



# **MINUTES**

## **Ordinary Council Meeting Tuesday, 19 November 2024**

**Date: Tuesday, 19 November 2024**

**Time: 4:00pm**

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

**Order Of Business**

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**MINUTES OF SHIRE OF KELLERBERRIN  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 110 MASSINGHAM STREET, KELLERBERRIN WA 6410  
ON TUESDAY, 19 NOVEMBER 2024 AT 4:00PM**

**1 DECLARATION OF OPENING**

The president declared the meeting open at 4:02pm.

**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**

**PRESENT:**

- President Matt Steber (President),
- Cr Emily Ryan (Deputy President),
- Cr David Leake,
- Cr Dennis Reid,
- Cr Monica Gardiner,
- Cr Kelsey Pryer,
- Cr Paul Brown

**IN ATTENDANCE:**

- Raymond Griffiths (Chief Executive Officer),
- Morgan Ware (Manager of Governance)

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

Nil

**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.

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>	<b>Nature of Interest</b>
Cr. Kelsey Pryer	15.1 – Australia Day Nominations	Impartiality Interest	An Association with the applicant.

**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**

Nil

**6.2 Public Question Time**

Nil

**7 CONFIRMATION OF PREVIOUS MEETINGS MINUTES**

**7.1 MINUTES OF THE COUNCIL MEETING HELD ON 15 OCTOBER 2024**

**File Ref:** MIN  
**Author:** Michelle Wilson, Executive Assistant  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:** 1. Minutes of the Council Meeting held on 15 October 2024

**STAFF RECOMMENDATION**

That the Minutes of the Council Meeting held on 15 October 2024 be received as a true and correct record of the meeting.

**COUNCIL RESOLUTION**

**MIN 126/24      MOTION - Moved Cr. Pryer      Seconded Cr. Leake**

***That the Minutes of the Council Meeting held on 15 October 2024 be received as a true and correct record of the meeting.***

**In Favour:**      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

**Against:**      Nil

**CARRIED 7/0**

**7.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 4 NOVEMBER 2024**

**File Ref:** ADM  
**Author:** Raymond Griffiths, Chief Executive Officer  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:** 1. Minutes of the Special Council Meeting held on 4 November 2024

**HEADING**

Council on the 4<sup>th</sup> November 2024 held a Special Council meeting for the purpose of appointing Councils Manager of Works and Services.

**STAFF RECOMMENDATION**

That the Minutes of the Special Council Meeting held on 4 November 2024 be received as a true and correct record of the meeting.

**COUNCIL RESOLUTION**

**MIN 127/24      MOTION - Moved Cr. Gardiner      Seconded Cr. Brown**

***That the Minutes of the Special Council Meeting held on 4 November 2024 be received as a true and correct record of the meeting.***

In Favour:      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against:      Nil

**CARRIED 7/0**

**8 PRESENTATIONS**

**8.1 Petitions**

Nil

**8.2 Presentations**

Nil

**8.3 Deputations**

Nil

**9 REPORTS OF COMMITTEES**

Nil

## 10 CORPORATE SERVICES REPORTS

### 10.1 STATUS REPORT OF ACTION SHEET

<b>File Ref:</b>	<b>Various</b>
<b>Author:</b>	<b>Michelle Wilson, Executive Assistant</b>
<b>Authoriser:</b>	<b>Raymond Griffiths, Chief Executive Officer</b>
<b>Attachments:</b>	<b>1. Status Report of Action Sheet - November 2024</b>

#### 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 known at this time.

#### STAFF COMMENT

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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,
- (c) has —
  - (d) a direct or indirect financial interest in the matter; or
  - (e) a proximity interest in the matter.

*[Section 5.60 inserted by No. 64 of 1998 s. 30.]*

5.60A. Financial interest

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

*[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]*

5.60B. Proximity interest

(1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —

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

(2) In this section, land (**the proposal land**) adjoins a person's land if —

- (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land;
- (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
- (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.

(3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

*[Section 5.60B inserted by No. 64 of 1998 s. 30.]*

5.61. Indirect financial interests

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

5.62. Closely associated persons

(1) For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —

- (a) the person is in partnership with the relevant person; or
- (b) the person is an employer of the relevant person; or
- (c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or
- (ca) the person belongs to a class of persons that is prescribed; or
- (d) the person is a body corporate —
  - (i) of which the relevant person is a director, secretary or executive officer; or
  - (ii) in which the relevant person holds shares having a total value exceeding —
    - (I) the prescribed amount; or
    - (II) the prescribed percentage of the total value of the issued share capital of the company,whichever is less;

or

(e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or

(ea) the relevant person is a council member and the person —

- (i) gave a notifiable gift to the relevant person in relation to the election at which the relevant person was last elected; or

- (ii) has given a notifiable gift to the relevant person since the relevant person was last elected;
- or
- (eb) the relevant person is a council member and since the relevant person was last elected the person —
  - (i) gave to the relevant person a gift that section 5.82 requires the relevant person to disclose; or
  - (ii) made a contribution to travel undertaken by the relevant person that section 5.83 requires the relevant person to disclose;
- or
- (f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

(2) In subsection (1) —

**notifiable gift** means a gift about which the relevant person was or is required by regulations under section 4.59(a) to provide information in relation to an election;

**value**, in relation to shares, means the value of the shares calculated in the prescribed manner or using the prescribed method.

*[Section 5.62 amended by No. 64 of 1998 s. 31; No. 28 of 2003 s. 110; No. 49 of 2004 s. 51; No. 17 of 2009 s. 26.]*

5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —
  - (a) an interest common to a significant number of electors or ratepayers;
  - (b) an interest in the imposition of any rate, charge or fee by the local government;
  - (c) an interest relating to a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers;
  - (d) an interest relating to the pay, terms or conditions of an employee unless —
    - (i) the relevant person is the employee; or
    - (ii) either the relevant person's spouse, de facto partner or child is the employee if the spouse, de facto partner or child is living with the relevant person;
  - [(e) deleted]*
  - (f) an interest arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects;
  - (g) an interest arising only because the relevant person is, or intends to become, a member, office bearer, officer or employee of a department of the Public Service of the State or Commonwealth or a body established under this Act or any other written law; or
  - (h) a prescribed interest.
- (2) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
  - (a) any proposed change to a planning scheme for any area in the district;
  - (b) any proposed change to the zoning or use of land in the district; or
  - (c) the proposed development of land in the district,

then, subject to subsection (3) and (4), the person is not to be treated as having an interest in a matter for the purposes of sections 5.65, 5.70 and 5.71.

- (3) If a relevant person has a financial interest because the valuation of land in which the person has an interest may be affected by —
  - (a) any proposed change to a planning scheme for that land or any land adjacent to that land;
  - (b) any proposed change to the zoning or use of that land or any land adjacent to that land; or

(c) the proposed development of that land or any land adjacent to that land, then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

(4) If a relevant person has a financial interest because any land in which the person has any interest other than an interest relating to the valuation of that land or any land adjacent to that land may be affected by —

(a) any proposed change to a planning scheme for any area in the district;

(b) any proposed change to the zoning or use of land in the district; or

(c) the proposed development of land in the district,

then nothing in this section prevents sections 5.65, 5.70 and 5.71 from applying to the relevant person.

(5) A reference in subsection (2), (3) or (4) to the development of land is a reference to the development, maintenance or management of the land or of services or facilities on the land.

*[Section 5.63 amended by No. 1 of 1998 s. 15; No. 64 of 1998 s. 32; No. 28 of 2003 s. 111; No. 49 of 2004 s. 52; No. 17 of 2009 s. 27.]*

**[5.64.** Deleted by No. 28 of 2003 s. 112.]

5.65. Members' interests in matters to be discussed at meetings to be disclosed

(1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —

(a) in a written notice given to the CEO before the meeting; or

(b) at the meeting immediately before the matter is discussed.

Penalty: \$10 000 or imprisonment for 2 years.

(2) It is a defence to a prosecution under this section if the member proves that he or she did not know —

(a) that he or she had an interest in the matter; or

(b) that the matter in which he or she had an interest would be discussed at the meeting.

(3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.66. Meeting to be informed of disclosures

If a member has disclosed an interest in a written notice given to the CEO before a meeting then —

(a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and

(b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

*[Section 5.66 amended by No. 1 of 1998 s. 16; No. 64 of 1998 s. 33.]*

5.67. Disclosing members not to participate in meetings

A member who makes a disclosure under section 5.65 must not —

(a) preside at the part of the meeting relating to the matter; or

(b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under section 5.68 or 5.69.

Penalty: \$10 000 or imprisonment for 2 years.

5.68. Councils and committees may allow members disclosing interests to participate etc. in meetings

(1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter —

- (a) may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
  - (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if —
    - (i) the disclosing member also discloses the extent of the interest; and
    - (ii) those members decide that the interest —
      - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
      - (II) is common to a significant number of electors or ratepayers.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question of whether an application should be made to the Minister under section 5.69.

5.69. Minister may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the council or the CEO may apply to the Minister to allow the disclosing member to participate in the part of the meeting, and any subsequent meeting, relating to the matter.
- (2) An application made under subsection (1) is to include —
  - (a) details of the nature of the interest disclosed and the extent of the interest; and
  - (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may allow, on any condition determined by the Minister, the disclosing member to preside at the meeting, and at any subsequent meeting, (if otherwise qualified to preside) or to participate in discussions or the decision making procedures relating to the matter if —
  - (a) there would not otherwise be a sufficient number of members to deal with the matter; or
  - (b) the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.

Penalty: \$10 000 or imprisonment for 2 years.

*[Section 5.69 amended by No. 49 of 2004 s. 53.]*

5.69A. Minister may exempt committee members from disclosure requirements

- (1) A council or a CEO may apply to the Minister to exempt the members of a committee from some or all of the provisions of this Subdivision relating to the disclosure of interests by committee members.
- (2) An application under subsection (1) is to include —
  - (a) the name of the committee, details of the function of the committee and the reasons why the exemption is sought; and
  - (b) any other information required by the Minister for the purposes of the application.
- (3) On an application under this section the Minister may grant the exemption, on any conditions determined by the Minister, if the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- (4) A person must not contravene a condition imposed by the Minister under this section.

Penalty: \$10 000 or imprisonment for 2 years.

*[Section 5.69A inserted by No. 64 of 1998 s. 34(1).]*

5.70. Employees to disclose interests relating to advice or reports

- (1) In this section —

employee includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest.

Penalty: \$10 000 or imprisonment for 2 years.

5.71. Employees to disclose interests relating to delegated functions

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and —

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and
- (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.

Penalty: \$10 000 or imprisonment for 2 years.

**STRATEGIC COMMUNITY PLAN**

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

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

**COMMUNITY CONSULTATION**

The following consultation took place;

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

**STAFF RECOMMENDATION**

*That Council receive the status report.*

**COUNCIL RESOLUTION**

**MIN 128/24      MOTION - Moved Cr. Reid      Seconded Cr. Ryan**

***That Council receive the status report.***

**In Favour:**      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

**Against:**      Nil

**CARRIED 7/0**

**10.2 COUNCIL POLICY MANUAL REVIEW**

**File Ref:** Policies  
**Author:** Michelle Wilson, Executive Assistant  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:** 1. Council Policy Manual - November 2024

**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.

April Ordinary Council Meeting – 16 April 2024

**MIN 040/24 MOTION - Moved Cr. Brown Seconded Cr. Pryer**

***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.***

**CARRIED 7/0**

June Ordinary Council Meeting – 20 June 2023

**MIN 060/23 MOTION - Moved Cr. Reid Seconded Cr. Forsyth**

***That Council;***

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

**CARRIED 7/0**

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:

### **WF 07.03\_Unsealed Road Closures**

The purpose of this policy is to protect the integrity of unsealed roads within the Shire following heavy rain events by implementing temporary road closures and restrictions. This procedure ensures effective communication through various channels and addresses local access needs while safeguarding the road network.

### **WH 05.04\_Chemical Safety in the Workplace Policy**

The purpose of this policy is to ensure that there is a systematic and consistent approach in the safe management and handling of hazardous chemicals in the workplace. The policy has been developed as a guide in the safe use, storage and disposal of hazardous chemicals and also applies to the storage and handling of dangerous goods, ensuring compliance with *Work Health and Safety Act (2020)*, its regulations and codes of practice.

Council staff have amended the following policy:

### **FM 04.01 Accounting Principles Policy**

The purpose of this policy is to ensure consistency and accuracy of reporting in accordance with required standards. The policy was updated to reflect current regulations including the change to depreciation of assets.

## **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 following new Policies;
  - a. Unsealed Road Closures
  - b. Chemical Safety in the Workplace
2. Adopts the amended Accounting Principles Policy; and;
3. Instructs the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.

**COUNCIL RESOLUTION**

**MIN 129/24      MOTION - Moved Cr. Gardiner      Seconded Cr. Brown**

***That Council;***

- 1. Adopts the following new Policies;***
  - a. Unsealed Road Closures***
  - b. Chemical Safety in the Workplace***
- 2. Adopts the amended Accounting Principles Policy; and;***
- 3. Instructs the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.***

In Favour:      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against:      Nil

**CARRIED 7/0**

**10.3 DRAFT FEES & CHARGES 2024/2025**

**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 1<sup>st</sup> 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 June Ordinary Meeting of Council – 18<sup>th</sup> June 2024

**MIN 079/24 MOTION - Moved Cr. Pryer Seconded Cr. Leake**

***That Council;***

- 1. Adopts the fees and charges for 2024/25 as presented; and***
- 2. Include the fees and charges in the 2024/25 Draft Budget.***

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against: Nil

**CARRIED 7/0  
BY ABSOLUTE MAJORITY**

Council's June Ordinary Meeting of Council - 20<sup>th</sup> June 2023

**MIN 06/23 MOTION - Moved Cr. Leake Seconded Cr. Ryan**

***That Council;***

- 1. Adopts the fees and charges for 2023/24 as presented; and***
  - a. Increases the Rubbish Charges 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 2023/24 Draft Budget.***

**CARRIED 7/0  
BY ABSOLUTE MAJORITY**

Council's 17<sup>th</sup> May 2022 – Ordinary Meeting of Council

**MIN 066/22 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 15 <sup>th</sup> February 2022 – Ordinary Meeting of Council
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**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**

## **STAFF COMMENT**

Councils administration through the operations of the first quarter have noticed a few anomalies and some fees and charges that required amending to ensure that Council is charging correct and up to date rates reflective to costs.

The following fees and charges have been amended:

- Street Sweeper to \$185 to reflect the correct rate.
- Animal Destruction to include Surrender
- Modify Caravan Park charges to reflect the weekly rate is a minimum of a four night stay. Therefore three nights stays will be charged at the nightly rates.
- Weekend and Public Holidays fees changed from \$1,320 down to \$800
- Add Eastern Wheatbelt Riding Club to Annual Bonds Listing
- Remove Credit Card Surcharge of 1.5%
- Add use of audio equipment into Cuolahan Cottle Room Meeting fee details.

## **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 amended fees and charges for 2024/25 as presented; and
2. Advertise the amended fees and charges as required.

## COUNCIL RESOLUTION

MIN 130/24

MOTION - Moved Cr. Leake

Seconded Cr. Ryan

*That Council;*

1. *Adopts the amended fees and charges for 2024/25 as presented; and*
2. *Advertise the amended fees and charges as required.*

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against: Nil

**CARRIED 7/0  
BY ABSOLUTE MAJORITY**

**10.4 CHEQUE LIST OCTOBER 2024**

**File Ref:** N/A  
**Author:** Nikayla Ovens, Finance Officer  
**Authoriser:** Morgan Ware, Manager of Governance  
**Attachments:** 1. Payment List - October 2024

**BACKGROUND**

Accounts for payment from 1<sup>st</sup> October – 31<sup>st</sup> October 2024

**TRUST**

<b>Trust Total</b>	<b>\$1,600.00</b>
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**MUNICIPAL FUND**

<b>Cheque</b>	<b>\$5,566.40</b>
<b>EFT</b>	<b>\$666,696.90</b>
<b>Direct Debit</b>	<b>\$58,517.97</b>
<b>Municipal Total</b>	<b>\$730,381.27</b>

**STAFF COMMENT**

During the month of October 2024, the Shire of Kellerberrin made the following significant purchases: Please note the Shire of Kellerberrin is the host to Wheatbelt Secondary Freight Network (WSFN), costs associated are reimbursed as per contractual agreement.

<b>LG Corporate Solutions</b>	\$ 5,032.50
Assistance with Monthly Financials	
<b>Youlie and Son Contracting</b>	\$ 5,049.00
Hire of various machines for the month of September 24	
<b>Youlie and Son Contracting</b>	\$ 5,049.00
Hire of various machines for the month of September 24	
<b>Shire of Northam</b>	\$ 5,102.08
Old Quarry Tipping Fees August 2024	
<b>Brooks Hire Service Pty Ltd</b>	\$ 5,348.57
Hire of Excavator and Rock Breaker	
<b>Mineral Crushing Services WA PTY LTD</b>	\$ 5,885.57
10mm Aggregate for Goldfields Road	
<b>DKT Rural Agencies</b>	\$ 8,162.00
15 rolls 100mm drain coil pipe	
<b>Farmways Kellerberrin Pty Ltd</b>	\$ 8,662.50
Drainage Pipe for Goldfields	
<b>Avon Waste</b>	\$ 9,602.11
Domestic Collections September 2024	
<b>Youlie and Son Contracting</b>	\$ 10,395.00
Hire of various machines September 2024	
<b>Peak Transport</b>	\$ 11,088.00
Hire of Equipment - September 2024	
<b>WCS Concrete Pty Ltd</b>	\$ 12,504.80
Depot Washdown bay renovation.	
<b>Ross's Discount Home Centre</b>	\$ 13,720.00
Storage Cupboard for Caravan Park Laundry	
<b>United Card Services Pty Ltd</b>	\$ 17,315.54
United Fuel Card Purchases for the Month of September 2024	
<b>Peak Transport</b>	\$ 18,172.00
Equipment Hire September 2024	

<b>R Munns Engineering Consulting Services</b>	\$ 18,180.97
Consulting Work on 24/25 Yr Goldfields Rd Upgrade Project	
<b>Fire And Emergency Services (WA)</b>	\$ 27,106.27
ESLB 1 Qtr. Contribution 2024/25	
<b>Smith Earthmoving Pty Ltd</b>	\$ 30,272.00
Pit Rehabilitation - Innes	
<b>Valley Ford</b>	\$ 63,311.30
Purchase of 2024 Ford Everest SUV Trend – Doctor Vehicle	
<b>Parins Truck Repairs</b>	\$ 76,828.51
Repairs to Freightliner Prime Mover as per Estimate	
<b>LGIS Liability</b>	\$ 186,399.95
Insurance 2024/25 2nd Instalment	

## TEN YEAR FINANCIAL PLAN

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

## FINANCIAL IMPLICATIONS

Shire of Kellerberrin 2024/2025 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 October 2024, 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 \$730,781.27 on vouchers EFT, CHQ, Direct payments.*
- 2. *Trust Fund payments totalling \$1,600 on vouchers EFT, CHQ, Direct payments.*

**COUNCIL RESOLUTION**

**MIN 131/24      MOTION - Moved Cr. Reid      Seconded Cr. Pryer**

***That Council notes that during the month of October 2024, 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 \$730,781.27 on vouchers EFT, CHQ, Direct payments.***
- 2. ***Trust Fund payments totalling \$1,600 on vouchers EFT, CHQ, Direct payments.***

**In Favour:      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown**

**Against:      Nil**

**CARRIED 7/0**



**10.5 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - OCTOBER 2024**

**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 October 2024.

**Municipal Direct Debit List**

<b>Date</b>	<b>Name</b>	<b>Details</b>	<b>\$</b>	<b>Amount</b>
1/10/2024	3E Equipment	WSFN Copier Lease		246.4
2/10/2024	NAB	NAB Connect Fee		65.98
3/10/2024	Shire of Kellerberrin	Creditors Payments		308,040.74
8/10/2024	Department of Communities	Rent 73 Gregory Street		420.00
8/10/2024	Medina Grand Perth	WALGA Councillor Accommodation		2,617.60
9/10/2024	ATO	BAS Payment September 2024		17,549.00
10/10/2024	Shire of Kellerberrin	Precision Superannuation		14,650.31
10/10/2024	Shire of Kellerberrin	Pay Run		73,560.66
10/10/2024	Parmelia Hilton	WALGA Conference Accommodation		313.65
11/10/2024	CHG Meridian	Gym Equipment Lease		3,075.84
16/10/2024	Shire of Kellerberrin	Creditors Payments		358,656.16
21/10/2024	Nayax Australia	Vending Machine Caravan Park		38.17
22/10/2024	Department of Communities	Rent 73 Gregory Street		420.00
22/10/2024	Break the Cycle	Donation Break the Cycle Foundation		300.00
24/10/2024	Shire of Kellerberrin	Precision Superannuation		14,498.30
24/10/2024	Shire of Kellerberrin	Pay Run		73,818.96
31/10/2024	NAB	Merchant Fee Pool		69.83
31/10/2024	NAB	Merchant Fee Trust		5.63
31/10/2024	NAB	Merchant Fee Muni		168.78
31/10/2024	NAB	Merchant Fee Caravan Park		113.50
31/10/2024	NAB	NAB Connect Fee		49.48
31/10/2024	NAB	B-Pay Fee		93.84
31/10/2024	NAB	Account Fees Muni		79.00
31/10/2024	NAB	Account Fees Trust		10.00
<b>TOTAL</b>			<b>\$</b>	<b>868,861.83</b>

**Visa Transactions**

<b>Date</b>	<b>Name</b>	<b>Details</b>	<b>\$</b>	<b>Amount</b>
08-Oct-24	Ampol Pinjarra	Fuel KE1		99.17
11-Oct-24	The Cutting Board	Breakfast WALGA Conference		53.10
11-Oct-24	Red Tingle Pty Ltd	Meals WALGA Conference (Partially reimbursed)		855.00
14-Oct-24	The Cutting Board	Breakfast WALGA Conference		46.60
14-Oct-24	Adina Perth	Parking WALGA Conference		60.72
14-Oct-24	CPP Convention Centre	Parking WALGA Conference		50.48
14-Oct-24	Hilton Perth	Accommodation WALGA CEO Forum		524.28
14-Oct-24	Adina Perth	Parking WALGA Conference		113.14
28-Oct-24	Telstra	Phone Recharge waste transfer station		39.00
29-Oct-24	NAB	Card Fee		9.00
<b>TOTAL - CEO</b>			<b>\$</b>	<b>1,850.49</b>

<b>Date</b>	<b>Name</b>	<b>Details</b>	<b>\$</b>	<b>Amount</b>
11-Oct-24	BIG W Online	Colour Week Goods		104.00

21-Oct-24	Ampol Byford	Fuel KE 002	62.23
25-Oct-24	BP The Lakes	Fuel KE 002	101.05
29-Oct-24	United Petroleum Kellerberrin	Fuel KE 002	107.45
29-Oct-24	NAB	Card Fee	9.00
<b>TOTAL - MOG</b>			<b>383.73</b>

Date	Name	Details	\$	Amount
30-Sep-24	Bridgestone Malaga	Tyre Repair WSNF Ute		50.00
01-Oct-24	JB Hifi Malaga	Dashcam Installation WSNF Ute		730.00
03-Oct-24	Australian Local Government	2024 National Roads Conference		925.00
03-Oct-24	Australian Local Government	2025 National Roads Conference		925.00
04-Oct-24	Love that Food Narembeen	Meals WSNF Programme Manager		14.27
09-Oct-24	LG & QU Nominees Merredin	Meals WSNF Programme Manager		21.40
29-Oct-24	NAB	Card Fee		9.00
<b>TOTAL -WSFN PROGRAMME MANAGER</b>				<b>2,674.67</b>

Date	Name	Details	\$	Amount
03-Oct-24	Midland Toyota	Service KE 003		453.44
15-Oct-24	Woolworths Midland	Stationery WSNF Office		32.00
29-Oct-24	NAB	Card Fee		9.00
<b>TOTAL -WSFN PROGRAMME DIRECTOR</b>				<b>494.44</b>
<b>TOTAL VISA TRANSACTIONS</b>			<b>\$</b>	<b>5,403.33</b>

**STAFF COMMENT**

The Direct Debit List and Visa Card Transactions are presented for Council to note for the month of October 2024.

*Please note The Shire of Kellerberrin is the host to Wheatbelt Secondary Freight Network (WSFN), costs associated are reimbursed as per contractual agreement.*

*Charge for Red Tingle Pty Ltd on CEO credit card will be partially reimbursed as payment included meals for other wheatbelt shire councils as the hotel didn't accept split payments.*

**TEN YEAR FINANCIAL PLAN**

There is no direct implication on the Long-Term Financial Plan.

**FINANCIAL IMPLICATIONS**

Financial Management of 2024/2025 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 sub regulation (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 October 2024 comprising of,*

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

**COUNCIL RESOLUTION**

**MIN 132/24      MOTION - Moved Cr. Brown      Seconded Cr. Leake**

***That Council note the direct debit list for the month of October 2024 comprising of,***

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

**In Favour:** Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

**Against:** Nil

**CARRIED 7/0**

**10.6 FINANCIAL ACTIVITY STATEMENT - OCTOBER 2024**

**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 2024 Ordinary Meeting of Council – 16<sup>h</sup> July 2024

**MIN 090/24      MOTION - Moved Cr. Leake      Seconded Cr. Ryan**

***That Council:***

***PART F – MATERIAL VARIANCE REPORTING FOR 2024/2025***

***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 2024/2025 for reporting material variances shall be 10% or \$10,000, whichever is the greater.***

**CARRIED 5/0  
 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, monthly, 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 31<sup>st</sup> October 2024.

**TEN YEAR FINANCIAL PLAN**

Financial Management of 2024/2025 Budget.

**FINANCIAL IMPLICATIONS**

Financial Management of 2024/2025 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 sub regulation (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 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
- LG Corporate Solutions

## **STAFF RECOMMENDATION**

*That Council adopt the Financial Report for the month of October 2024.*

*The draft financial report comprises.*

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

## **COUNCIL RESOLUTION**

**MIN 133/24      MOTION - Moved Cr. Gardiner      Seconded Cr. Ryan**

***That Council adopt the Financial Report for the month of October 2024.***

***The draft financial report comprises.***

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

**In Favour:**      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

**Against:**      Nil

**CARRIED 7/0  
BY ABSOLUTE MAJORITY**

**10.7 BUILDING REPORTS OCTOBER 2024**

**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 October period.
2. There were zero (0) "Building Permits" issued in the October period.

**TEN YEAR FINANCIAL PLAN**

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

**FINANCIAL IMPLICATIONS**

There is income from Building fees and a percentage of the levies paid to other agencies.

ie: "Building Services Levy" and "Construction Industry Training Fund" (when construction cost exceeds \$20,000).

**STATUTORY IMPLICATIONS**

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

**STRATEGIC COMMUNITY PLAN**

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

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

**COMMUNITY CONSULTATION**

The following consultation took place:

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

## STAFF RECOMMENDATION

*That Council;*

1. *Acknowledge the "Return of Proposed Building Operations" for the October 2024 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the October 2024 period.*

## COUNCIL RESOLUTION

**MIN 134/24**

**MOTION - Moved Cr. Leake**

**Seconded Cr. Reid**

*That Council;*

1. *Acknowledge the "Return of Proposed Building Operations" for the October 2024 period.*
2. *Acknowledge the "Return of Building Permits Issued" for the October 2024 period.*

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against: Nil

**CARRIED 7/0**



**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**

Nil

**15 CONFIDENTIAL MATTERS**

**COUNCIL RESOLUTION**

**MIN 135/24 MOTION - Moved Cr. Pryer Seconded Cr. Gardiner**

*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 Shire of Kellerberrin/Australia Day Awards Nomination**

*This matter is considered to be confidential under Section 5.23(2) - c and h 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 and such other matters as may be prescribed (consider regulations).*

**15.2 Sale of Excess Items - Brick Pavers**

*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.*

**15.3 Tender - Supply and Delivery of Accommodation Units at Kellerberrin Caravan Park**

*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.*

In Favour: Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against: Nil

**CARRIED 7/0**

### COUNCIL RESOLUTION

MIN 136/24      MOTION - Moved Cr. Reid      Seconded Cr. Leake

*That Council moves out of Closed Council into Open Council.*

In Favour:      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against:      Nil

**CARRIED 7/0**

### MOTION

### COUNCIL RESOLUTION

MIN 137/24      MOTION - Moved Cr. Reid      Seconded Cr. Leake

*That Council;*

- a) Determined the Australia Day Award Winners by secret ballot and maintains confidentiality of the nominated Australia Day Awards for 2024 until after the 26<sup>th</sup> January 2025.*
- b) In accordance with Section 3.58 (2)(b) approves the sale of second-hand brick pavers.*
- c) Accepts the Tender from Portable Buildings WA Pty Ltd for the supply of Four (4), Two (2) Bedroom, Two (2) Bathroom (14m x 4.8m) Accommodation units.*

In Favour:      Crs David Leake, Matt Steber, Dennis Reid, Emily Ryan, Monica Gardiner, Kelsey Pryer and Paul Brown

Against:      Nil

**CARRIED 7/0**

### 16      CLOSURE OF MEETING

The Meeting closed at 4:24pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 December 2024.

.....  
**CHAIRPERSON**