



MINUTES

ORDINARY COUNCIL MEETING HELD ON

Thursday 28 October 2021

Commenced at 6.00pm

Shire of Boyup Brook Council Chambers, Boyup Brook

Dale Putland
Chief Executive Officer

28 October 2021

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

PRESENT:	Shire President	Richard Walker
	Deputy Shire President	Helen O’Connell
	Councillor	Sarah Alexander
		Steele Alexander
		Charles Caldwell
		Philippe Kaltenrieder
		Darren E King
		Kevin J Moir
		Adrian Price
	Chief Executive Officer	Dale Putland
	Executive Assistant	Maria Lane

LEAVE OF ABSENCE: Nil

APOLOGIES: Deputy Chief Executive Officer- Carolyn Mallett
Finance Manager – Ben Robinson
Wayne Butler – Manager Works & Services

MEMBERS OF PUBLIC: Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

6. DISCLOSURE OF INTEREST

Chief Executive Officer	Item	Declaration
Cr Putland	14.1	Financial Interest

7. CONFIRMATION OF MINUTES

7.1 Ordinary Council Minutes – 30 September 2021

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.1

MOVED: Cr Sarah E G Alexander

SECONDED: Cr Helen C O’Connell

That the minutes of the Ordinary Council Meeting held on Thursday 30 September 2021 be confirmed as an accurate record.

CARRIED 9/0

Res 21/10/149

7.2 Special Council Minutes – 7 October 2021

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2

MOVED: Cr Sarah E G Alexander

SECONDED: Cr Helen C O’Connell

That the minutes of the Special Council Meeting held on Thursday 7 October 2021 be confirmed as an accurate record.

CARRIED 9/0

Res 21/10/150

8. PRESIDENTIAL COMMUNICATIONS

4th October

Met with the Bush Fire Control Officers, X-Ray team, Shannon Verhagen from Countryman/WA Newspapers regarding Fire and Workplace Safety laws being introduced in January 2022 and the progress and future for Rylington Park.

5th October

Attended an AGM meeting with the Warren Blackwood Alliance of Councils in Manjimup with the CEO and Deputy Shire President.

6th October

Met with CEO, David Fortune, Wayne Elliot and Ed Hatherley on prescribed burn and fuel load reduction.

12th October

Met with Parkside Mill and Resource Managers regarding their concern about State Government decision on Native Forests. Met with the CEO, Deputy Shire President and Aaron Piper regarding the Railway Barracks and future planning.

21st October

Met with the CEO, Deputy Shire President and Bernard Beatty regarding Rylington Park Scholarships.

26th October

Met with the CEO, Deputy Shire President and Bush Fire Volunteers/Fire Control Officer's regarding workplace safety laws to commence the process of ensuring all Bush Fire Volunteers are competent and equipped with PPE.

9. COUNCILLOR QUESTIONS ON NOTICE

10.1 Manager Works and Services

Nil

10.2 FINANCE

10.2.1 List of Accounts Paid in September 2021

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>15/10/2021</i>
Author:	<i>Ben Robinson – Finance Manager</i>
Authorising Officer:	<i>Dale Putland – CEO</i>
Attachments:	<i>Yes – List of Accounts Paid in September</i>

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in September 2021 are presented to Council.

BACKGROUND

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 30 September 2021.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 30 September 2021.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulations 12 and 13 apply and are as follows:

12. *Payments from municipal fund or trust fund*

(1) *A payment September 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.*
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.*

POLICY IMPLICATIONS

Council's *Authority to Make Payments Policy* has application.

BUDGET/FINANCIAL IMPLICATIONS

Account payments accorded with a detailed 2021-22 Annual Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.2.1

MOVED: Cr Sarah E G Alexander

SECONDED: Cr Helen C O’Connell

That at its October 2021 ordinary meeting Council receive as presented the list of accounts paid in September 2021, totalling \$574,612.13 from Municipal account, \$46,016.55 from Police Licensing account and \$10.21 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20529 - 20532	\$ 2,239.76
Municipal Electronic Payments	EFT11319 – EFT11417	\$ 272,210.52
Municipal Direct Payments		\$ 300,161.85
Police Licensing Payments		\$ 46,016.55
BBELC Payments		\$ 10.21

CARRIED 9/0

Res 21/10/151

10.3 PLANNING

Nil

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 Upper Blackwood Agricultural Society

Location: *Dinninup Show Grounds*
Applicant: *David Corker*
File: *FM/25/008*
Disclosure of Officer Interest: *Nil*
Date: *4 October 2021*
Author: *Maria Lane – Executive Assistant*
Authorizing Officer: *Dale Putland – Chief Executive Officer*
Attachments: *Yes*

SUMMARY

This report is for Council to consider a request from the Upper Blackwood Agricultural Society (UBAS) to further contribute towards the new ablutions at the Dinninup Show Grounds.

In 2020/21 Council contributed \$27,000 and \$13,000 in 2021/2022 towards the Show Grounds Ablutions Block.

BACKGROUND

The Upper Blackwood Agricultural Society received a grant fund from the Federal Government to build new ablutions at the Dinninup Show Grounds.

Ablutions Building Funding as at 26/09/21

Federal Government Grant	\$206,566
Shire Grants (27,000 + \$13,000)	\$40,000
Current Building Fund (UBAS)	\$47,400
Total	\$293,966
Less accounts paid (Drafting & Engineer)	\$6,400
Final Build Price inc GST	\$327,420
Shortfall	\$39,854
GST to claim	\$29,765
Funds to find	\$10,089

COMMENT

As President of the Upper Blackwood Agricultural Society, David Corker presented to Council at the Ordinary Council Meeting on Thursday, 30th September 2021, requesting the shire contribute a further \$10,000 towards the completion/construction of the ablutions at the Dinninup Show Grounds. David mentioned that the community have already raised more than \$47,400 as their contribution.

This is a huge community project that will improve the grounds to a point where other events will be attracted to its use. It is a goal of UBAS to hold at least three other major events per year at the show grounds. Each of these will bring a spending public to Boyup Brook and increase the profile of the town in Western Australia.

CONSULTATION

David Corker – Upper Blackwood Agricultural Society

STATUTORY OBLIGATIONS

S 6.8(1)(b) of the Local Government Act 1995 – A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

It is recommended that \$10,000 from this account be reallocated to 113124.

STRATEGIC IMPLICATIONS

N/A

SUSTAINABILITY IMPLICATIONS

N/A

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.4.1

MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Sarah E G Alexander

That Council

- 1. Reallocate \$10,000 from 146500 (Administration Pooled Vehicle) expenses to 113124, contribution for UBAS ablutions at the Dinninup Show Grounds.**
- 2. Contribute a further \$10,000 towards the new ablutions block at the Dinninup Show Grounds.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Res 21/10/152

10.4.2 Membership – Bunbury Wellington Group of Councils

Location:	<i>N/a</i>
Applicant:	<i>N/a</i>
File:	<i>BWGC</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>October 2021</i>
Author:	<i>Ben Robinson – Finance Manager</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>No</i>

SUMMARY

Council is requested to re-consider membership to the Bunbury Wellington Group of Councils (BWGC) and commit to continuing membership with the Warren Blackwood Alliance of Councils (WBAC). This report recommends that the Shire of Boyup Brook formally withdraw from the

BACKGROUND

The Shire of Boyup Brook first joined the BWGC in December 2011. The Shire is due to pay a renewal fee for the annual membership to the Bunbury Wellington Group of Councils (BWGC).

Until recently, the BWGC has comprised the City of Bunbury and Shires of Capel, Dardanup, Harvey, Collie and Donnybrook-Balingup. However, the Shire of Donnybrook-Balingup has recently withdrawn from the BWGC, severing the direct road link between the Shire of Boyup Brook and the Bunbury based councils.

The Shire of Boyup Brook formally became a member of the Warren Blackwood Alliance of Councils (WBAC) on 1 July 2021 as it provided greater strategic alignment in terms of economic and tourism promotion.

Council did not allocate any funds for membership of the BWGC in the 2021-2022 budget.

COMMENT

While the BWGC and WBAC are both organisations focused on advocating for regional development in the South West of WA through stakeholder engagement and partnerships, the WBAC is more aligned to the Shire of Boyup Brook in terms of aims and objectives than the BWGC.

The BWGC is largely focused on the economic development of LGAs geographically aligned with the greater Bunbury area. Proximity to the metro area and its positioning near the Bunbury port and Kemberton Industrial Area are directly related to the benefits gained from the membership. This focus largely ignores the unique issues affecting the economy and lifestyle of the Boyup Brook region, which is situated much further inland than the other members of BWGC.

In addition, due to the two-monthly meetings held in Bunbury, the Shire President and CEO are required to travel at cost and bear a significant impost on their availability to Council. Overall, management is not convinced that the arrangement as it stands represents good value for money.

This stands in contrast to the potential benefits of membership to WBAC. The WBAC is concerned with issues related to primary industry and tourism in the more regional councils in the South-West, with the existing members being the Shires of Manjimup, Nannup Bridgetown-Greenbushes and Donnybrook-Balingup.

The principal purpose or membership to the BWGC in recent years for the Shire of Boyup Brook has been to promote the Bunbury – Albany link through Boyup Brook. However, the BWGC has shown little interest in promoting the road link and with the recent withdrawal of the Shire of Donnybrook-Balingup, there is little advantage remaining to the Shire from continuing membership.

CONSULTATION

None.

STATUTORY OBLIGATIONS

N/A

POLICY IMPLICATIONS

N/A

BUDGET/FINANCIAL IMPLICATIONS

Already included in 2021/22 Budget.

STRATEGIC IMPLICATIONS

Greater alignment of strategic values in the Shire with the benefits of the membership. More potential for economic development and activation of the Shire as a direct result of membership.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Nil

- **Economic**
Nil

➤ **Social**

Nil

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.4.2

MOVED: Cr Adrian Price

SECONDED: Cr Helen C O’Connell

That the Council resolves to formally advise the Bunbury Wellington Group of Councils that it is terminating its membership to the BWGC and will not be financially contributing to the BWGC in the 2021/22 financial year.

CARRIED 9/0

Res 21/10/153

10.4.3 Application to keep more than 2 dogs

Location: 19 Inglis St, Boyup Brook
Applicant: Jackson Flett
File: RS/5/001
Disclosure of Officer Interest: none
Date: 30 Sept 2021
Author: Donna Forsyth – Ranger
Authorizing Officer: Council
Attachments: Application to keep more than 2 dogs on premises
 Property Inspection Report
 Photos taken 22/9/21 – dogs and confinement.

SUMMARY

To inform Council of an application received from the landowner of 19 Inglis Street, Boyup Brook to keep more than the prescribed number of dogs.

BACKGROUND

The current application is to keep three (3) dogs at the property. The reason for the application to keep more than the prescribed number of dogs as stated in writing by the applicant is that: *“I am currently looking after Chewie and Ollie for Will while he is away and until he finds somewhere to live and I think it would make sense in the mean-time to have them both registered to my property.”*

The dogs relating to this application are:

REG #	NAME	BREED	SEX	DESEXED?	MICROCHIP #
21/076	Squid	Bull Arab Cross	F	No	953010004905301
21/086	Chewy	German Wirehaired Pointer Cross	F	Yes	953010002774243
21/087	Ollie	Wolf Hound Cross	M	Yes	900979000270274

HISTORY

One incident where the dogs were found to be wandering. Fencing has been improved as recommended.

COMMENT

Property fenced with additional electronic boundary fence. Plenty of shade and sturdy fencing. Dogs' demeanour is contented – seemed friendly and not over excited by visitors.

CONSULTATION

On 28 July 2021 letters and feedback requests were sent to five neighbouring residents and land owners by the Shire to advise them that the Shire had received an application to keep more than the prescribed number of dogs at 19 Inglis Street, Boyup Brook, seeking their comments of any objection or no objection to this application with any conditions they wish the Shire to impose.

Of the five feedback requests sent, there was one response received which was a no objection.

STATUTORY OBLIGATIONS

Dog Act 1976 Part V — the keeping of dogs

S. 26. Limitation as to numbers

(1) A local government may, by a local law under this Act — (a) limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or (b) limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.

(2) A local law mentioned in subsection (1) — (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and (b) cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and (c) cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and (d) cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).

(3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption

(a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;

(b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and

(c) may be revoked or varied at any time.

Shire of Boyup Brook Dog Local Law – Gazetted Feb 2004 (amended 2003)

3.2 Limitation on the number of dogs

(1) This clause does not apply to premises which have been -

(a) licensed under Part 4 as an approved kennel establishment; or

(b) granted an exemption under section 26(3) of the Act.

(2) The limit on the number of dogs which may be kept on any premises, is for the purpose of section 26(4) of the Act –

- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite;
- (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite in the Rural zone.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Application Fee \$80.00

STRATEGIC IMPLICATIONS

This is in line with the Shire of Boyup Brook Strategic Community Plan.

Governance & Organisation

1.2 Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community

TOWN PLANNING SCHEME

Assessment #A10830, 19 Inglis Street, Boyup Brook WA 6244 is situated within the town-site under the Town Planning Scheme.

SUSTAINABILITY IMPLICATIONS

N/A

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.4.3

MOVED: Cr Sarah E G Alexander

SECONDED: Cr Darren E King

That Council approve the application to have more than the prescribed number of dogs with the following conditions:

- 1. In the event that the applicant relocates to another address within the Shire, a new application will be required.**
- 2. This exemption only applies to the dogs listed in the application.**
- 3. The Dog Act 1976, Dogs Local Law and Animal Welfare Act 2002 are to be complied with at all times.**
- 4. This exemption maybe revoked or varied at any time.**

CARRIED 9/0

Res 21/10/154

10.4.4 Purchase of land 32 Bridge Street and 34 Bridge Street Boyup Brook

Location:	<i>Number 32 and 34 Bridge Street Boyup Brook</i>
Applicant:	<i>N/a</i>
File:	<i>A60</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>8 October 2021</i>
Author:	<i>Dale Putland</i>
Authorizing Officer:	<i>Chief Executive Officer</i>
Attachments:	<i>Lot plans and details provided by the real estate agent and identification survey</i>

SUMMARY

The purpose of this report is to recommend purchase of two vacant lots (number 32 and 34 Bridge Street, Boyup Brook) as a strategic land acquisition to facilitate provision of aged care and aged accommodation in Boyup Brook.

It is recommended that funds from the Rylington Park reserve are used to pay for the purchase, consistent with the intended use of the reserve and with Council's commitment that the funds are to be used for major projects in Boyup Brook.

BACKGROUND

Council recently adopted the Strategic Community Plan which lists provision of aged care as a critical issue facing Boyup Brook. Community feedback during consultation on the Community Strategic Plan indicate that there are widespread community concerns that Boyup Brook is lacking sufficient low care housing for elderly people and that the aged care lodge is unable to meet the current requirements for many elderly people who require a high care facility. As a result, elderly people who are seeking aged care housing are often forced to leave Boyup Brook.

COMMENT

Number 32 Bridge Street Boyup Brook and Number 34 Bridge Street Boyup Brook are well located for the provision of aged care housing, being in close proximity to the hospital and existing aged care lodge.

Number 32 Bridge Street is 880m² in size and Number 34 Bridge Street is 12,2097m² in size and have frontage onto Bridge Street (*refer to attachment*). Number 34 has ability for connection to Hospital Road through Lot 7 Hospital Road, a lot that is already owned by the Shire (*refer to attachment*).

Both lots slope from Bridge Street to the east, with a shallow drainage line running from east to west across block 34. Soils appear to be heavy clay with limited infiltration capability.

While the lots suffer some constraints to development, largely due to a lack of reticulated sewage system in Boyup Brook, a recent appraisal has indicated that the lots have potential to allow development of an aged care facility and or accommodate several low care units.

The lots have recently come onto the market, with the owner agreeing to hold the lots until Council decides on whether to purchase them.

Lot 7 Hospital Road currently has a Shire constructed drain running through it taking storm water from a wide area through to the natural drainage line that runs through Number 34 practically parallel to Bridge Street past the high school, across Barron Street and then into the brook, which in terns flows into the Blackwood.

From a financial perspective, the cost to purchase the two additional lots is not excessive. Number 34 has a listed price of \$149,000 and Number 32 is listed at \$69,000. There have been no negotiations on price with the owner or agent to date.

It is recommended that Council resolve to purchase Number 32 Bridge Street Boyup Brook and Number 34 Bridge Street Boyup Brook and authorise the Chief Executive Officer to lodge an offer to purchase the two lots up to their advertised price.

CONSULTATION

The matters have been discussed with Council during briefing sessions

The Boyup Brook Co-Op has been consulted and has expressed a desire to partner with the Shire in development of the lots for aged care.

The real estate agent listing the property has spoken with the owner who has agreed to hold sale of the lots until Council has made a decision.

STATUTORY OBLIGATIONS

The Shire may acquire land on the open market as a strategic land acquisition.

POLICY IMPLICATIONS

Nil.

BUDGET/FINANCIAL IMPLICATIONS

No provision has been made in the current budget for the purchase of the vacant lots.

However, funds held in the Rylington Park reserve may be used for this purpose

STRATEGIC IMPLICATIONS

Acquisition of this land is considered a strategic land acquisition as purchasing the two lots will enable Council to consider options for development of aged care accommodation and facilities near to the hospital and existing aged care lodge. As there are parcels of land that are suitable for development of aged care in Boyup Brook, if the lots are sold to a private owner, this opportunity may not be realized.

SUSTAINABILITY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority

MOVED INTO COMMITTEE

MOVED: Cr Sarah E G Alexander

SECONDED: Cr Steele Alexander

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1. to allow members free discussion on the matter.

CARRIED 9/0

Res 21/10/155

MOVED OUT OF COMMITTEE

MOVED: Cr Kevin J Moir

SECONDED: Cr Helen C O'Connell

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

CARRIED 9/0

Res 21/10/156

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.4.4

MOVED: Cr Helen C O'Connell

SECONDED: Cr Steele Alexander

That Council:

- 1. Resolve to purchase Number 32 Bridge Street Boyup Brook and Number 34 Bridge Street Boyup Brook for a sum of up to \$207,000.**
- 2. Authorise the Chief Executive Officer to lodge an offer to purchase Number 32 Bridge Street Boyup Brook and Number 34 Bridge Street Boyup Brook and negotiate a lower price than the listing price for the two lots if possible.**

CARRIED BY ABSOLUTE MAJORITY 8/1

Res 21/10/157

11 COMMITTEE MINUTES

Nil

12 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 URGENT BUSINESS BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT

13.1 30 September 2021 Statement of Financial Activity

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/10/003</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>25 October 2021</i>
Authors:	<i>D Long – Finance Consultant</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>Yes</i>

SUMMARY

The Monthly Financial Report for 30 September 2021 is presented for Council's consideration.

BACKGROUND

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 require local governments to prepare monthly reports containing the information that is prescribed.

The Regulations require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income, and materials variances can be commented on.

COMMENT

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity;
- (d) Summary of Net Current Asset Position;
- (e) Statement of Explanation of Material Variances;
- (f) Statement of Financial Position;
- (g) Statement of Cash Flows;
- (h) Detailed Operating and Non-Operating Schedules;
- (i) Statement of Cash Back Reserves; and
- (j) Loan Borrowings Statement.

At its budget meeting, Council adopted a material variance threshold of \$10,000 or 10%. For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$10,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*.

The material variance commentary is now provided in a separate statement, called the Statement of Explanation of Material Variances. This statement categorises the variance commentary according to reporting Functions/Programs and groups the variances by Operating Revenue, Operating Expenditure, Non-Operating/Capital Revenue, and Capital Expenditure.

The Statement of Financial Activity as at 30 September shows a closing surplus of \$5,010,864.

CONSULTATION – Nil

STATUTORY OBLIGATIONS

Local Government Act 1995

Section 6.4—Specifies that a local government is to prepare such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996:

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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 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);
 - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

POLICY IMPLICATIONS – Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 13.1

MOVED: Cr Philippe Kalentrieder

SECONDED: Cr Darren E King

That Council receive the Monthly Financial Report for 30 September 2021, as presented.

CARRIED 9/0

Res 21/10/158

Declare an Interest

The Chief Executive Officer declared a financial interest in the following item, the time being 7.01pm and left the Chambers.

Maria Lane left the Chambers at 7.02pm

14 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

14.1 Chief Executive Officers Performance Review

MOVED INTO COMMITTEE

MOVED: Cr Steele Alexander

SECONDED: Cr Charles Caldwell

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.to allow members free discussion on the matter.

CARRIED 9/0

Res 21/10/159

The Chief Executive Officer was called back into the Chambers to discuss the 2021/22 Key Performance Indicators.

Dale Putland returned to the Chambers at 7.56pm.

Maria Lane returned to the Chambers at 7.56pm.

MOVED OUT OF COMMITTEE

MOVED: Cr Kevin J Moir

SECONDED: Cr Philippe Kaltenrieder

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

CARRIED 9/0

Res 21/10/160

COUNCIL DECISION & OFFICER RECOMMENDATION – item 14.1

MOVED: Cr Steele Alexander

SECONDED: Cr Philippe Kaltenrieder

That Council:

- 1. Acknowledge the outcomes of the CEO Performance Review detailed in confidential attachment A.**
- 2. Approve the 2021/22 performance criteria as detailed in this report.**
- 3. Approve a 5% increase to the CEO's remuneration package.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Res 21/10/ 161

15 CLOSURE OF MEETING

There being no further business the Shire President, Cr Walker thanked all for attending and declared the meeting closed at 8.01pm.