

15/03/2024



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Dear President and Councillors,

NOTICE OF AN ORDINARY COUNCIL MEETING

Please be advised that an Ordinary meeting of the Council of the Shire of Kent is to be held on

Wednesday, 20 March 2024
At the Pingrup Sports Pavilion,
Pingrup

9.30am

Ordinary Council Meeting commencement

10.30am (approx.)

Visitor presentation followed by Briefing Session

Open Council Meetings – Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the Shire.

Yours faithfully,

CHRISTIE SMITH
CHIEF EXECUTIVE OFFICER

Disclaimer

Members of the Public are advised that the recommendations to Council contained within this agenda and decisions arising from the Council Meeting can be subject to alteration. Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council’s decision with respect to any particular issue

AGENDA
20 March 2024

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting opened at _____pm.

2. RECORD OF ATTENDANCE/APOLOGIES AND APPROVED LEAVE OF ABSENCE**ATTENDANCE**

Elected Members:

Staff:

Visitors:

Gallery:

APOLOGIES**APPROVED LEAVE OF ABSENCE****ABSENT****3. DISCLOSURES OF INTEREST**

Section 5.65 and 5.70 of the *Local Government Act 1995*

Elected Member or officer, who has an interest in any matter for discussion and attends at a Committee/Council Meeting, must disclose the nature of the interest in a written notice give to the Chief Executive Officer before the meeting, or at the meeting prior to discussion on the matter.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision-making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of that interest must be stated.

- Declaration of Financial Interests:
- Declarations of Proximity Interests:
- Declarations of Impartiality Interests:

4. PUBLIC QUESTION TIME**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Section 5.25 *Local Government Act 1995*

6. CONFIRMATION AND RECEIVING OF MINUTES/BUSINESS ARISING

6.1.1 ORDINARY MEETING OF COUNCIL HELD 21 FEBRUARY 2024

OFFICER RECOMMENDATION

That the minutes of the Ordinary Council Meeting of the Shire of Kent held at the Nyabing Council Chambers, on Wednesday 21 February 2024 be **CONFIRMED**.

6.1.2 AUDIT COMMITTEE MEETING HELD 19 MARCH 2024

OFFICER RECOMMENDATION

That the minutes of the Audit Committee Meeting held at the Nyabing Council Chambers, on Tuesday 19 March 2024 be **RECEIVED**.

6.1.3 MEETING OF WALGA GREAT SOUTHERN COUNTRY ZONE HELD 23 FEBRUARY 2024

OFFICER RECOMMENDATION

That the minutes of the WALGA Great Southern Country Zone Meeting held at Cranbrook Sporting Club, on Friday 23 February 2024 be **RECEIVED**.

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

9. OFFICER REPORTS

9.1.1 MONTHLY FINANCIAL REPORTS TO 29 FEBRUARY 2024

PROPOSED MEETING DATE:	20 March 2024
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Michaela Crosby – Manager Corporate
REPORTING OFFICER:	Christie Smith – Chief Executive Officer
FILE NO:	FIN.187
ASSESSMENT NO:	N/A
ATTACHMENTS:	Attachment 1 - Monthly Financial Reports to 29 February 2024
DISCLOSURE OF INTEREST:	Nil

PURPOSE

In accordance with the *Local Government (Financial Management) Regulations 1996*, to follow is the presentation of the Monthly Financial Reports to Council.

BACKGROUND

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

COMMENT

The Monthly Financial Reports as presented indicate that Council continues to be in a sound financial position.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

POLICY IMPLICATIONS

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.
To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

FINANCIAL IMPLICATIONS

Ongoing management of Council funds

STRATEGIC IMPLICATIONS

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council receive the following Monthly Financial Reports as presented:

- **Monthly Financial Reports to 29 February 2024**

9.1.2 SCHEDULE OF ACCOUNTS PAID TO 29 FEBRUARY 2024

PROPOSED MEETING DATE:	20 March 2024
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Michaela Crosby – Manager Corporate
REPORTING OFFICER:	Michaela Crosby – Manager Corporate
FILE NO:	FIN.183
ASSESSMENT NO:	N/A
ATTACHMENTS:	Attachment 1 - Schedule of accounts paid Attachment 2 – List of credit card payments
DISCLOSURE OF INTEREST:	Nil

PURPOSE

Council endorsement of payment to Creditors under CEO Delegated Authority 2.1.2.

BACKGROUND

Details payments made to creditors since last Council Meeting.

COMMENT

The Schedule of Accounts Reports as presented, indicate that Council continues to be in a sound financial position.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states that only the following information is to be reported to Council and form part of the public minutes:

- a) the payee’s name;
- b) the amount of the payment;
- c) the date of the payment; and
- d) sufficient information that identifies the payment.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.4;

Local Government (Financial Management) Regulations 1996 – Part 2 – Regulation 11, 12 and 13.

POLICY IMPLICATIONS

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council’s accounting concepts and reporting guidelines. To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council’s financial position.

FINANCIAL IMPLICATIONS

Ongoing management of Council funds

STRATEGIC IMPLICATIONS

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council endorse the payments from the Municipal Fund and Trust Fund for the period ending 29 February 2024:

Municipal Fund (EFT)	\$118,542.87
Municipal Fund (CHQ)	\$ 0.00
Trust Fund	\$ 0.00
Direct Debits	\$291,141.48
<u>TOTAL</u>	<u>\$409,684.35</u>

9.1.3 2023-2024 BUDGET REVIEW

PROPOSED MEETING DATE:	20 March 2023
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Michaela Crosby – Manager Corporate
REPORTING OFFICER:	Christie Smith – Chief Executive Officer
FILE NO:	FIN.206
ASSESSMENT NO:	N/A
ATTACHMENTS:	Attachment 1 - Budget Review Report for the Period Ended 29 February 2024 Attachment 2 – Statutory Budget Review 23-24
DISCLOSURE OF INTEREST:	Nil

PURPOSE

To consider and adopt the Budget Review as presented in the Budget Review Report for the Period Ended 29 February 2024.

BACKGROUND

Presented for Council to consider and review is the Budget Review Report for the Period Ended 29 February 2024.. The *Local Government (Financial Management) Regulations 1996*, regulation 33A, requires that local governments conduct a budget review between 1 January and 31 March each financial year.

Within 30 days of the adoption of the review, a copy of the review and determination requires submission to the Department of Local Government, Sport and Cultural Industries.

COMMENT

The intention of the review is an opportunity to review major budget variations that will significantly affect the budgeted net current asset position.

A balanced budget with a nil surplus/deficit is presented. There is an increase in the brought forward balance of \$48,564; this is due to estimating the brought forward figure at the time of budget preparation.

A more detailed report has been included as a supporting document (attachment 1).

STATUTORY IMPLICATIONS

Local Government Act (1995)

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires:

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Consideration and review is to be given to a local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year.
- (3) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.
- (4) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

**Absolute Majority required.*

- (5) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

POLICY IMPLICATIONS

Policy 3.1 Finance Policies

To provide a financial framework, in addition to Accounting Standards and other statutory requirements, to ensure the Shire's accounting data is accurate, reliable and compliant.

FINANCIAL IMPLICATIONS

All financial variations will be within the existing Adopted Budget therefore nil financial implications.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2023-2033

4. Civic Leadership

4.1 Forward planning and implementation of plans to achieve community priorities

Outcome: Residents and community groups believe they are being listened to and feedback is actioned in line with the budget.

4.2 Proactive and well governed Shire

Outcome: We have sound financial management policies and attract external funding to help achieve our goals.

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council review and adopt the Shire of Kent Budget Review Report and the Statutory Review Report for the Period Ended 29 February 2024 (as attached) and amend all variations contained within accordingly.

9.1.4 2023 COMPLIANCE AUDIT RETURN

PROPOSED MEETING DATE:	20 March 2024
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Christie Smith – Chief Executive Officer
REPORTING OFFICER:	Christie Smith – Chief Executive Officer
FILE NO:	GOV.346
ASSESSMENT NO:	N/A
ATTACHMENTS:	Attachment 1 – 2023 Compliance Audit Return Nil
DISCLOSURE OF INTEREST:	

PURPOSE

That Council consider the adoption, signing and submission of the Compliance Audit Return (CAR) 2023 to the Department of Local Government, Sport and Cultural Industries (DLGSCI).

BACKGROUND

Under the Local Government (Audit) Regulations 1996, Local Government is required to carry out a Compliance Audit for the period 1 January 2023 to 31 December 2023. Submission of the certified return is due to the Director General, Department of Local Government, Sport and Cultural Industries by 31 March 2024.

COMMENT

Annual Compliance Audit Return 2023 submitted for consideration of review by the Audit Committee. In carrying out the compliance return for 2023 there were no areas of non-compliance identified. Identified during the return was the need to review Council’s Corporate Business Plan.

STATUTORY IMPLICATIONS

Regulation 14 of the Local Government (Audit) Regulations 1996 provides:

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

Regulation 15 provides that:

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) any additional information explaining or qualifying the compliance audit,*
 - (c) is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
- (2) In this regulation —*
 - certified in relation to a compliance audit return means signed by —*
 - (a) the mayor or president; and*
 - (b) the CEO.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2023 - 2033

Civic Leadership Strategic Priorities – Proactive and well governed Shire

RISK IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That the Council:

1. **Adopts the Compliance Audit Return 2023, as presented;**
2. **The Chief Executive Officer and the Shire President be authorised to sign the Compliance Audit Return 2023;**
3. **The Compliance Audit Return 2023 be submitted to the Department of Local Government, Sport and Cultural Industries by the 31 March 2024 deadline.**

10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL

12. MATTERS BEHIND CLOSED DOORS

That the meeting be closed to the public in accordance with section 5.23 *Local Government Act 1995*, 5.5.23(2))

- Matters affecting employee(s)
- Personal affairs of any person(s), including financial and/or commercial Contracts
- Commercial Confidentiality
- Legal advice/matters
- Public safety/security matters where public knowledge may be prejudicial.

13. MEETING CLOSED