



# **AGENDA**

## **Ordinary Council Meeting Tuesday, 17 December 2024**

**Date: Tuesday, 17 December 2024**

**Time: 4:00pm**

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

# **Shire of Kellerberrin**

## **Ordinary Council Meeting 17th December 2024**

### **NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Kellerberrin will be held on Tuesday, 17th December 2024 in the Council Chamber, 110 Massingham Street, Kellerberrin WA 6410 commencing at 4:00pm.

Raymond Griffiths  
Chief Executive Officer  
Wednesday, 11 December 2024

## Shire of Kellerberrin

### Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Kellerberrin for any action, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Kellerberrin disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Kellerberrin during the course of any meeting is not intended to be and is not taken a notice of approval from the Shire of Kellerberrin.

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**

<b>7.1 MINUTES OF THE COUNCIL MEETING HELD ON 19 NOVEMBER 2024</b>
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**File Ref:** MIN  
**Author:** Michelle Wilson, Executive Assistant  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:** 1. Minutes of the Council Meeting held on 19 November 2024

### **STAFF RECOMMENDATION**

That the Minutes of the Council Meeting held on 19 November 2024 be received as a true and correct record.

**8 PRESENTATIONS**

**8.1 Petitions**

**8.2 Presentations**

**8.3 Deputations**



## 9 REPORTS OF COMMITTEES

<b>9.1 MINUTES OF THE AUDIT, RISK AND GOVERNANCE COMMITTEE MEETING HELD ON 17 DECEMBER 2024</b>
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**File Ref:** MIN  
**Author:** Morgan Ware, Manager of Governance  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:**

### STAFF RECOMMENDATION

That the Minutes of the Audit, Risk and Governance Committee Meeting held on 17 December 2024 be received and the recommendations therein be adopted.

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

**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,
- (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.*



**10.2 COMMON SEAL REGISTER AND REPORTING**

**File Ref:** ADM52  
**Author:** Michelle Wilson, Executive Assistant  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:** Nil

**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 no documents in this quarter.*

**10.3 ANNUAL REPORT/ANNUAL FINANCIAL REPORT AUDIT RESULTS FOR THE YEAR ENDING 30 JUNE 2024**

**File Ref:** FIN21

**Author:** Morgan Ware, Manager of Governance

**Authoriser:** Raymond Griffiths, Chief Executive Officer

**Attachments:**

1. **Opinion - Shire of Kellerberrin - 30 June 2024**
2. **Shire of Kellerberrin - Signed Financial Report Stamped 2024**
3. **Transmittal Letter to CEO - Shire of Kellerberrin - 30 June 2024**
4. **Transmittal Letter to President - Shire of Kellerberrin - 30 June 2024**
5. **Interim Management Letter Attachment - Shire of Kellerberrin- 30 June 2024**

**BACKGROUND**

Councils December 2024 Audit, Risk and Governance Committee Meeting – 17<sup>th</sup> December 2024

**STAFF RECOMMENDATION**

*That the Audit Committee recommends to Council that it;*

1. *Pursuant to Section 5.54(1) of the Local Government Act 1995, ACCEPTS BY AN ABSOLUTE MAJORITY the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year, included as Attachment 1;*
2. *Pursuant to Section 5.27 of the Local Government Act 1995, CONVENES an Annual Meeting of Electors of the Shire of Kellerberrin to be held on Thursday 6<sup>th</sup> February 2025 at 6.00pm at the Kellerberrin Recreation Centre Cuolahan/Cottle Room, to present the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year; and*

*NOTES that:*

- a. *the Shire of Kellerberrin Annual Report may be subject to further formatting and styling, to be determined by the Chief Executive Officer prior to publication;*
  - b. *pursuant to Sections 5.29 and 5.55 of the Local Government Act 1995, the Chief Executive Officer will give local public notice of the General Meeting of Electors to be held on Thursday 6<sup>th</sup> February 2025, and of the availability of the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year, and will make the report available on the Shire of Kellerberrin website within fourteen days; and*
  - c. *pursuant to Regulation 51 of the Local Government (Financial Management) Regulations 1996, the Director General of the Department of Local Government, Sports and Cultural Industries will be provided with a copy of the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year, inclusive of the Annual Financial Report for the same period, and the associated Auditor's Report.*
3. *Acknowledges it has met the requirements of section 7.12A(2) of the Local Government Act with the Audit Committee, on behalf of Council, having met with a representative of the Office of the Auditor General;*

**STAFF COMMENT**

Pursuant to Section 5.54(1) of the Local Government Act 1995, the Audit, Risk & Governance Committee present Council the Shire of Kellerberrin 2023-24 Annual Report for adoption.

The Shire produces an annual report consisting of the Annual Financial Statement and Audit report at the conclusion of each financial year, in accordance with requirements of the Act.

On Friday, 29<sup>th</sup> November 2024 the following members attended via teams the Final Audit Exit Meeting with the Office of the Auditor General (OAG) & MACRI Partners;

- Chief Executive Officer Raymond Griffiths
- Manager of Governance Morgan Ware
- President Matthew Steber
- Deputy President Emily Ryan
- Cr Paul Brown
- Cr Monica Gardiner
- Cr Dennis Reid
- Cr Kelsey Pryer
- Cr David Leake

The OAG provided their audit report, opinion and signed Annual Financial Statement as attached to this report.

Below lists the findings as per the management letter issued on completion of the 2023-24 audit.

Index of findings	Potential impact on audit opinion	Rating			Prior year finding
		Significant	Moderate	Minor	
1. Segregation of Duties over Procurement	No			✓	
2. Superannuation Guarantee Contributions	No	✓			
3. Purchase Orders dated after Invoice dates	No		✓		
4. Cancelled Receipts	No		✓		
5. Payroll Reconciliations	No		✓		
6. Business Continuity and Disaster Recovery Plan	No		✓		
7. Purchases Quotations	No		✓		✓
8. Cyber Security Risks	No		✓		✓
9. User Access Rights	No		✓		✓
10. Network Use and Unauthorised Log in Attempts	No		✓		

## KEY TO RATINGS

The Ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

- Significant** - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly.
- Moderate** - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.
- Minor** - Those findings that are not of primary concern but still warrant action being taken.

Management comments provided to the OAG and MACRI Partners in response to the audit findings are noted below;

**1. Superannuation Guarantee (SG) Contributions**

This has been rectified through the payroll system.

**2. Purchase Orders dated after invoice dates**

Noted, officer error and process will be followed.

**3. Cancelled Receipts**

Process implemented for counter signing of cancelled receipts.

**4. Payroll Reconciliations**

Officer oversight, process implemented and followed.

**5. Business Continuity and Disaster Recovery Plan**

Plan in development with the assistance of IT Contractor.

**6. Purchases Quotations**

Although the quotations were not noted on the Purchase Order, the quotes and evidence were available on request. Further notations will be made going forward for clarity, although the organisation has followed procurement policy and procedure.

**7. Cyber Security Risks**

In development with IT Contractor.

**8. User Access Rights**

Formal review process to be established alongside IT Contractor

**9. Network Use and Unsuccessful Log in Attempts**

Further capability to be investigated by IT Contractor.

**10. Receipting of Goods & Services**

A procedure to document this control have been created subsequently to the finding.

**TEN YEAR FINANCIAL PLAN**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS****Local Government Act 1995 (As Amended)****5.27. Electors' general meetings**

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

**5.54. Acceptance of annual reports**

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.

*\* Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

*[Section 5.54 amended by No. 49 of 2004 s. 49.]*

**5.55. Notice of annual reports**

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

**Division 4 — General****7.12A. Duties of local government with respect to audits**

- (1) A local government is to do everything in its power to —
  - (a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
  - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
  - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
  - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
  - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and

(b) forward a copy of that report to the Minister,

by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

*[Section 7.12A inserted by No. 49 of 2004 s. 8.]*

## **Local Government (Financial Management) Regulations 1996**

### **51. Completion of financial report**

- (1) After the annual financial report has been audited in accordance with the Act the CEO is to sign and append to the report a declaration in the form of Form 1.
- (2) A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government's CEO of the auditor's report on that financial report.

*[Regulation 51 amended in Gazette 18 Jun 1999 p. 2639; 20 Jun 2008 p. 2726.]*

## **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
- Office of Auditor General
- MACRI Partners
- Council
- Independent Member

## STAFF RECOMMENDATION

*That Council;*

1. *Pursuant to Section 5.54(1) of the Local Government Act 1995, ACCEPTS BY AN ABSOLUTE MAJORITY the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year, included as Attachment 1;*
2. *Pursuant to Section 5.27 of the Local Government Act 1995, CONVENES an Annual Meeting of Electors of the Shire of Kellerberrin to be held on Thursday 6<sup>th</sup> February 2025 at 6.00pm at the Kellerberrin Recreation Centre Cuolahan/Cottle Room, to present the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year; and*

*NOTES that:*

- a. *the Shire of Kellerberrin Annual Report may be subject to further formatting and styling, to be determined by the Chief Executive Officer prior to publication;*
  - b. *pursuant to Sections 5.29 and 5.55 of the Local Government Act 1995, the Chief Executive Officer will give local public notice of the General Meeting of Electors to be held on Thursday 6<sup>th</sup> February 2025, and of the availability of the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year, and will make the report available on the Shire of Kellerberrin website within fourteen days; and*
  - c. *pursuant to Regulation 51 of the Local Government (Financial Management) Regulations 1996, the Director General of the Department of Local Government, Sports and Cultural Industries will be provided with a copy of the Shire of Kellerberrin Annual Report for the 2023/24 Financial Year, inclusive of the Annual Financial Report for the same period, and the associated Auditor's Report.*
3. *Acknowledges it has met the requirements of section 7.12A(2) of the Local Government Act with the Audit Committee, on behalf of Council, having met with a representative of the Office of the Auditor General;*



**10.4 CHEQUE LIST NOVEMBER 2024**

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

**BACKGROUND**

Accounts for payment from 1<sup>st</sup> November – 30<sup>th</sup> November 2024

**TRUST**

**Trust Total** **\$100.00**

**MUNICIPAL FUND**

<b>Cheque</b>	<b>\$21,346.93</b>
<b>EFT</b>	<b>\$876,766.73</b>
<b>Direct Debit</b>	<b>\$105,275.77</b>
<b>Municipal Total</b>	<b>\$1,003,389.43</b>

**STAFF COMMENT**

During the month of November 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>Merredin Refrigeration &amp; Gas</b>	\$ 5,076.00
6 Monthly HVAC Service October 2024 - Commercial & Residential	
<b>WCS Concrete Pty Ltd</b>	\$ 5,082.00
Supply and Deliver 6% Stabilised Sand to culverts – Goldfields	
<b>Protection Engineering Pty Ltd</b>	\$ 5,282.48
Signage & Extinguishers - Various Buildings	
<b>Wheatbelt Mobile Tyre Service</b>	\$ 5,398.80
Tyres for Various Plant	
<b>Woodstock Electrical Services</b>	\$ 5,434.99
Installation of new standpipe at new dam	
<b>Cannon Hygiene Australia Pty Ltd</b>	\$ 5,525.76
Service for Period 20/12/2024-19/06/2025	
<b>Brooks Hire Service Pty Ltd</b>	\$ 5,857.96
Hire of excavator and rock breaker - Goldfields	
<b>Shire of Northam</b>	\$ 6,258.65
Old Quarry Tipping Fees October 2024	
<b>DKT Rural Agencies</b>	\$ 6,284.80
450 DN enviro pipes - Goldfields	
<b>Mineral Crushing Services WA PTY LTD</b>	\$ 6,368.86
Aggregate for Sealing works on South Doodlakine	
<b>Fire And Emergency Services (WA)</b>	\$ 6,462.39
2024/25 ESL - Various Properties	
<b>Mineral Crushing Services WA PTY LTD</b>	\$ 6,512.42
14mm Aggregate for Goldfields Road	
<b>Shire of Northam</b>	\$ 6,652.60
Old Quarry Tipping Fees September 2024	
<b>Local Pest Control</b>	\$ 7,139.00
General Pest Treatment - Various Properties	

<b>Mineral Crushing Services WA PTY LTD</b> 10mm Aggregate for Goldfields Road	\$ 7,153.60
<b>Realmark Commercial</b> WSFN: 37, 5 Keane St Midland November 2024 Rent	\$ 7,258.05
<b>Realmark Commercial</b> WSFN: 37,5 Keane St Midland December 2024 Rent	\$ 7,258.05
<b>WCS Concrete Pty Ltd</b> Shire Office Rear Patio	\$ 7,918.90
<b>WCS Concrete Pty Ltd</b> L Blocks and Pipe Head Walls	\$ 8,267.60
<b>Mineral Crushing Services WA PTY LTD</b> Road Base for Goldfields Road	\$ 8,380.35
<b>Youlie and Son Contracting</b> Wet Plant Hire for the Month of November 2024	\$ 8,472.75
<b>DKT Rural Agencies</b> Items For Caravan Park Laundry Upgrade	\$ 9,042.35
<b>Avon Waste</b> Domestic Collections October 2024	\$ 10,445.07
<b>Brooks Hire Service Pty Ltd</b> Hire of Excavator	\$ 10,697.15
<b>HF. Deutscher Pty.Ltd</b> 36258 - HE660 with HONDA (GXV390) ELECT START	\$ 11,132.00
<b>PILA</b> 10M/6.5M AFL Goal Posts with Sleeve Bases	\$ 11,313.50
<b>Brooks Hire Service Pty Ltd</b> Hire of excavator and rock breaker - Goldfields	\$ 11,715.92
<b>Geraldine Nominees T/AS Daimler Trucks Perth</b> Parts for Prime Mover	\$ 11,735.20
<b>Innes &amp; Co</b> Plant Hire for the Month of October 2024	\$ 12,782.00
<b>Youlie and Son Contracting</b> Hire of dozer, truck, grader for October	\$ 12,944.25
<b>Youlie and Son Contracting</b> Hire of dozer, truck, grader for October	\$ 13,145.00
<b>Smith Earthmoving Pty Ltd</b> Truck Hire October 2024	\$ 14,784.00
<b>Innes &amp; Co</b> Semi Hire September 2024	\$ 17,864.00
<b>Peak Transport</b> Hire of Semi for October 2024	\$ 18,557.00
<b>United Card Services Pty Ltd</b> Fuel Card Purchases for the Month of October 2024	\$ 18,678.52
<b>R Munns Engineering Consulting Services</b> Consulting Work on 24/25 Year Goldfields Rd Upgrade Project	\$ 19,959.28
<b>Portable Buildings WA PTY LTD</b> 5% Deposit for Units for Caravan Park as per Tender	\$ 22,088.00
<b>Perfect Computer Solutions</b> Electronics & Set Up for Medical Centre Fit Out	\$ 27,350.00
<b>Smith Earthmoving Pty Ltd</b> Hire of Semi	\$ 27,632.00
<b>Smith Earthmoving Pty Ltd</b> Truck Hire August - September 2024	\$ 36,432.00
<b>KR &amp; JM Tiller</b> Purchase of Gravel for Goldfields Road upgrade	\$ 53,240.00

**Downer EDI Works Pty Ltd**

Full Service - Reseal Doodlakine South Road various sections

\$ 173,405.23

**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 November 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 **\$1,003,389.43** on vouchers EFT, CHQ, Direct payments.*
2. *Trust Fund payments totalling **\$100** on vouchers EFT, CHQ, Direct payments.*

**10.5 DIRECT DEBIT LIST AND VISA CARD TRANSACTIONS - NOVEMBER 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 November 2024.

Municipal Direct Debit List

Date	Name	Details	\$	Amount
1-Nov-24	3E Equipment	Lease WSNF Copier		246.40
1-Nov-24	Shire of Kellerberrin	Creditors Payments		123,481.69
5-Nov-24	Department of Communities	Rent 73 Gregory Street		420.00
7-Nov-24	Shire of Kellerberrin	Precision Superannuation		14,518.13
7-Nov-24	Shire of Kellerberrin	Pay Run		74,042.80
11-Nov-24	ATO	BAS Payment October 2024		27,280.00
11-Nov-24	WA Treasury	Loan 121 Repayment		31,214.23
14-Nov-24	Shire of Kellerberrin	Creditors Payments		308,353.55
19-Nov-24	Department of Communities	Rent 73 Gregory Street		420.00
20-Nov-24	Nayax Australia Pty Ltd	Vending Machine Caravan Park		38.17
20-Nov-24	WA Treasury	Loan 119 Repayment		11,140.49
21-Nov-24	Shire of Kellerberrin	Precision Superannuation		14,595.02
21-Nov-24	Shire of Kellerberrin	Pay Run		74,418.66
22-Nov-24	Shire of Kellerberrin	Creditors Payments		22,088.00
29-Nov-24	NAB	B-Pay Fee		40.48
29-Nov-24	NAB	Account Fee Trust		10.00
29-Nov-24	NAB	Account Fee Muni		82.00
29-Nov-24	NAB	Merchant Fee - Trust		15.80
29-Nov-24	NAB	Merchant Fee - Pool		35.17
29-Nov-24	NAB	Merchant Fee - Muni		89.57
29-Nov-24	NAB	Merchant Fee - Caravan Park		90.19
29-Nov-24	Shire of Kellerberrin	Creditors Payments		422,843.49
				<b>1,125,463.84</b>

Visa Transactions

Date	Name	Details	\$	Amount
07-Nov-24	The Cutting Board	Breakfast LG Pro Conference		49.50
11-Nov-24	Bunnings	Couplings Goldfields Road HSVPE02		35.90
11-Nov-24	Adina Perth	Accommodation LG Pro Conference		1,322.68
26-Nov-24	Discount Safety Sign	Caution Cleaning Signs Swimming Pool		69.17
26-Nov-24	Survey Monkey	Survey Monkey Subscription		2,454.54
28-Nov-24	NAB	Card Fee		9.00
<b>TOTAL - CEO</b>			<b>\$</b>	<b>3,940.79</b>
Date	Name	Details	\$	Amount
05-Nov-24	Kellerberrin CRC	Licencing KE 529		47.90
11-Nov-24	Adina Perth	Carparking LG Pro Conference		60.72
27-Nov-24	Australia Post Kellerberrin	Vouchers Shop Local Campaign		100.00
28-Nov-24	NAB	Card Fee		9.00
<b>TOTAL -DCEO</b>			<b>\$</b>	<b>217.62</b>

31-Oct-24	Familia Flavours Bruce Rock	Meals WSNF Programme Manager	15.28
31-Oct-24	E Fire & Safety	Fire Equipment Service WSNF Office	66.00
04-Nov-24	Big W Midland	Stationery WSNF Office	152.20
06-Nov-24	Shazza's Highway	Meals WSNF Programme Manager	16.90
07-Nov-24	Riverside Roadhouse	Meals WSNF Programme Manager	25.40
11-Nov-24	Rest a While Cafe	Meals WSNF Programme Manager	5.50
11-Nov-24	Flavour Town	Meals WSNF Programme Manager	12.00
14-Nov-24	The Makers Keeper	Meals WSNF Programme Manager	35.00
21-Nov-24	OM & WA Pty Ltd	Meals WSNF Programme Manager	50.50
28-Nov-24	NAB	Card Fee	9.00
		<b>TOTAL -WSFN Programme Manager</b>	<b>387.78</b>
28-Nov-24	NAB	Card Fee	9.00
		<b>TOTAL -WSFN Programme Director</b>	<b>9.00</b>
		<b>TOTAL VISA TRANSACTIONS</b>	<b>\$ 4,555.19</b>

### STAFF COMMENT

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

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

### 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 November 2024 comprising of,*

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

<b>10.6 FINANCIAL ACTIVITY STATEMENT - NOVEMBER 2024</b>
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**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
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**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 30<sup>th</sup> November 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 November 2024.*

*The draft financial report comprises.*

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

**10.7 BUILDING REPORTS NOVEMBER 2024**

**File Ref:** BUILD06  
**Author:** Jacki Peak, Administration Officer  
**Authoriser:** Raymond Griffiths, Chief Executive Officer  
**Attachments:** 1. Return of Building Permits Licences Issued  
2. Return of Building Applications Received

**BACKGROUND**

Council has provided delegated authority to the Chief Executive Officer, which has been delegated to the Building Surveyor to approve of proposed building works which are compliant with the *Building Act 2011*, Building Code of Australia and the requirements of the Shire of Kellerberrin Town Planning Scheme No.4.

**STAFF COMMENT**

1. There were three (3) applications received for a "Building Permit" during the November period.
2. There were three (3) "Building Permits" issued in the November 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 November 2024 period.
2. Acknowledge the "Return of Building Permits Issued" for the November 2024 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 Write Off Outstanding Balance - Sundry Debtors - Bad Debt**

This matter is considered to be confidential under Section 5.23(2) - e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

**15.2 Sale of Ford Wildtrak - KE 2**

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

**16 CLOSURE OF MEETING**