr. Bee 2nd Cr. Daley***That Council adopts the Draft Strategic Community Plan as its Final Strategic Community Plan for the Shire of Kellerberrin without modification.***

CARRIED 5/0

Council's December 2012 Ordinary Meeting of Council

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

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

CARRIED 5/0

Council's June 2012 Ordinary Meeting of Council

MIN 113/12 MOTION - Moved Cr. O'Neill 2nd Cr. Bee**That Council adopt the following as its Vision Statement for its Strategic Community Plan:-*****“To welcome diversity, culture and industry; promote a safe and prosperous community with a rich, vibrant and sustainable lifestyle for all to enjoy.”***

CARRIED 6/0

STAFF COMMENT

Council's management staff have been reviewing the Long-Term Financial Plan from the current adopted budget for a further fifteen (15) years.

The current plan that has been presented includes some exciting infrastructure projects going forward as well as necessary plant replacement and normal operations of Council.

Some of the infrastructure projects include but not limited too;

- Medical Centre
- Staff Housing
- Caravan Park Development (Additional 2 x 2's & Dongas)
- Road Construction Program
- Renewal/Upgrades to current infrastructure
 - Swimming Pool;
 - Recreation Centre
 - Cemetery
 - Centenary Park
 - Dam Infrastructure
 - Oval Lighting
 - Ovals

The plan has been constructed with the following increases in rates over the fifteen (15) year period.

| Financial Year | Percentage Increase % |
|----------------|-----------------------|
| 2024-2025 | 5.00 |
| 2025-2026 | 5.00 |
| 2026-2027 | 5.00 |
| 2027-2028 | 5.00 |
| 2028-2029 | 3.00 |
| 2029-2030 | 3.00 |
| 2030-2031 | 3.00 |
| 2031-2032 | 3.00 |
| 2032-2033 | 3.00 |
| 2033-2034 | 3.00 |
| 2034-2035 | 3.00 |
| 2035-2036 | 3.00 |
| 2036-2037 | 3.00 |
| 2037-2038 | 3.00 |

TEN YEAR FINANCIAL PLAN

Budgets 2023/2024 – 2037/2038

FINANCIAL IMPLICATIONS

Budgets 2023/2024 – 2037/2038

STATUTORY IMPLICATIONS

Local Government Act 1995

5.56. Planning for the future

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

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

Local Government (Administration) Regulations 1996

Part 5 — Annual reports and planning

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

Division 1 — Preliminary

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

19BA.Terms used

In this Part —

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

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

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

Division 3 — Planning for the future

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

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

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

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

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

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and

- (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

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

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

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

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

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

- (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
- (ii) details of where and when the modified plan may be inspected.

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

STRATEGIC 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
- LG Corporate Solutions
- Councillors

STAFF RECOMMENDATION

That Council adopts the Long-Term Financial Plan 2023/2024 – 2037/2038 as shown in Attachment A.

10.7 CHEQUE LIST AUGUST 2023

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

BACKGROUND

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

TRUST

| | |
|--------------------|-------------------|
| Trust Total | \$9,013.47 |
|--------------------|-------------------|

MUNICIPAL FUND

| | |
|---------------|-----------------|
| Cheque | \$533.18 |
|---------------|-----------------|

| | |
|------------|---------------------|
| EFT | \$495,800.00 |
|------------|---------------------|

| | |
|---------------------|---------------------|
| Direct Debit | \$115,877.82 |
|---------------------|---------------------|

| | |
|------------------------|---------------------|
| Municipal Total | \$612,211.00 |
|------------------------|---------------------|

STAFF COMMENT

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

| | |
|--|---------------|
| EFTSURE PTY LTD | \$ 5,367.12 |
| EFTsure Software 12 Monthly Subscription July 2023 - June 2024 | |
| LGIS Insurance Broking | \$ 6,596.27 |
| Salary Continuance Insurance 23/24 | |
| Western Australian Treasury Corporation | \$ 7,557.27 |
| Government Guarantee Fee | |
| Avon Waste | \$ 8,660.42 |
| Domestic Collections for the Month of July 2023 | |
| Western Australian Treasury Corporation | \$ 11,140.49 |
| Loan No. 119 Interest payment - Construct CEACA Senior Units -Hammond St | |
| Wheatbelt East Regional Organisation of Councils Inc. WE-ROC | \$ 13,200.00 |
| Annual Financial Contribution to the Wheatbelt East Regional Organisations of Councils | |
| United Card Services Pty Ltd | \$ 19,114.51 |
| Card Fuel Purchases for the Month of July 2023 | |
| Midway Ford | \$ 62,267.35 |
| Gross Purchase of Ford Everest 2023 SUV Trend 2.0L DSL | |
| LGIS Liability | \$ 188,667.09 |
| LGIS Liability Insurance 23/24 | |

TEN YEAR FINANCIAL PLAN

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

FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2023/2024 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 August 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 **\$612,211.00** on vouchers EFT , CHQ, Direct payments*
2. *Trust Fund payments totalling **\$9,013.47** on vouchers EFT, CHQ, Direct payments*

10.8 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - AUGUST 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 August 2023.

Municipal Direct Debit List

| Date | Name | Details | \$ | Amount |
|--------------|---------------------------|---|-----------|-------------------|
| 1-Aug-23 | Department of Communities | Rent | | 420.00 |
| 1-Aug-23 | 3 E Advantage | Copier Lease WSNF | | 246.40 |
| 1-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 7,557.27 |
| 3-Aug-23 | Shire of Kellerberrin | Precision Superannuation | | 13,796.46 |
| 3-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 3,514.50 |
| 3-Aug-23 | Shire of Kellerberrin | Pay Run | | 74,487.89 |
| 7-Aug-23 | Department of Transport | Vehicle Inspection Fees | | 100.10 |
| 9-Aug-23 | NAB | NAB Connect Fee | | 50.23 |
| 10-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 80,809.96 |
| 15-Aug-23 | Department of Communities | Rent | | 420.00 |
| 15-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 215,176.30 |
| 16-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 21,145.80 |
| 16-Aug-23 | ATO | July 2023 BAS | | 4,538.00 |
| 17-Aug-23 | Shire of Kellerberrin | Precision Superannuation | | 12,897.13 |
| 17-Aug-23 | Shire of Kellerberrin | Pay Run | | 66,770.06 |
| 17-Aug-23 | ACMA | Communications Licence Kellerberrin Hill Repeater | | 224.00 |
| 17-Aug-23 | ACMA | Communications Licence Doodlakine Repeater | | 91.00 |
| 17-Aug-23 | ACMA | Communications Licence Airport | | 45.00 |
| 21-Aug-23 | Nayax Australia Pty Ltd | Vending Machine Caravan Park | | 38.17 |
| 24-Aug-23 | NAB | NAB Connect Fee | | 55.73 |
| 25-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 32,082.88 |
| 25-Aug-23 | Shire of Kellerberrin | Creditors Payment | | 147,334.25 |
| 28-Aug-23 | Shire of Kellerberrin | Pay Run | | 1,484.42 |
| 28-Aug-23 | Shire of Kellerberrin | Precision Superannuation | | 190.95 |
| 29-Aug-23 | Department of Communities | Rent | | 420.00 |
| 29-Aug-23 | Shire of Kellerberrin | Precision Superannuation | | 484.81 |
| 30-Aug-23 | Shire of Kellerberrin | Precision Superannuation | | 44.69 |
| 31-Aug-23 | NAB | B - Pay Charge | | 197.80 |
| 31-Aug-23 | NAB | Account Fees - Trust | | 14.20 |
| 31-Aug-23 | NAB | Account Fees - Muni | | 81.40 |
| 31-Aug-23 | NAB | Merchant Fees -Trust | | 0.78 |
| 31-Aug-23 | NAB | Merchant Fees - Caravan Park | | 121.10 |
| 31-Aug-23 | NAB | Merchant Fees - Muni | | 270.63 |
| 31-Aug-23 | NAB | Merchant Fees - CRC | | 568.29 |
| 31-Aug-23 | Shire of Kellerberrin | Precision Superannuation | | 12,461.86 |
| 31-Aug-23 | Shire of Kellerberrin | Pay Run | | 63,840.72 |
| TOTAL | | | \$ | 761,982.78 |

Trust Direct Debit List

| Date | Name | Details | \$ | Amount |
|--------------|-------------------------|--------------------------------|-----------|------------------|
| 31-Aug-23 | Department of Transport | Licensing Payments August 2023 | | 66,293.40 |
| TOTAL | | | \$ | 66,293.40 |

Visa Transactions

| Date | Name | Details | \$ | Amount |
|--------------------------------------|--------------------------------|--|-----------|-----------------|
| 05-Aug-23 | United Fuels | Charger Cable I Phone | | 33.00 |
| 13-Aug-23 | Dropbox | Annual Subscription Dropbox (Includes Intl Fee \$9.21) | | 316.11 |
| 15-Aug-23 | United Fuels | Fuel Purchase P8 | | 808.19 |
| 16-Aug-23 | CSR Gyprock | Private Works McDonald - Materials | | 534.78 |
| 16-Aug-23 | CSR Gyprock | Building Materials Stock on Hand | | 2,136.77 |
| 23-Aug-23 | Cuballing Hotel | Accommodation LGIS Meeting | | 210.00 |
| 24-Aug-23 | Parrys Narrogin | CEO - Uniform | | 54.95 |
| 25-Aug-23 | EST 1978 Narrogin | Meals - LGIS Meeting | | 60.50 |
| 29-Aug-23 | NAB | Card Fee | | 9.00 |
| TOTAL - CEO | | | \$ | 4,163.30 |
| Date | Name | Details | \$ | Amount |
| 31-Jul-23 | Local Government Professionals | Annual Subscription LG Pro | | 531.00 |
| 16-Aug-23 | Flexible Drive | Parts Mount Caroline Bush Truck | | 260.93 |
| 25-Aug-23 | Shire of Kellerberrin | Licencing KE002 | | 37.80 |
| 29-Aug-23 | NAB | Card Fee | | 9.00 |
| TOTAL -MOG | | | | 838.73 |
| Date | Name | Details | \$ | Amount |
| 14-Aug-23 | Woolworths | Meals WSNF Programme Director | | 41.75 |
| 22-Aug-23 | Dimensions Café | Meals WSNF Programme Director | | 35.00 |
| 23-Aug-23 | Hotel Booking.com | Accommodation WSNF Programme Director | | 773.20 |
| 24-Aug-23 | Australia Post | Stationery WSNF Programme Director | | 14.50 |
| 24-Aug-23 | Qantas | Airfare WSNF Programme Director | | 1,366.07 |
| 29-Aug-23 | NAB | Card Fee | | 9.00 |
| TOTAL WSNF PROGRAMME DIRECTOR | | | | 2,239.52 |
| 03-Aug-23 | Coles Express | Fuel WSNF Programme Manager | | 135.88 |
| 08-Aug-23 | Gilberts Fesh Midland | Meals WSNF Programme Manager | | 64.99 |
| 14-Aug-23 | Totally Workwear Malaga | Uniform WSNF Programme Manager | | 209.95 |
| 17-Aug-23 | Woolworths Midland Gate | Meals WSNF Programme Manager | | 13.75 |
| 21-Aug-23 | Puma Dowerin | Meals WSNF Programme Manager | | 8.18 |
| 21-Aug-23 | LG & QU Nominees | Meals WSNF Programme Manager | | 14.00 |
| 21-Aug-23 | Puma Dowerin | Fuel WSNF Programme Manager | | 141.91 |
| 25-Aug-23 | BP Goomalling | Meals WSNF Programme Manager | | 27.16 |
| 29-Aug-23 | NAB | Card Fee | | 9.00 |
| TOTAL WSNF PROGRAMME MANAGER | | | | 624.82 |
| TOTAL VISA TRANSACTIONS | | | \$ | 7,866.37 |

STAFF COMMENT

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

TEN YEAR FINANCIAL PLAN

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

FINANCIAL IMPLICATIONS

Financial Management of 2023/2024 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 August 2023 comprising of;

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

10.9 FINANCIAL ACTIVITY STATEMENT - AUGUST 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 2023 Ordinary Meeting of Council – 18th July 2023

MIN 001/23 MOTION - Moved Cr. Forsyth Seconded Cr. Reid

That Council:

PART F – MATERIAL VARIANCE REPORTING FOR 2023/2024

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 2023/2024 for reporting material variances shall be 10% or \$10,000, whichever is the greater.

CARRIED 7/0

BY ABSOLUTE MAJORITY

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 August 2023.

TEN YEAR FINANCIAL PLAN

Financial Management of 2023/2024 Budget.

FINANCIAL IMPLICATIONS

Financial Management of 2023/2024 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

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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 August 2023 comprising;

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

10.10 BUILDING REPORTS AUGUST 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 August period.
2. There were zero (0) "Building Permit" issued in the August 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 August 2023 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the August 2023 period.*

11 DEVELOPMENT SERVICES REPORTS

Nil

12 WORKS & SERVICES REPORTS

Nil

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**15 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:

15.1 Sale of Ford Everest Trend - KE 002

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.

16 CLOSURE OF MEETING