

ORDINARY MEETING OF COUNCIL

PUBLIC

MINUTES

18 NOVEMBER 2021

These minutes were confirmed by Council as a true and correct record of proceedings by the Ordinary Council Meeting held on 16./12./21.

Presiding Member: *Druid* Date: 16 December 2021

Disclaimer

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) establish procedures for revocation or revision of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Brookton expressly disclaims liability for any loss or damage suffered by any person as a result or relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council Meeting.

Shire of Brookton
Ordinary Meeting of Council held 18 November 2021
Commenced at 6.00 pm

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1.11.21 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.00pm.

On behalf of Council, I would like to acknowledge that this meeting is being held on the traditional lands of the Nyoongar People and pay respect to all Elders, past, present, and emerging. I wish to acknowledge and respect local people's continuing culture and the contribution they make to Country and it's life.

2.11.21 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Elected Members (Voting)

Cr KL Crute (Shire President)
Cr NC Walker (Deputy Shire President)
Cr TD Lilly
Cr BK Watts
Cr CE Hartl
Cr MG Macnab

Staff (Non-Voting)

Paul Sheedy Acting Chief Executive Officer
Kellie Bartley Manager Corporate and Community
Danni Chard Executive Governance Officer
Sandie Spencer Governance Officer

Apologies

Approved leave of absence

Cr C Hayden

Members of the Public

3.11.21 USE OF COMMON SEAL – OCTOBER 2021

The Table below details the Use of Common Seal under delegated authority for the month of October 2021.

Use of Common Seal Register		
File Ref:	Purpose	Date Granted
EMP	Gary Sherry – CEO Employment Contract	20 October 21

4.11.21 DELEGATED AUTHORITY – ACTIONS PERFORMED – OCTOBER 2021

The Table below details the actions of Council performed under delegated authority for the month October 2021.

Shire of Brookton, Delegation Register, 1.46 Building Matters – Permits, Certificates & Orders

BUILDING			
Application No.	Lot & Street	Type of Building Work	Date Granted
Nil.			

PLANNING				
File Ref	Application Ref	Subject Land (incl. Scheme No.)	Purpose	Date Granted
Nil.				

5.11.21 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.11.21 PUBLIC QUESTION TIME

Nil.

7.11.21 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8.11.21 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

9.11.21 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.11.21.01 SPECIAL MEETING OF COUNCIL – 18 OCTOBER 2021

OCM 11.21-01

COUNCIL RESOLUTION

MOVED Cr Macnab SECONDED Cr Watts

That the minutes of the Special meeting of Council held in the Shire of Brookton Council Chambers, on 18 October 2021, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

9.11.21.02 ORDINARY MEETING OF COUNCIL – 21 OCTOBER 2021

OCM 11.21-02

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 21 October 2021, be confirmed as a true and correct record of the proceedings, subject to amendment of OCM 10.21-06 – Statement of Financial Activity for period ended 30 September 2021, and the administration error in Attachment 14.10.21.02A, Note 5 – Cash Backed Reserves, with reference to “Aldersyde Hall Reserve”. This has now been corrected and updated as per document attached.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 September 2021

Note 5: Cash Backed Reserves

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Adopted Budget Transfers In (+)	Current Budget Transfers In (+)	Actual Transfers In (+)	Adopted Budget Transfers Out (-)	Current Budget Transfers Out (-)	Actual Transfers Out (-)	Adopted Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$		\$	\$		\$	\$	\$
Leave Reserve	138,900	1,111	14	0		0	0	0	0	140,011	138,914
Plant and Vehicle Reserve and Community Bus Reserve	337,435	2,699	35	545,000		0	(314,000)	0	0	571,134	337,470
Land & Housing Development Reserve/Independent Living Units	1,392,425	11,139	144	0		0	(30,000)	0	0	1,373,564	1,392,569
Furniture and Equipment Reserve	21,213	170	2	0		0	(10,000)	0	0	11,383	21,215
Municipal Buildings & Facilities Reserve	631,068	5,049	65	0		0	(180,000)	0	0	456,117	631,133
Townscape and Footpath Reserve	125,177	1,001	13	0		0	(47,000)	0	0	79,178	125,190
Sewerage Scheme Reserve	445,787	3,566	46	65,000		0	(50,000)	0	0	464,353	445,833
Road and Bridge Infrastructure Reserve	115,816	927	12	758,764		0	(484,433)	0	0	391,074	115,828
Health & Wellbeing reserve	554,349	4,415	57	0		0	(558,764)	0	0	(0)	554,406
Sport & Recreation Reserve	31,653	253	3	0		0	0	0	0	31,906	31,656
Rehabilitation & Refuse Reserve	210,991	1,708	22	55,000		0	(50,000)	0	0	217,699	211,013
Caravan Park Reserve	354,061	2,832	37	0		0	0	0	0	356,893	354,098
Brookton Heritage/Museum Reserve	47,189	378	5	0		0	0	0	0	47,567	47,194
Kweda Hall Reserve	18,042	144	2	0		0	0	0	0	18,186	18,044
Aldersyde Hall Reserve	0	0	0	0		0	0	0	0	0	0
Railway Station Reserve	330,082	2,641	34	200,000		0	(70,000)	0	0	462,723	330,116
Madison Square Units Reserve	30,680	245	3	0		0	0	0	0	30,925	30,683
Cemetery Reserve	30,735	246	3	50,000		0	(40,000)	0	0	40,981	30,738
Water Harvesting Reserve	109,633	877	11	0		0	(42,000)	0	0	68,510	109,645
Developer Contribution	2,742	22	0	0		0	0	0	0	2,764	2,743
Cash Contingency Reserve	131,689	1,054	14	0		0	0	0	0	457,361	131,702
Brookton Aquatic Reserve	456,307	3,650	47	25,000		0	(30,000)	0	0	130,339	456,354
Future Fund Reserve	4,097,368	32,779	0	0		0	0	0	0	4,130,147	4,097,368
Innovations Fund Reserve	2,013,401	16,107	0	0		0	(500,000)	0	0	1,529,508	2,013,401
	11,626,742	93,013	570.60	1,698,764	0	0	(2,406,197)	0	0	11,012,322	11,627,313

10.11.21 ANNOUNCEMENTYS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

11.11.21 DISCLOSURE OF INTERESTS

Members and Officers to declare Financial, Proximity or Impartiality Interests & submit forms to the Chief Executive Officer at the commencement of the meeting and prior to the item.

Disclosure of Financial & Proximity Interests

- a. Members must disclose the nature of their interest in matters to be considered at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*).
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*).

Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be considered at the meeting in respect of which the member or employee has given or will give advice.

Financial, Proximity and Impartiality Interests

Item no.	Members/Officers	Type of Interest	Nature of Interest
18.11.21.01	Cr Macnab	Impartiality	Related to nominee and is a financial member of a nominee.
18.11.21.01	Cr Crute	Impartiality	Close friend of nominee & serve on committees with nominee.

12.11.21 TECHNICAL & DEVELOPMENT SERVICES REPORTS

Nil.

13.11.21 COMMUNITY SERVICES REPORTS**13.11.21.01 BROOKTON COMMUNITY THANK A VOLUNTEER SUNDOWNER – REQUEST FOR FUNDING**

File No:	CO013A
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	N/A
Author/s:	Kylie Freeman – Community Development Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority Vote Required
Previous Report:	N/A

Summary of Item:

This item relates to the unsuccessful application made to Department of Communities – Thank a Volunteer Day Celebration Grants Program 2021 to support the Shire of Brookton “Thank a Volunteer” event and now seeking the costs to cover the planned event to be held on Friday 3rd December 2021.

The correspondence received from the Department of Communities is contained in **Attachment 13.11.21.01A**.

Description of Proposal:

As above.

Background:

In 1985, the United Nations designated 5 December each year as International Volunteer Day, also known as Thank a Volunteer Day in WA. The Department of Communities provided the opportunity to apply for Grant funding to assist with providing an event to acknowledge this celebration.

The Shire submitted an application; however, it was confirmed that the Shire was unsuccessful in obtaining grant funding for this event. Therefore, funding is now sought from Council to adequately cover the costs of the catering planned for this event.

The Thank a Volunteer Sundowner is an open invitation to the Brookton community and its volunteers, as many of our resident’s volunteer in many and various groups and committees. This is an opportunity to recognise and thank these community members for the valued time and dedication. The interest has been supported by the Brookton Country Club by hosting this event and the support of the Brookton CRC in assisting this event.

Consultation:

There has been consultation between the Acting Chief Executive Officer, Community Development Officer and the Manager Corporate and Community. Through this process, the assistance of Brookton CRC, Brookton Country Club and various community partners are involved and have been working collectively to make this an event to be continued should the funding not be accepted.

Statutory Environment:

Council is able to offer a donation or afford a financial grant through the adopted budget and policy framework for the Community Chest Fund, which has been endorsed under the relevant provisions of the *Local Government Act 1995*.

Relevant Plans and Policy:

There is specific plan or policy implication pertinent to this event. While Council Policy 2.34 – Community Donations and Funding Policy would ordinarily apply to the request for funding for a community event, as this is Shire facilitated this request merely seeks to draw a small amount of funding from the Community Chest allocation in the 2021-22 Budget that has been established to support Policy 2.34.

Financial Implications:

The Community Chest Fund (COA E115050) is set at \$40,000 against the 2021/22 Annual Budget which has been established to support any community donations, grants or support for financial assistance that is a benefit to the community and its residents.

There are currently sufficient funds available within the current allocation to accommodate this application. The following table outlines the projected budget, including costs and funding sources, for the Shire’s 2021 Thank a Volunteer Sundowner.

THANK A VOLUNTEER SUNDOWNER 2021		
<i>Item</i>	<i>Cost</i>	<i>Notes</i>
Grazing Platters	\$1,000.00	Supplied by Brookton Country Club
Contingency costs	\$200.00	
TOTAL	\$1,200.00	
SPONSORSHIP/DONATIONS		
Shire of Brookton	In-Kind Shire Officers time	
Brookton CRC	In kind - advertising costs	
Brookton Country Club	in kind - providing function room	

Risk Assessment:

The risk is deemed to be “low” to the organisation in supporting the financial aspect for this event. In consideration, the Shire may be perceived on the reputational risk of not supporting the volunteers for the district.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the request for approval for financial support aligns to:

*Business Function 24. Community Support
Action 24.2 – Co-ordinate Shire events*

Comment

With the unsuccessful grant application not being supported by the Department of Communities, the firm belief of the support from the Shire to support the Volunteers of Brookton and acknowledge the work that assists the community in building capacity for volunteers, emergency services and the wellbeing of our residents.

As to the funding, while the support of \$1,200 is requested that incorporates a contingency amount for unforeseen costs, it is hoped that not all of the funds will be required, but nonetheless will ensure sufficient costs for the event to be held.

OFFICER’S RECOMMENDATION

That Council:

1. Endorses funding of \$1,200.00 to be drawn from the Community Chest Allocation of \$40,000 (COA E115050) in relation to facilitation of the Brookton Thank a Volunteer Sundowner 2021 inclusive of any underlying costs not yet identified for the Thank a Volunteer Sundowner 2021 Committee.
2. Acknowledges and sincerely appreciates the time and generous support offered by the organising committee members, the Brookton Community Resource Centre, and Brookton Country Club in bringing this event together for the betterment of the Brookton Community.

(Simple majority vote required)

COUNCIL RESOLUTION

MOVED Cr Watts

SECONDED Cr Lilly

That Council:

- 1. Endorses funding of \$1,200.00 to be drawn from the Community Chest Allocation of \$40,000 (COA E115050) in relation to facilitation of the Brookton Thank a Volunteer Sundowner 2021 inclusive of any underlying costs not yet identified for the Thank a Volunteer Sundowner 2021 Committee.**
- 2. Acknowledges and sincerely appreciates the time and generous support offered by the organising committee members, the Brookton Community Resource Centre, and Brookton Country Club in bringing this event together for the betterment of the Brookton Community.**

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Attachment

Attachment 13.11.21.01A – Correspondence from Department of Communities



Government of **Western Australia**
Department of **Communities**

Ref: TAVD030/2021-201/8839

Ms Kellie Bartley
Manager of Corporate and Community
Shire of Brookton
PO Box 42
BROOKTON WA 6306

Dear Ms Bartley

Thank a Volunteer Day Celebration Grants Program 2021

Thank you for your application for funding for the Thank a Volunteer Day Sundowner.

As you will appreciate, many excellent submissions were received and the decision-making process was very difficult. All applications were considered by an assessment committee who made recommendations to the Minister for Volunteering.

Although the assessment committee recognised your proposal had merit, on this occasion it did not recommend the application as, on a comparative basis, it was not as strong as those in the Wheatbelt region that were recommended for funding.

If you would like feedback on your application or have any queries, please contact Ms Letty Durkin JP, Grants Officer on 0432 841 405 or at letty.durkin@communities.wa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Abby Lamont'.

Abby Lamont
A/Procurement Manager
Finance Division

1 November 2021

5 Newman Court, FREMANTLE WA 6160
Locked Bag 5000, Fremantle WA 6959
Email: info@communities.wa.gov.au Website: www.communities.wa.gov.au

13.11.21.02 REQUEST FOR FEE WAIVER – BROOKTON DISTRICT HIGH SCHOOL

File No:	COM002
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	Brookton District High School
Name of Owner:	N/A
Author/s:	Kylie Freeman – Community Development Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This report seeks Council's endorsement for the fee waiver made by Brookton District High School (BDHS) for the hire of the Memorial Hall on 5th November 2021 for the Regional District Ball.

The school host the Wheatbelt Ball which is held for students in Years 7 – 10 from the surrounding districts of Beverley, York and Quairading students and staff also attended.

The request from BDHS is attached to this report as **Attachment 13.11.21.02A**.

Description of Proposal:

As detailed above.

Background:

The Wheatbelt Ball is an opportunity to students to attend a social function. Many of the students, due to poverty, disengagement, and other various challenges, do not have the opportunity to take part in an activity such as this.

The ball promotes students to have a positive outlook, build their self-esteem, and for them to feel valued.

The request for the waiver is to consider the day rate of \$250 per day to be waived. The bond of \$250 will still apply as per the Shire's Fees and Charges for this facility.

Consultation:

There has been not consultation in this matter.

Statutory Environment:

Pursuant to section 6.12 (1)(b) of the *Local Government Act 1995*, states:

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
which is owed to the local government.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Relevant Plans and Policy:

There are no relevant plans or policy applicable to this matter.

Financial Implications:

Under the Council’s 2021/2022 Schedule of Fees and Charges, the following applies:

Details	Cost
Facility Hire (Commercial and other Agencies)	\$250.00
Bond (refundable bond that is held \$250)	\$250.00

The bond of \$250 is held by the Shire of Brookton for the calendar year, due to the number of events they may host. The school has requested that the facility hire fee be reduced to nil, meaning the cost to the Shire would be \$250.00. If Council supports this request, which fundamentally would be considered the Shire’s contribution to the event.

Risk Assessment:

The risk in relation to this matter is assessed as “Low” and as the event has already been held, the item can be supported within the current budgetary constraints.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the proposal relates to:

Function 24 Community Support

Action 24.1 – Support community group activities

Comment:

In consideration, this event is for a very worthy cause for the youth of the community, it is recommended that Council reduce the fee to nil for the Brookton District High School event which was held on 5th November 2021.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 6.12(1)(b) of the Local Government Act, 1995 waiver the fee for the Memorial Hall to Brookton District High School to host the Wheatbelt Ball of \$250.00 to \$0.00 for the events scheduled for 5th November 2021.

(Simple majority vote)

OCM 11.21-04

COUNCIL RESOLUTION

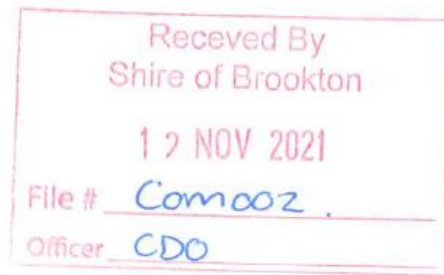
MOVED Cr Walker SECONDED Cr Hartl

That Council pursuant to Section 6.12(1)(b) of the Local Government Act, 1995 waiver the fee for the Memorial Hall to Brookton District High School to host the Wheatbelt Ball of \$250.00 to \$0.00 for the events scheduled for 5th November 2021.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Attachments

Attachment 13.11.21.02A – Email received from Brookton District High School



To Brookton Shire CEO, and Councillors

On behalf of Brookton District High School, I would like to request to Waiver the \$250.00, that was Paid to the Brookton Shire.

Our Wheatbelt Ball, which was held on Friday the 5th November, had 3 other Schools attending, from York, Quairading, and Beverley, making attendance of 60 students. The Wheatbelt Ball is held for students, in Year 7 – 10. Most of these students, due to poverty, disengagement, and various challenges they face, will not have the opportunity to take part in an activity such as this in Year 11 and 12.

We find that this is a way, to help them have a positive outlook, on life, even if for one night, to build their self-esteem, and allow them to feel that they are really someone worthy.

Several of our town businesses, have already helped in ways of donations of drinks, and heavily reduced food, and other equipment, to make this an accessible function for all students.

As a school, in your town, I feel that the hire for a school function, was incredibly high, as community groups have a much lower cost. Brookton District High School and The Brookton Shire have been working together to foster good relationships, with our student councillors and this is something we are very excited about.

I would ask that you give our request careful consideration, regarding waiving the \$250.00 fee that was paid.

Thanking you

Anthea Cousins

Chaplain

Brookton District Highschool

14.11.21 CORPORATE SERVICES REPORTS

14.11.21.01 LIST OF ACCOUNTS FOR PAYMENT – OCTOBER 2021

File No:	N/A
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Peta Harben – Finance Administration Officer
Authorising Officer:	Kellie Bartley – Manager Corporate and Community
Declaration of Interest:	The author has no financial interest in this matter.
Voting Requirements:	Simple Majority
Previous Report:	21 October 2021

Summary of Item:

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 October 2021, as required under the *Local Government (Financial Management) Regulations 1996*.

Description of Proposal:

To approve the accounts for payment.

Background:

In accordance with *Local Government (Financial Management) Regulations 1996 Clause 13 (1)* schedules of all payments made through Council's bank accounts are presented to Council for inspection.

Consultation:

There are no community engagement implications that have been identified as a result of this report or recommendation.

Statutory Environment:

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
 - (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; and*
 - (b) *the amount of the payment; and*
 - (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; and*
 - (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.

Relevant Plans and Policy:

The Chief Executive Officer, under relevant delegation, is authorized to arrange purchase of specific items in the budget, which do not require calling tenders, providing that it is within the approved and adopted budget.

Financial Implications:

There are no financial implications that have been identified as a result of this report or recommendation.

Risk Assessment:

The risk in relation to this matter is assessed as ‘Medium’ on the basis that if Council does not accept the payments. The risk identified would be failure to fulfil statutory regulations or compliance requirements. Shire Officer’s provide a full detailed listing of payments made in a timely manner.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This item relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the contract services support the following Business Unit and Functions:

- 18. *Financial Control*
 - 18.2 *Conduct external/internal audits and reporting*
 - 18.5 *Process rates, other revenues, timely payments*

Comment

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire’s Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid is to be provide to Council, where such

delegation is made.

The payment schedule is provided to Councilors' separately and not published on the Shire of Brookton website to mitigate against the potential of fraudulent activity that can arise from this practice. Members of the public can obtain the schedule from the Shire of Brookton Administration Office.

The following table summaries the payments for the period by payment type, with full details of the accounts paid contained within **Attachment 14.11.21.01A**.

Payments up to 31 October 2021

Payment Type	Account Type	Amount (\$)
Automatic Payment Deductions (Direct Debits)	Municipal	\$176,459.70
Cheque Payment (18508)	Municipal	\$100.00
EFT Payments #12613 to #12653; #12660 to #12709	Municipal	\$377,287.95
Sub Total	Municipal	\$553,847.65
EFT Payments – Nil	Trust	\$0.00
Sub Total	Trust	\$0.00
EFT Payments – #12612, #12654-12659, #12710-12716	Bond	\$2,720.00
Sub Total	Bond	\$2,720.00
Totals		\$556,567.65

Contained within **Attachment 14.11.21.01A** is a detailed transaction listing of credit care expenditure paid for the period ended 31 October 2021. This amount is included within the total payments, listed above.

OFFICER'S RECOMMENDATION

That Council accepts the list of accounts, totalling \$556,567.65 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 31 October 2021, as contained within Attachment 14.11.21.01A.

OCM 11.21-05

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That Council accepts the list of accounts, totalling \$556,567.65 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 31 October 2021, as contained within Attachment 14.11.21.01A.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Attachments

Attachment 14.11.21.01A – List of Accounts for Payment – October 2021

Members of the public can obtain a copy of the List of Accounts by contacting the Shire Administration Office.

14.11.21.02 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 OCTOBER 2021

File No:	N/A
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Charlotte Cooke – Finance Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The authors have no financial interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	There is no previous meeting reference

Summary of Item:

The Statement of Financial Activity for period ending 31 October 2021 together with associated commentaries are present for Council's consideration.

Description of Proposal:

That Council receives the Statement of Financial Activity for the period ended 31 October 2021, as presented.

Background:

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Shire is to prepare a monthly Statement of Financial Activity for approval by Council. December and January's reports are presented in February as Council does not meet in January.

Consultation:

Reporting officers receive monthly updates to track expenditure and income.

Statutory Environment:

Section 6.4 of the *Local Government Act 1995* requires a Local Government to prepare an annual financial statement for the preceding year and other financial reports as they prescribed.

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the Local Government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

Relevant Plans and Policy:

There is no Council Policy relevant to this item.

Financial Implications:

The Budget is regularly monitored on at least a monthly basis, by the Chief Executive Officer, the Manager Corporate & Community and the Senior Finance Officer. Responsible Officers are also required to review their particular line items for anomalies each month, with a major review required by law, between 1 January and 31 March of each year pursuant to the *Local Government (Financial Management) Regulations 1996* (Regulation 33A).

Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in the Monthly Financial Report contained within **Attachment 14.11.21.02A**.

Risk Assessment:

The risk in relation to this matter is assessed as 'Low' on the basis that if Council does not receive the

Monthly Financial Reports for the month reported leading to the Shire not meeting legislative requirements on financial reporting. The risk identified would be failure to fulfil statutory regulations or compliance requirements.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

Responsible financial management is critical to deliver on the Strategic Community Plan.

The Corporate Business Plan determines the local government's resource allocations which form the construction of the Annual Budget. The financial statements thus measure performance against the Corporate Business Plan by providing comparatives against the Annual Budget.

This item relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – May 2018, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the contract services supports the following Business Unit and Functions:

- 19. *Financial Control*
 - 18.2 *Conduct external/internal audits and reporting*
 - 18.4 *Review/Manage financial investments*
 - 18.5 *Process rates, other revenues, timely payments*

Comment

The Monthly Financial Reports has been prepared in accordance with statutory requirements.

OFFICER'S RECOMMENDATION

That Council

1. Receives the Monthly Statements of Financial Activity for the 31 October 2021, in accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1995 as presented in Attachment 14.11.21.02A.

(Simple majority vote required)

AMENDED OFFICER'S RECOMMENDATION

That Council

1. Receives the Monthly Statements of Financial Activity for the 31 October 2021, in accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1995 as presented in Attachment 14.11.21.02A, **noting that in the attached Monthly Financial Report in 'Note 5: Cash Backed Reserves' (page 36) the closing balances, for all Cash Backed Reserve, at 31 October 2021 have now been corrected to reflect the correct closing balances, resulting in a closing balance reduction of \$506,510 when compared to the 30 September 2021 endorsed Monthly Financial Statements.**

(Simple majority vote required)

OCM 11.21-06

COUNCIL RESOLUTION

MOVED Cr Macnab SECONDED Cr Watts

That Council

1. **Receives the Monthly Statements of Financial Activity for the 31 October 2021, in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1995* as presented in Attachment 14.11.21.02A, noting that in the attached Monthly Financial Report in 'Note 5: Cash Backed Reserves' (page 36) the closing balances, for all Cash Backed Reserve, at 31 October 2021 have now been corrected to reflect the correct closing balances, resulting in a closing balance reduction of \$506,510 when compared to the 30 September 2021 endorsed Monthly Financial Statements.**

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Note to minute: Since the publication of the Agenda, the officer's recommendation had been amended to include the additional wording shown in the "Amended Officer's Recommendation" above, in red.

Attachments

Attachment 14.11.21.02A – Statement of financial activity ended 31 October 2021

Shire of Brookton
MONTHLY FINANCIAL REPORT
For the Period Ended 31 October 2021

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Note 15 - Capital Works Program

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 October 2021

Note	Adopted Annual Budget	Current Budget	YTD Budget (a)	This Month	YTD Actual (b)	Var. \$ (b)-(a) (c)	Var. % (b)-(a)/(b) 9	Var.
	\$		\$		\$	\$	%	
Operating Revenues								
04 Governance	23,510	23,510	12,160	5,753	12,295	135	1.11%	▼
03 General Purpose Funding	1,886,516	1,886,516	954,386	53,722	223,332	(731,054)	(76.60%)	▼
05 Law, Order and Public Safety	315,963	315,963	284,515	(10,245)	6,761	(277,754)	(97.62%)	▼
07 Health	300	300	100	9	18	(82)	(81.82%)	▼
08 Education and Welfare	65,906	65,906	21,964	3,733	21,418	(546)	(2.48%)	▲
09 Housing	71,296	71,296	23,760	8,506	37,136	13,376	56.29%	▲
10 Community Amenities	404,681	404,681	134,880	(318)	394,778	259,898	192.69%	▲
11 Recreation and Culture	36,101	36,101	12,020	3,947	7,564	(4,456)	(37.07%)	▲
12 Transport	684,303	684,303	226,160	100	240,482	14,322	6.33%	▲
13 Economic Services	100,160	100,160	33,380	13,834	56,775	23,395	70.09%	▲
14 Other Property and Services	27,000	27,000	8,992	5,360	19,991	10,999	122.32%	▲
Total (Excluding Rates)	3,615,736	3,615,736	1,712,317	84,402	1,020,550	(691,767)	(40.40%)	
Operating Expense								
04 Governance	(569,257)	(569,257)	(203,677)	(121,382)	(169,516)	34,161	16.77%	▲
03 General Purpose Funding	(250,387)	(250,387)	(75,318)	(17,369)	(75,615)	(297)	(0.39%)	▲
05 Law, Order and Public Safety	(470,954)	(470,954)	(161,350)	(15,951)	(105,322)	56,028	34.72%	▲
07 Health	(25,294)	(25,294)	(9,424)	(2,193)	(9,604)	(180)	(1.91%)	▲
08 Education and Welfare	(163,573)	(163,573)	(55,388)	(8,256)	(41,835)	13,553	24.47%	▲
09 Housing	(241,917)	(241,917)	(81,155)	(11,338)	(59,486)	21,669	26.70%	▲
10 Community Amenities	(573,400)	(573,400)	(197,254)	(28,176)	(128,356)	68,898	34.93%	▲
11 Recreation and Culture	(1,044,540)	(1,044,540)	(339,447)	(80,305)	(333,778)	5,669	1.67%	▲
12 Transport	(3,571,833)	(3,571,833)	(1,204,084)	(298,293)	(1,264,461)	(60,377)	(5.01%)	▲
13 Economic Services	(257,475)	(257,475)	(86,060)	(12,426)	(65,746)	20,314	23.60%	▲
14 Other Property and Services	(406,383)	(406,383)	(149,777)	(36,771)	(157,415)	(7,638)	(5.10%)	▲
Total	(7,575,013)	(7,575,013)	(2,562,934)	(632,460)	(2,411,135)	151,799	5.92%	
Funding Balance Adjustment								
Add back Depreciation	3,098,790	3,098,790	1,032,930		1,013,149	(19,781)	(1.92%)	▼
Adjust (Profit)/Loss on Asset Disposal	47,511	47,511	47,511		11,904	(35,607)	(74.95%)	▼
Correction of SSL78 adjustment	0	0	0		0	0		
Adjust (Profit)/Loss on Asset Revaluation	0	0	0		0	0		
Movement in Non Cash Provisions	0	0	0		0	0		
Net Operating (Ex. Rates)	(812,976)	(812,976)	229,824		(365,532)	(595,356)	(259.05%)	
Capital Revenues								
Proceeds from Disposal of Assets	122,000	122,000	0		63,841	63,841		
Proceeds from New Debentures	600,000	600,000	0		0	0	0.00%	
Self-Supporting Loan Principal	24,413	24,413	0		0	0		
Transfer from Reserves	2,406,197	2,406,197	802,066		0	(802,066)	(100.00%)	▼
Total	3,152,610	3,152,610	802,066		63,841	(738,225)		
Capital Expenses								
Land and Buildings	(1,514,000)	(1,514,000)	(57,328)		(228,406)	(171,078)	(298.42%)	▼
Plant and Equipment	(436,000)	(436,000)	(13,332)		(13,864)	(532)	(3.99%)	▼
Furniture and Equipment	(10,000)	(10,000)	0		(7,638)	(7,638)		
Infrastructure Assets - Roads & Bridges	(1,068,926)	(1,068,926)	(62,256)		(43,052)	19,204	30.85%	▲
Infrastructure Assets - Sewerage	(742,000)	(742,000)	(247,328)		(2,507)	244,821	98.99%	▲
Infrastructure Assets - Footpath	0	0	0		0	0		
Repayment of Debentures	(133,672)	(133,672)	(24,273)		(65,772)	(41,499)	(170.97%)	▼
Principal elements of finance lease payments	(1,419)	(1,419)	0		0	0		
Transfer to Reserves	(1,791,777)	(1,791,777)	(597,259)		(4,378)	592,881	99.27%	▲
Total	(5,697,794)	(5,697,794)	(1,001,776)		(365,616)	636,160	(63.50%)	
Net Capital	(2,545,184)	(2,545,184)	(199,710)		(301,776)	(102,065)	51.11%	
Total Net Operating + Capital	(3,358,160)	(3,358,160)	30,114		(667,308)	(697,422)	2315.96%	
Rate Revenue	2,376,497	2,376,497	2,409,603		2,409,585	(18)	(0.00%)	▲
Opening Funding Surplus(Deficit)	981,662	981,662	869,805		869,805	111,857	12.86%	▲
Closing Funding Surplus(Deficit)	0	0	3,309,522		2,612,082	(585,583)		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Program by Nature and Type
For the Period Ended 31 October 2021

NOTE	2021/22 Adopted Budget \$	2021/22 Current Budget \$	2021/22 YTD Budget \$	2021/22 YTD Actual \$	Variance YTD Budget vs YTD Actual \$
REVENUES FROM ORDINARY ACTIVITIES					
Rates	2,410,607	2,410,607	2,409,603	2,409,585	(18)
Operating Grants, Subsidies and Contributions	1,167,520	877,666	801,383	271,125	(530,258)
Fees and Charges	682,928	689,173	229,672	531,552	301,880
Interest Earnings	130,111	135,249	32,058	17,154	(14,904)
Other Revenue	197,836	162,795	127,160	35,632	(91,528)
	4,589,002	4,275,490	3,599,876	3,265,047	(334,829)
EXPENSES FROM ORDINARY ACTIVITIES					
Employee Costs	(1,911,012)	(2,221,305)	(768,666)	(764,227)	4,439
Materials and Contracts	(1,531,907)	(1,718,866)	(564,045)	(375,961)	188,084
Utilities	(177,631)	(190,430)	(58,687)	(34,399)	24,288
Depreciation	(2,781,490)	(3,098,790)	(1,032,884)	(1,013,149)	19,735
Interest Expenses	(76,411)	(67,343)	(8,518)	(18,726)	(10,208)
Insurance	(193,031)	(230,647)	(111,253)	(192,678)	(81,425)
Other Expenditure	(112,453)	(850)	(612)	(91)	521
	(6,783,935)	(7,528,231)	(2,544,665)	(2,399,231)	145,434
	(2,194,933)	(3,252,741)	1,055,211	865,816	(189,395)
Non-Operating Grants, Subsidies & Contributions	740,579	1,713,243	520,880	165,087	(355,793)
Profit on Asset Disposals	0	0	0	0	0
Loss on Asset Disposals	(47,511)	(47,511)	(47,511)	(11,904)	35,607
NET RESULT	(1,501,865)	(1,587,009)	1,528,580	1,019,000	(509,580)

Note 1: MAJOR VARIANCES

Comments/Reason for Variance

OPERATING REVENUE (EXCLUDING RATES)

4 Governance

Within variance threshold of \$10,000 or 10%

3 General Purpose Funding

Less than anticipated. Timing issue, will correct over time.

5 Law, Order and Public Safety

Less than anticipated. Timing issue, will correct over time.

7 Health

Within variance threshold of \$10,000 or 10%

8 Education and Welfare

Within variance threshold of \$10,000 or 10%

9 Housing

More than anticipated. Timing issue, will correct over time.

10 Community Amenities

More than anticipated. Timing issue, will correct over time.

11 Recreation and Culture

Within variance threshold of \$10,000 or 10%

12 Transport

Within variance threshold of \$10,000 or 10%

13 Economic Services

More than anticipated. Timing issue, will correct over time.

14 Other Property and Services

More than anticipated. Timing issue, will correct over time.

OPERATING EXPENSES

4 Governance

More than anticipated. Timing issue, will correct over time.

3 General Purpose Funding

Within variance threshold of \$10,000 or 10%

5 Law, Order and Public Safety

More than anticipated. Timing issue, will correct over time.

7 Health

Within variance threshold of \$10,000 or 10%

8 Education and Welfare

More than anticipated. Timing issue, will correct over time.

9 Housing

More than anticipated. Timing issue, will correct over time.

10 Community Amenities

More than anticipated. Timing issue, will correct over time.

11 Recreation and Culture

Within variance threshold of \$10,000 or 10%

12 Transport

Within variance threshold of \$10,000 or 10%

13 Economic Services

More than anticipated. Timing issue, will correct over time.

14 Other Property and Services

Within variance threshold of \$10,000 or 10%

CAPITAL REVENUE

Proceeds from Disposal of Assets

Within variance threshold of \$10,000 or 10%

Self-Supporting Loan Principal

Loan Principle to be recovered in November 21 accounts

Transfer from Reserves

Less than anticipated. Timing issue, will correct over time.

CAPITAL EXPENSES

Land and Buildings

Less than anticipated. Timing issue, will correct over time.

Plant and Equipment

Within variance threshold of \$10,000 or 10%

Furniture and Equipment

Within variance threshold of \$10,000 or 10%

Infrastructure Assets - Roads & Bridges

More than anticipated. Timing issue, will correct over time.

Infrastructure Assets - Sewerage

More than anticipated. Timing issue, will correct over time.

Repayment of Debentures

Less than anticipated. Timing issue, will correct over time.

Transfer to Reserves

More than anticipated. Timing issue, will correct over time.

OTHER ITEMS

Rate Revenue

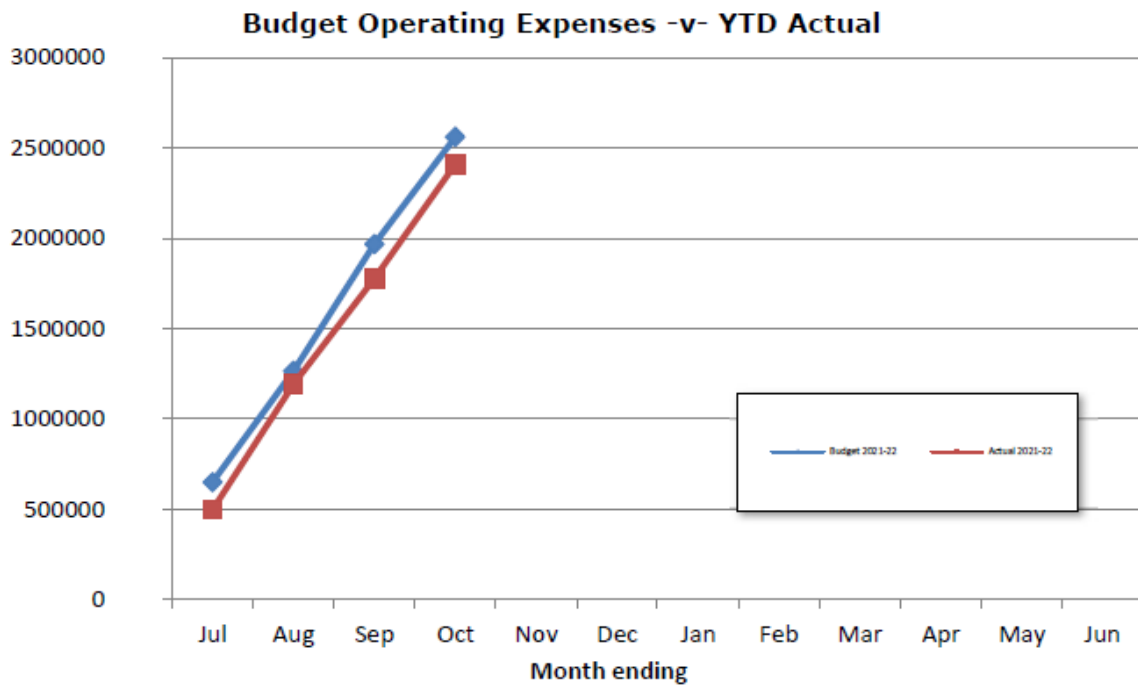
Within variance threshold of \$10,000 or 10%

Closing Funding Surplus (Deficit)

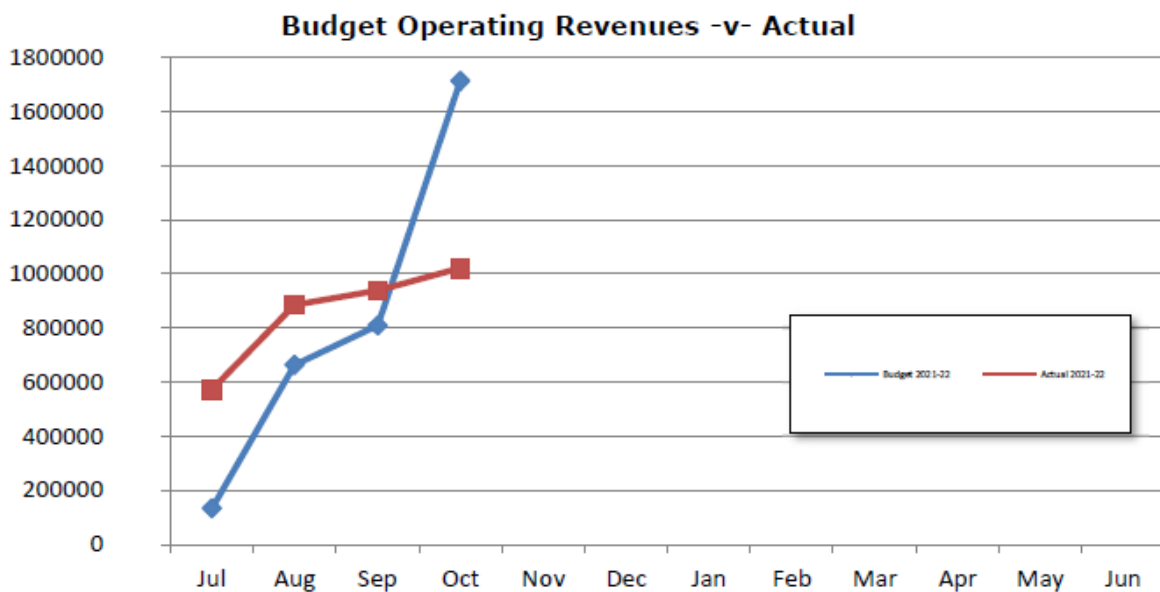
Will adjust as income and expenditure occur over the year

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

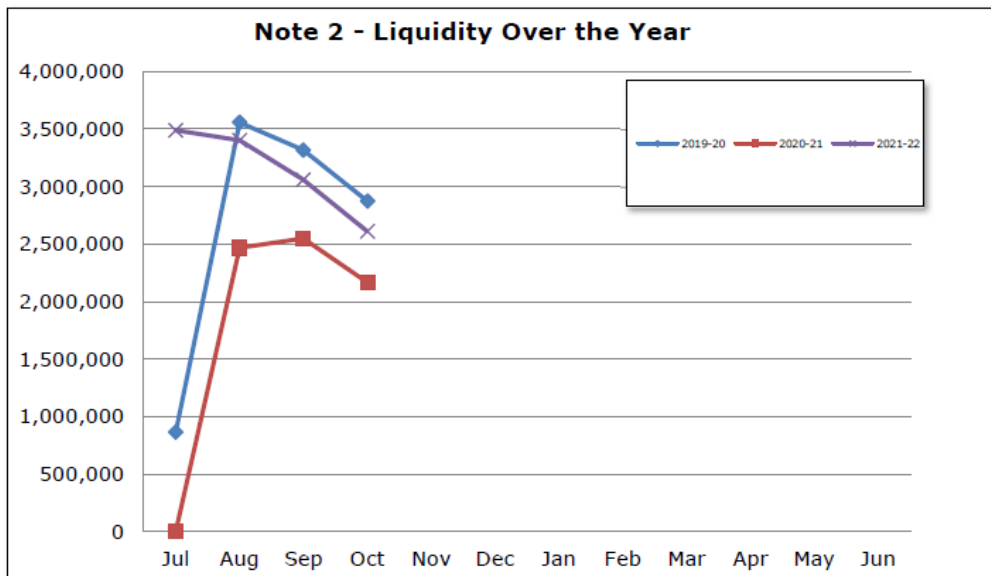


Comments/Notes - Operating Revenues

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 3: NET CURRENT FUNDING POSITION

Note	Positive=Surplus (Negative=Deficit)			Surplus C/F 1 July 2021
	2021-22			
	This Period	Same Period 2020/21	Same Period 2019/20	
	\$	\$	\$	\$
Current Assets	Oct 2021	Oct 2020	Oct 2019	
Cash Unrestricted	2,285,976	1,770,990	2,230,015	1,132,706
Cash Restricted	11,631,120	11,895,503	5,254,106	11,626,742
Receivables	721,910	795,461	3,976,270	120,462
Non Cash Movements		0	0	0
Inventories	38,327	17,214	26,922	27,060
	14,677,333	14,479,168	11,487,313	12,906,970
Less: Current Liabilities				
Payables and Provisions	(434,131)	(416,200)	(3,358,970)	(410,423)
	(434,131)	(416,200)	(3,358,970)	(410,423)
Less: Cash Restricted	(11,631,120)	(11,895,503)	(5,254,106)	(11,626,742)
Net Current Funding Position	2,612,082	2,167,465	2,874,237	869,805



Comments - Net Current Funding Position

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

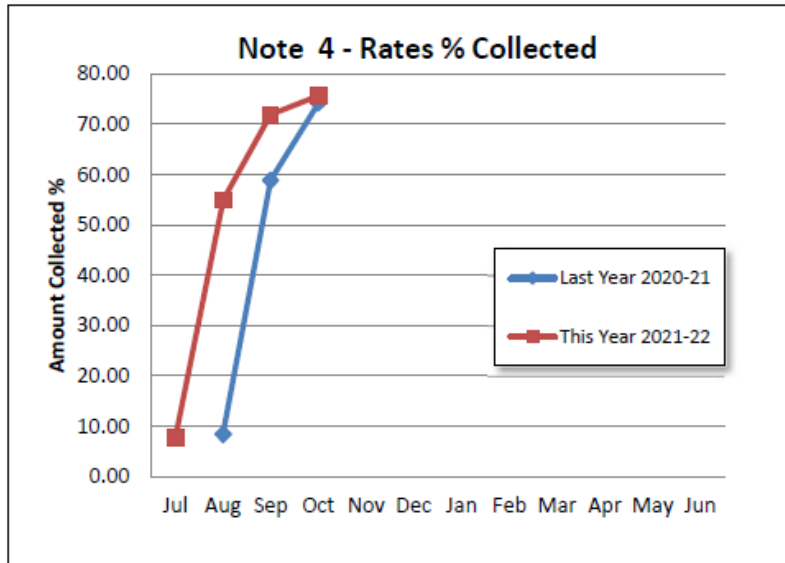
Note 4: RECEIVABLES

Receivables - Rates, Sewerage and Rubbish

Opening Arrears Previous Years Rates, Sewerage & Rubbish Levied this year
 Less Collections to date
 Equals Current Outstanding

Net Rates Collectable
 % Collected

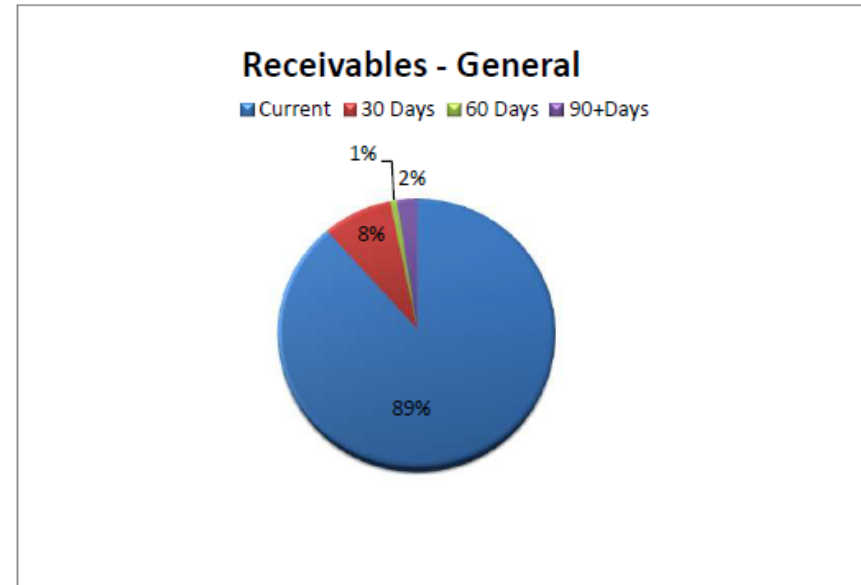
	Current 2021-22	Previous Year 2020-21
	\$	\$
Opening Arrears Previous Years Rates, Sewerage & Rubbish Levied this year	98,570	234,381
Less Collections to date	(2,795,385)	(2,698,016)
Equals Current Outstanding	703,116	753,897
Net Rates Collectable	703,116	753,897
% Collected	75.70%	74.29%



Comments/Notes - Receivables Rates, Sewerage and Rubbish

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
	18,841	1,777	180	510
Total Outstanding				21,308

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables General

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 5: Cash Backed Reserves

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Adopted Budget Transfers In (+)	Current Budget Transfers In (+)	Actual Transfers In (+)	Adopted Budget Transfers Out (-)	Current Budget Transfers Out (-)	Actual Transfers Out (-)	Adopted Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	138,900	1,111	19	0		0	0	0	0	140,011	138,919
Plant and Vehicle Reserve and Community Bus Reserve	337,435	2,699	46	545,000		0	(314,000)	0	0	571,134	337,481
Land & Housing Development Reserve/Independent Living Units	1,392,425	11,139	190	0		0	(30,000)	0	0	1,373,564	1,392,615
Furniture and Equipment Reserve	21,213	170	3	0		0	(10,000)	0	0	11,383	21,216
Municipal Buildings & Facilities Reserve	631,068	5,049	86	0		0	(180,000)	0	0	456,117	631,154
Townscape and Footpath Reserve	125,177	1,001	17	0		0	(47,000)	0	0	79,178	125,195
Sewerage Scheme Reserve	445,787	3,566	61	65,000		0	(50,000)	0	0	464,353	445,847
Road and Bridge Infrastructure Reserve	115,816	927	16	758,764		0	(484,433)	0	0	391,074	115,832
Health & Wellbeing reserve	554,349	4,415	76	0		0	(558,764)	0	0	(0)	554,425
Sport & Recreation Reserve	31,653	253	4	0		0	0	0	0	31,906	31,657
Rehabilitation & Refuse Reserve	210,991	1,708	29	55,000		0	(50,000)	0	0	217,699	211,020
Caravan Park Reserve	354,061	2,832	48	0		0	0	0	0	356,893	354,110
Brookton Heritage/Museum Reserve	47,189	378	6	0		0	0	0	0	47,567	47,196
Kweda Hall Reserve	18,042	144	2	0		0	0	0	0	18,186	18,044
Aldersyde Hall Reserve	0	0	0	0		0	0	0	0	0	0
Railway Station Reserve	330,082	2,641	45	200,000		0	(70,000)	0	0	462,723	330,127
Madison Square Units Reserve	30,680	245	4	0		0	0	0	0	30,925	30,684
Cemetery Reserve	30,735	246	4	50,000		0	(40,000)	0	0	40,981	30,739
Water Harvesting Reserve	109,633	877	15	0		0	(42,000)	0	0	68,510	109,649
Developer Contribution	2,742	22	0	0		0	0	0	0	2,764	2,743
Cash Contingency Reserve	131,689	1,054	18	0		0	0	0	0	457,361	131,706
Brookton Aquatic Reserve	456,307	3,650	62	25,000		0	(30,000)	0	0	130,339	456,369
Future Fund Reserve	4,097,368	32,779	2,431	0		0	0	0	0	4,130,147	4,099,798
Innovations Fund Reserve	2,013,401	16,107	1,194	0		0	(500,000)	0	0	1,529,508	2,014,595
	11,626,742	93,013	4,377.86	1,698,764	0	0	(2,406,197)	0	0	11,012,322	11,631,120

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 6: CAPITAL DISPOSALS AND ACQUISITIONS

Original Budgeted Profit(Loss) of Asset Disposal			Disposals	Actual Profit(Loss) of Asset Disposal			
Net Book Value	Proceeds	Profit (Loss)		Net Book Value		Proceeds	Profit (Loss)
31,746	22,000	(9,746)	PAV4 - Commodore (MCC Vehicle)	\$ 31,603		\$ 22,727	\$ (8,876)
44,931	40,000	(4,931)	PAV116 -2018 FORD RANGER MC 2019	44,142		41,114	(3,028)
		0					0
		0					0
		0					0
		0					0
76,677	62,000	(14,677)		75,745		63,841	(11,904)

Comments - Capital Disposal

Summary Acquisitions				
	Budget	Current Budget	Actual	Variance
	\$		\$	\$
Property, Plant & Equipment				
Land and Buildings	1,514,000	1,514,000	228,406	1,285,594
Plant & Equipment	436,000	436,000	13,864	422,136
Furniture & Equipment	10,000	10,000	7,638	2,362
Infrastructure				
Roadworks & Bridge Works & Footpaths	1,068,926	1,068,926	43,052	1,025,874
Footpath Construction - Richardson Street	0	0	0	0
Sewerage & Drainage	742,000	742,000	2,507	739,493
Totals	3,770,926	3,770,926	295,466	3,475,460

Comments - Capital Acquisitions

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 7: INFORMATION ON BORROWINGS

Particulars	Loan Purpose	Due Date	Term (yrs)	Rate (%)	Principal 1-Jul-21	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					\$	\$	Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Self Supporting Loans												
*Loan 82 Country Club Education & Welfare	Extension and Refurbishment of the Club House	15/11/2027	20	6.95	215,828	-	11,998	24,413	203,830	201,217	4,994	14,611
Loan 80 Kalkarni Residency Housing	Kalkarni Residence	1/02/2026	25	5.63	63,602	-	4,787	9,710	58,815	60,149	262	3,453
Loan 80 Staff Housing Community Amenities	Staff Housing	1/02/2026	25	5.63	104,944	-	7,899	16,021	97,045	99,246	433	5,698
Loan 80 Sewerage Transport	Sewerage Extension	1/02/2026	25	5.63	44,521	-	3,351	6,797	41,170	42,104	184	2,417
Loan 80 Grader Recreation and Culture	New Grader	1/02/2026	25	5.63	104,944	-	7,899	16,021	97,045	99,246	433	5,698
Loan 81 Sport & Recreation	Recreation Plan	1/11/2027	20	6.95	536,706	-	29,837	60,710	506,869	492,286	12,419	44,420
					1,070,545	-	65,772	133,672	1,004,773	994,248	18,726	76,297
Right of Use	Seabrook Dam										-	810
											18,726	77,107

(* Self supporting loan financed by payments from third parties.
All other loan repayments were financed by general purpose revenue.

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 8: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
Municipal Cash at Bank - Operating Account	0.00%	28,431				28,431	Bendigo	
Municipal Cash at Bank - Cash Management Account	0.05%	2,284,876				2,284,876	Bendigo	
Bond Fund	0.00%	10,900				10,900	Bendigo	
Trust Cash at Bank	0.00%			13,820		13,820	Bendigo	
(b) Term Deposits								
Savings Account	0.05%		7,194,393			7,194,393	Bendigo	
Reserves	0.20%		4,436,727			4,436,727	Bendigo	20/12/2021
(c) Investments								
Bendigo Bank Shares					10,000	10,000	Bendigo	
Total		2,285,976	11,631,120	13,820	10,000	13,979,147		

- - -

Comments/Notes - Investments

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 9: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Adopted Budget Net Asset Surplus 30 June 2021		Opening Surplus(Deficit)	\$	\$	\$	\$
							869,805
							869,805
							869,805
							869,805
							869,805
							869,805
	Closing Funding Surplus (Deficit)			0	0	0	869,805

Classifications Pick List
Operating Revenue
Operating Expenses
Capital Revenue
Capital Expenses
Budget Review
Opening Surplus(Deficit)
Non Cash Item

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 October 2021

Note 10: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance For the Period 1 July 2021	Amount Received	Amount Paid	Closing Balance For the Period Ended 31 October 2021
	\$	\$	\$	\$
Public Open Space Contributions	13,820	0	0	13,820
	13,820	0	0	13,820

1. Public Open Space Contribution:

T148 - Paul Webb \$13,820

Contribution to be retained in Trust as required under the Planning and Development Act 2005.

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Sewerage Programm by Nature and Type
For the Period Ended 31 October 2021

Note 11 Sewerage Operating Statement

NOTE	2021/22	2021/22	2021/22	Variance
	Adopted Budget	YTD Budget	YTD Actual	YTD Budget vs YTD Actual
	\$	\$	\$	\$
REVENUES FROM ORDINARY ACTIVITIES				
Sewerage Connection Fees and Charges	1,690	1,690	236	(1,454)
Annual Sewerage Rates	196,268	196,268	195,452	(816)
	<u>197,958</u>	<u>197,958</u>	<u>195,688</u>	<u>(2,270)</u>
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	(3,559)	(1,186)	(595)	591
Materials and Contracts	(51,200)	(17,067)	(7,610)	9,457
Utilities	(3,300)	(1,100)	(1,296)	(196)
Depreciation	(36,542)	(12,181)	(15,260)	(3,079)
Interest Expenses	(2,315)	(772)	(184)	588
Insurance	(322)	(107)	(160)	(52)
General Operating Expenses	(1,920)	(640)	(504)	136
Allocation of Administration Expense	(50,243)	(16,748)	(15,307)	1,440
	<u>(149,401)</u>	<u>(49,800)</u>	<u>(40,916)</u>	<u>8,884</u>
	<u>48,557</u>	<u>148,158</u>	<u>154,772</u>	<u>6,615</u>
Add Back Depreciation	36,542	12,181	15,260	3,079
Non-Operating Grants, Subsidies & Contributions	0	0	0	0
Profit on Asset Disposals	0	0	0	0
Loss on Asset Disposals	0	0	0	0
Transfer to Sewerage and Drainage Reserve	(65,000)	(21,667)	0	(21,667)
Transfer from Sewerage and Drainage Reserve	50,000	50,000	0	50,000
NET RESULT	<u>70,099</u>	<u>188,672</u>	<u>170,032</u>	<u>38,027</u>
Capital Loan Repayments			(3,351)	

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
WB Eva Pavilion by Nature and Type
For the Period Ended 31 October 2021

Note 12 WB Eva Pavilion Operating Statement

NOTE	2021/22 Adopted Budget \$	2021/22 YTD Budget \$	2021/22 YTD Actual \$	Variance YTD Budget vs YTD Actual \$
REVENUES FROM ORDINARY ACTIVITIES				
Hire Fees - WB Eva Pavilion	4,000	1,333	1,539	205
Sporting Club Fees	4,000	1,333	673	(661)
Gymnasium Income	7,000	2,333	2,718	385
	15,000	5,000	4,930	(70)
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	-	-	-	-
Materials and Contracts	-	-	-	-
Utilities	-	-	-	-
Interest Expenses	(35,688)	(11,896)	(12,419)	(523)
Insurance	-	-	-	-
General Operating Expenses	-	-	-	-
Gymnasium Operating	(11,983)	(3,984)	(1,455)	2,529
	(47,671)	(15,880)	(13,874)	2,006
	(32,671)	(10,880)	(8,945)	1,935
NET RESULT	(32,671)	(10,880)	(8,945)	1,935
Capital Loan Repayments			(29,837)	

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Brookton Caravan Park and Brookton Acquatic Centre
For the Period Ended 31 October 2021

	Note	Adopted Annual Budget 2021/22	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) 9	Var. % (b)-(a)/(b) 9
Note 13 (a): Brookton Caravan Park						
Operating Revenue						
Caravan Park Fees		85,000	28,333	52,061	23,728	83.75%
Total Revenue		85,000	28,333	52,061	23,728	83.75%
Operating Expenses						
Brookton Caravan Park	CARAOP MARKOP	(75,846)	(25,282)	(20,954)	4,328	(17.12%)
Brookton Caravan Park		(2,000)	(667)	(418)		
Caravan Park Depreciation		(2,179)	(726)	(2,897)	(2,170)	298.83%
Caravan Park Abc Administration Expenses		(30,146)	(10,049)	(9,184)	864	(8.60%)
Total		(110,171)	(36,724)	(33,453)	3,022	8.23%
Operating Surplus (Deficit)		(25,171)	(8,390)	18,608	26,750	319%
Excluding Non Cash Adjustments						
Add back Depreciation		2,179	726	2,897	2,170	298.83%
Net Operating Surplus (Deficit)		(22,992)	(7,664)	21,505	28,921	(377.36%)
Note 13 (b): Brookton Acquatic Centre						
Operating Revenue						
POOL FEES & CHARGES		13,100	4,367	629	(3,738)	(85.59%)
POOL GRANTS & SUBSIDIES		0	0	0	0	0.00%
Total Revenue		13,100	4,367	629	(3,738)	(85.59%)
Operating Expenses						
POOL EMPLOYEE COSTS		(79,061)	(26,354)	(25,343)	1,011	0.00%
POOL GENERAL OPERATING EXPENSES		(49,439)	(16,480)	(3,074)	13,405	(81.34%)
POOL BUILDING MAINTENANCE		(15,978)	(5,326)	(8,040)	(2,714)	50.95%
POOL DEPRECIATION		(11,272)	(3,757)	(4,093)	(336)	8.94%
POOL ABC ADMINISTRATION EXPENSES		(30,146)	(10,049)	(9,184)	864	(8.60%)
Total		(185,896)	(61,965)	(49,735)	12,231	19.74%
Operating Surplus (Deficit)		(172,796)	(57,599)	(49,106)	8,493	14.75%
Excluding Non Cash Adjustments						
Add back Depreciation		11,272	3,757	4,093	336	8.94%
Net Operating Surplus (Deficit)		(161,524)	(53,841)	(45,012)	8,829	16.40%

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Capital Works Program
For the Period Ended 31 October 2021

Note 15

Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Capital Funding					
					Muni	Grants	Reserves	Sale of Assets	Loan	Total Funding
					\$	\$	\$	\$	\$	\$
Chambers & Reception Area Upgrade	35,000	35,000	6,495	19%			35,000			35,000
Robinson Road - StreetBins	17,000	17,000	0	0%			17,000			17,000
Landfill Ground Water Monitoring Bores x2	15,000	15,000	0	0%			15,000			15,000
Ablution Facility at Cemetery	30,000	30,000	0	0%			30,000			30,000
Memorial Hall upgrade/construction works	1,000,000	1,000,000	0	0%		500,000	500,000			1,000,000
Railway Station Fencing, signage & crossing improvement	30,000	30,000	0	0%			30,000			30,000
Community Garden/Mensshed building	0	0	1,692			0				0
Youth/Girl Guides Building	0	0	2,809			0				0
Aquatic Centre Improvements	30,000	30,000	0	0%			30,000			30,000
Memorial Park Gazebo and Disable access	30,000	30,000	0	0%			30,000			30,000
Tourist Information Bay	17,000	17,000	0	0%	17,000					17,000
Caravan Park Upgrade Stage 1	180,000	180,000	152,219	85%		180,000				180,000
Depot Improvements	130,000	130,000	65,191	50%			130,000			130,000
Chambers Chairs x 24	10,000	10,000	7,638	76%			10,000			10,000
CEO Vehicle change over	45,000	45,000	0	0%			5,000	40,000		45,000
MCC Vehicle change over	36,000	36,000	0	0%			14,000	22,000		36,000
Water Tank & Wood Chipper 6"	50,000	50,000	13,864	28%			50,000			50,000
Single Axle Tipper small Parks & Garden (trade PT13)	65,000	65,000	0	0%			55,000	10,000		65,000
Tandem Truck (trade PT10)	200,000	200,000	0	0%			165,000	35,000		200,000
Parks and Garden (trade PU33)	40,000	40,000	0	0%			25,000	15,000		40,000
Brookton-Kweda Road	374,960	374,960	4,732	1%		374,960				374,960
Richardson Street	218,633	218,633	11	0%		218,633				218,633
Brookton-Kweda Road	186,779	186,779	35,360	19%			186,779			186,779
Davis Road	150,537	150,537	0	0%			150,537			150,537
Koormong Drive	59,117	59,117	0	0%			59,117			59,117
Lefroy Street	20,000	20,000	0	0%	20,000					20,000
Collard Street	10,000	10,000	0	0%	10,000					10,000
Crm Whithall, Corberding & Brookton Hwy	8,000	8,000	0	0%			8,000			8,000
Sewel Road - Closure	0	0	2,948							0
Drainage Works Various Roads	40,900	40,900	0	0%		10,900	30,000			40,900
Happy Valley Bore Field	92,000	92,000	2,507	3%		50,000	42,000			92,000
Upgrade- Refurb/Reflining Pipe Network	650,000	650,000	0	0%			50,000		600,000	650,000
	3,770,926	3,770,926	295,466		47,000	1,334,493	1,667,433	122,000	600,000	3,770,926

Note 16

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Grants, Subsidies and Contributions Register
For the Period Ended 31 October 2021

Funding Provider	Project	Operating/Non-Operating	Adopted Annual Budget	Amended Budget OCM	Amount Applied For	Amount Approved	Amount Invoiced/Received	% Received
			\$	\$	\$	\$	\$	
Main Roads WA	Regional Road Group	Non Operating	(374,960)	(374,960)	Recurrent	(374,960)	(149,982)	0%
Federal Government	Roads to Recovery	Non Operating	(218,633)	(218,633)	Recurrent	(218,633)	-	0%
WA Grants Commission	GPG Grants Commission - General	Operating	(668,176)	(668,176)	Recurrent	(668,176)	(104,673)	16%
WA Grants Commission	GPG Grants Commission - Roads	Operating	(382,494)	(382,494)	Recurrent	(382,494)	(46,240)	12%
WA Grants Commission	GPG Grants Commission - Bridges	Operating	-	-	-	-	-	0%
DFES	ESL Grant - Emergency Services Levy - Operating	Operating	(56,600)	(56,600)	Recurrent	(56,600)	(29,912)	53%
Main Roads WA	Direct Grant	Operating	(84,910)	(84,910)	Recurrent	(84,910)	(90,300)	106%
			(1,785,773)	(1,785,773)		(1,785,773)	(421,107)	24%

15.11.21 GOVERNANCE

15.11.21.01 CEO RECRUITMENT PROCESS – CERTIFICATE OF COMPLIANCE

File No:	ORG047
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item is to report on the CEO Recruitment Process to ensure its compliance with the Local Government (Administration) Regulations and Policy 1.25 'Standards for CEO Recruitment, Performance and Termination'.

Description of Proposal:

The intent is for Council to certify that the recruitment process followed for the appointment of the new Chief Executive Officer was undertaken in accordance with Policy 1,25 'Standards for CEO Recruitment, Performance and Termination'.

Background:

February 2021

On 2 February 2021, changes to the Local Government Act 1995 and Local Government (Administration) Regulations 1996 were promulgated. These changes mandated all local governments to adopt and follow a model set of standards when dealing with CEO recruitment, performance management and termination.

July 2021

Council at its meeting on 15 July 2021 resolved (OCM 07.21-13) in part:

'That Council in relation to the recruitment for a new Chief Executive Officer for the Shire of Brookton:

- 1. Accepts the Evaluation Report – June 2021 for RFQ 15-20/21 (Attachment 15.07.21.04B) as a fair assessment of the HR Consultancy submissions that have been received.*
- 2. Awards the contact for recruitment of a new CEO to Lo-Go Appointments in accordance with the Shire of Brookton Consultancy Brief – June 2021 and the Lo-Go Appointment Executive Recruitment Services 2021 submission dated 6th July 2021.*
- 3. Subject to acceptance, appoints Mrs. Kris Dewson-Hall and/or Mr. Peter Keoh, as independent member(s) on the Employment Committee, in accordance with provision 8.(3)(b) Council Policy 1.25 - Standards for CEO Recruitment, Performance and Termination.'*

August 2021

Council at its meeting on 19 August 2021 resolved (OCM 08.21-15):

'That Council:

1. *Acknowledges and accepts the Employment Committee as per OCM 11.19.17 is replaced by CEO Recruitment Panel consisting of the following Elected Members plus Mrs. Kris Dewson-Hall and Mr. Peter Keogh as the independent members and Ms. Sylvana Caranna from Logo Appointments as the HR Consultant:*
 - a. *Cr Crute Chairperson*
 - b. *Cr Walker*
 - c. *Cr Lilly*
 - d. *Cr Watts*
 - e. *Cr Fancote*
 - f. *Cr Hartl*
 - g. *Cr Macnab*
2. *Endorses the Terms of Reference for the CEO Recruitment Panel (Item 2) as per attachment 19.08.21.02A and include the names of the Panel members as per Item 2.*
3. *Endorses the Confidentiality Agreement 2021 for the CEO Recruitment Panel as per attachment 19.08.21.02B and include the names of the Panel members as per Item 2.*
4. *Endorses the Position Description – revised – as per attachment 19.08.21.02C.*
CONFIDENTIAL ITEM
5. *Endorses the CEO Employment Contract Template – revised – as per attachment 19.08.21.02D'*

October 2021

Council at its Special meeting of Council on 14 October 2021 resolved (SCM 10.21-02):

That the CEO Recruitment Panel recommends that Council:

1. *Appoints Mr. Gary Sherry, to the position of Chief Executive Officer with the Shire of Brookton for a period of five (5) years;*
2. *Is of the belief that Mr. Gary Sherry, is suitably qualified for the position of Chief Executive Officer;*
3. *Is satisfied with the provisions of the proposed employment contract to be entered into with Mr. Gary Sherry, with a total reward package of \$187,004.00 per annum; and*
4. *Authorises the Shire President to endorse and affix the common seal to the Chief Executive Officer Contract of Employment.'*

Regulation 18FB (3) of the Local Government (Administration) Regulations 1996 now provides that a local government must certify, by absolute majority resolution, that the process that was followed in relation to the recruitment of the Chief Executive Officer, was carried out in accordance with the local government's adopted Standards for CEO Recruitment, Performance and Termination. If the Council has not adopted the standards, with or without modification, then the Model Standards for CEO Recruitment, Performance and Termination apply.

Consultation:

Throughout the recruitment process consultation and advice was undertaken between the independent recruitment consultant and CEO Recruitment Panel.

Statutory Environment:

The processes to be followed when recruiting a Chief Executive Officer are to be in accordance with the

terms set by the Local Government Act 1995, Local Government (Administration) Regulations 1996 and the Model Standards for CEO Recruitment, Performance and Termination.

Local Government (Administration) Regulations 18FB (3) & (4)

18FB. Certification of compliance with adopted standards for CEO recruitment [Act s. 5.39B(7)]

(3) As soon as practicable after the person is employed in the position of CEO, the local government must, by resolution*, certify that the person was employed in accordance with the local government’s adopted standards (or model standards) in relation to the recruitment of CEOs.

* Absolute majority required.

(4) The local government must give a copy of the resolution to the Departmental CEO within 14 days after the resolution is passed by the local government

Relevant Plans and Policy:

Council Policy 1.25 ‘Standards for the CEO Recruitment, Performance and Termination’ is relevant to this report.

Financial Implications:

There are no financial implications in relation to this item.

Risk Assessment:

If the Shire does not certify that Policy 1.25 ‘Standards for the CEO Recruitment, Performance and Termination’ was followed in the recruitment, the Shire could be in breach of the LG Act. Given the importance and responsibility of the CEO position, the need to adhere to legislative compliance, and the requirement to recruit an appropriately skilled, and experienced person the risk in relation to this matter has been assessed as ‘Low’. Accordingly, compliance with policy 1.25 has reduced the level of risk of non-compliance with legislation and the selection of an unsuitable person for this position.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

There are no Community or Strategic Objectives relevant to this item as it relates to a statutory Act requirement.

Comment

Each of the clauses that provide a requirement from the CEO Model Standards, in relation to the recruitment of a CEO, are listed below, with a brief outline of those requirements and what the Shire did to satisfy the requirements of that clause.

Clause 5 – Determination of selection criteria and approval of job description form

Local governments are required to determine the selection criteria for the position of CEO based on the local government's consideration of the knowledge, experience, qualifications, and skills necessary to perform the duties of the CEO, as well as adopting (by absolute majority) the job description form.

Council at its meeting of 19 August 2021, endorsed the CEO Position Description that included the selection criteria and other relevant information for candidates by an absolute majority decision. Whilst the minutes record indicates 'CARRIED BY A SIMPLE MAJORITY VOTE 5/1', the voting numbers endorsing the decision (5) resulted in an Absolute Majority decision being made.

Clause 6 – Advertising requirements

Local governments are required to comply with section 5.36(4) of the Act and regulation 18A of the Local Government (Administration) Regulations 1996. Section 18A indicates that the local government must give state-wide public notice of the vacancy and the advertisement must contain certain information. The Local Government Act 1995, section 1.8 'State-wide public notice' indicates compliance must be in accordance with section 1.7(a) and (b), which requires publication on the local government's website and at least three (3) of the ways prescribed in the Regulations (one of which can be a state-wide newspaper). Other options are:

- Newspaper circulating generally in the state;
- Newspaper or newsletter circulating generally in the district;
- Exhibition on a notice board of the local government and library;
- Social media account administered by the local government

The position was only advertised in the Western Australian Newspaper on 28 August 2021 and on Seek (not a recognised social media site by the Regulations). The advertisement contained all the required information as required by the Act and regulations. The Local Government Act (section 1.7 & 1.8). From inquiries the consultant was of the understanding that the Shire administration would deal with the relevant compliance publications, other than the state-wide advertising, which the consultant handled. Due to a lack of communication between both parties and Shire staff not being fully conversant with the Act requirements for advertising the vacant position, public advertising of the CEO position did not occur on the Shire website and two other publications.

Clause 7 – Job description form to be made available by local government

Local governments are required to provide a copy of the job description form to anyone who requests it by either referring to the web address listed in the advertisement (requirement of clause 6 above) or by emailing or posting a copy to the person if unable to access the website.

The Candidate Information Package, which included the position description, was provide to all potential candidates that requested it from the Recruitment Consultant.

Clause 8 – Establishment of selection panel for employment of CEO

Local governments are required to establish a selection panel to conduct the recruitment of the CEO. This must consist of council members (as determined by the local government) and at least one independent person.

Council at its meeting of 19 August 2021, endorsed the 'CEO Recruitment Panel' to be the Selection Panel and appointed Kris Dewson-Hall and Peter Keogh as the independent persons on the Selection Panel.

Clause 9 – Recommendation by selection panel

Local governments are required to:

- Assess each applicant's knowledge, experience, qualifications against the selection criteria by or on behalf of the selection panel.
- Provide a summary of the panel's assessment of each applicant and a recommendation as to which applicant(s) are suitable to be employed as a CEO to the Council.
- If none of the applicants are considered suitable, recommend that a new recruitment process be carried out and any changes that should be made to the duties and responsibilities of the position.

The selection panel must not recommend an applicant to the local government unless the selection panel has:

1. assessed the applicant as having demonstrated that their knowledge, experience, qualifications, and skills to meet the selection criteria; and
2. verified any academic or other tertiary level qualifications the applicant claims to hold; and
3. whether by contacting referees provided by the applicant or making any other inquiries considered appropriate, verified the applicants character, work history, skills performance and any other claims made by the applicant.

The 'CEO Recruitment Panel', in conjunction with the Recruitment Consultant, undertook an assessment of the applications received to determine a short list of candidates to be interviewed and through this process assessed the suitability of the candidates, based on the adopted selection criteria, the candidate's ability to demonstrate that their knowledge, experience, qualifications, and skills met the selection criteria, verifying their academic, or other tertiary level, qualifications. Referee contacts for the preferred candidate were then undertaken by the Recruitment Consultant to verify the candidate's character, work history, skills, performance, and any other claims made by the candidate.

The 'CEO Recruitment Panel Committee then made a recommendation in accordance with Policy 1.25 'Standards for CEO Recruitment, Performance and Termination' in a confidential report, which was prepared by the Recruitment Consultant and Acting Chief Executive Officer, for the Special Council Meeting held on the 14 October 2021.

Clause 11 – Offer of employment in position of CEO

Local governments are to approve by absolute majority the making of an offer of employment to an applicant and the proposed terms of the contract of employment to be entered into with the applicant before making an offer of employment to that applicant.

Council at its Special Council Meeting on 14 October 2021 endorsed (SCM10.21-02):

'That the CEO Recruitment Panel recommends that Council:

- 1. Appoints Mr. Gary Sherry, to the position of Chief Executive Officer with the Shire of Brookton for a period of five (5) years;*
- 2. Is of the belief that Mr. Gary Sherry, is suitably qualified for the position of Chief Executive Officer;*
- 3. Is satisfied with the provisions of the proposed employment contract to be entered into with Mr. Gary Sherry, with a total reward package of \$187,004.00 per annum; and*
- 4. Authorises the Shire President to endorse and affix the common seal to the Chief Executive Officer Contract of Employment.'*

Following the Council decision, by an absolute majority, an offer of employment was made to Gary Sherry and the contract sign by both parties.

Clause 12 – Variations to proposed terms of contact of employment

This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government.

There were no variations made to the terms of the contract, approved by the Council on 14 October 2021, that was executed with the preferred candidate, and it did not differ from the terms approved by Council at its Meeting of 14 October 2021, so this clause does not apply.

Clause 14 – Confidentiality of information

Local governments must ensure that information relating to a recruitment process is not disclosed or made use of, except for the purpose of, or in connection with, that recruitment or selection process.

There was no disclosure of information relating to the recruitment process and the announcement of the successful applicant was made after the contract was endorsed by Council and signed by both parties.

Certification Process

If the Council adopts the Officer Recommendation to certify that the recruitment process was performed in accordance with Policy 1.25 'Standards for CEO Recruitment, Performance and Termination', the Acting Chief Executive Officer will write to the Department of Local Government, Sport and Cultural Industries to confirm Council's certification of the process and include a copy of the minutes detailing the Council decision.

OFFICER'S RECOMMENDATION

That Council certifies that:

1. The recruitment and employment of the CEO, Gary Sherry, was undertaken in accordance with Policy 1.25 'Standards for CEO Recruitment, Performance and Termination' except for compliance with:
 - a) Clause 1.8 of the Local Government Act (State-wide public notice), in that the notice was not placed on the Shire website, or two other options provide under 3A (2) of the Local Government (Administration) Regulations, due to miscommunication between Council staff and the consultant. Only advertising in a state-wide newspaper was undertaken.
2. A copy of this resolution is to be provided to the Department of Local Government and Cultural Industries CEO by the Acting Chief Executive Officer.

(Absolute Majority vote required)

OCM 11.21-07

COUNCIL RESOLUTION

MOVED Cr Walker SECONDED Cr Lilly

That Council certifies that:

1. ***The recruitment and employment of the CEO, Gary Sherry, was undertaken in accordance with Policy 1.25 'Standards for CEO Recruitment, Performance and Termination' except for compliance with:***
 - a) ***Clause 1.8 of the Local Government Act (State-wide public notice), in that the notice was not placed on the Shire website, or two other options provide under 3A (2) of the Local Government (Administration) Regulations, due to miscommunication between Council staff and the consultant. Only advertising in a state-wide newspaper was undertaken.***
2. ***A copy of this resolution is to be provided to the Department of Local Government and Cultural Industries CEO by the Acting Chief Executive Officer.***

CARRIED BY ABSOLUTE MAJORITY VOTE 6/0

15.11.21.02 REVOKING OF POLICY 2.32 – EMPLOYEE REIMUNERATION

File No:	GOV031A
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	N/A
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer has a financial interest in this item as the position of Chief Executive Officer in mentioned in the Remuneration Schedule attached to the Policy.
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

The responsibility for the employment of staff falls under the responsibility of the Chief Executive Officer (CEO), the intent of this item is to rescind the current policy 2.32 and not replace it which will allow the CEO greater flexibility in the remunerations being offered for future employees.

Description of Proposal:

As above.

Background:

May 2018

Following discussions at the April 2018 Council Briefing Forum the Chief Executive Officer prepared an agenda item for Council to consider the adoption of draft Policy 2.32 – Employee Remunerations as a step to addressing inequities and providing a clear and consistent approach to the setting of remunerations for new employees, inclusive of benefits. The draft policy was endorsed by Council (OCM 05.18-13).

October 2021

As discussed at the Council Briefing Forum on 21 October 2021 the adoption of policy 2.32 by Council is clearly contrary to the intentions of the Local Government Act 1995, section 5.41 which in part indicates that the functions of the CEO are:

- (d) manage the day-to-day operations of the local government; and
- (g) be responsible for the employment, management supervision, direction, and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);

Consultation:

Consultation was undertaken with the Councillors at the October Council briefing forum and discussion has also been undertaken by the new Chief Executive Officer who supports the revoking of the policy.

Statutory Environment:

Local Government Act 1995, section 5.41

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and

- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (g) be responsible for the employment, management supervision, direction, and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);

Relevant Plans and Policy:

Council ‘Policy 2.32 – Employee Remuneration’ is relevant to this report.

Financial Implications:

There are no financial implications regarding the revoking of this policy as all decisions regarding staff remuneration are accommodated within the annual adopted budget

Risk Assessment:

Council has the ability to make a strategic decision and provide strategic direction to the CEO, regarding employees and associated benefits, via the adoption of the annual budget and the allocation of staff finances as part of that process. Therefore, the financial implications to the organisation with the revoking of this policy on this basis has been assessed as being ‘low’.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, use of credit cards policy aligns

Function 1 – Governance

Action 1.1 – Review of policy manual

Comment

As indicated at the October 2021 Council Briefing Forum, employment of staff, other than the CEO, which as outlined in the Local government Act 1995 [5.42 (d)] is the responsibility of the Chief Executive Officer. The Council's only role regarding staff matters relate to the recruitment, appointment and dismissal of the Chief Executive Officer and endorsement of the decisions by the Chief executive Officer regarding the appointment and dismissal of 'designated senior staff'. The Council is permitted to provide strategic direction to the Chief Executive Officer in the annual allocation of staff resources, as part of the budget adoption process, but not how those resources are applied to individual employees.

In times when recruitment of employees is proving difficult due the lack of available and suitably qualified employees, adoption of such a policy may in fact hinder the ability of the Chief Executive Officer to be flexible and be creative in offering incentives to attract suitable staff. Restrictions such as having all employees on a contract does not provide any long-term security for employees and can result in potential employees seeking employment elsewhere where job security is guaranteed.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 2.7(2)(b) of the Local Government Act (1995) revoke Employee Remuneration Policy No 2.32 as detailed in Attachment 15.11.21.02A.

(Simple majority vote required)

OCM 11.21-08

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Watts

That Council pursuant to Section 2.7(2)(b) of the Local Government Act (1995) revoke Employee Remuneration Policy No 2.32 as detailed in Attachment 15.11.21.02A.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Attachments

Attachment 15.11.21.02A – Policy 2.32 – Employee Remuneration



2.32 EMPLOYEE REMUNERATION

Directorate:	Corporate			
Statutory Environment:	<i>Local Government Industry Award 2020</i> <i>National Employment Standards</i> <i>Fair Work Act 2009</i>			
Council Adoption:	Date:	May 2018	Resolution #:	13.05.18.03
Last Amended:	Date:	March 2021	Resolution #:	OCM 03.21.12
Review Date:	June 2023			

Objective:

This Policy seeks to establish respective levels of remuneration for Shire employees through a 'banding' structure accounting for:

- Salary and other benefits commensurate with, or better than, Local Government Industry Award and Standards in an attempt to be competitive in attracting and retaining quality skilled and experienced staff;
- The need for Management to be consistent in offering employment packages, whilst also recognising varying levels of qualifications, experience and skills offered by individual employees;
- The opportunity for individual employees to advance, based on achieved professional development, delivered performance, personal dedication and loyalty to the organisation.

Definitions:

For the purpose of this policy:

Higher Duties – means the performance of additional duties performed by a more senior officer or Management within the organization.

Higher Duties Payment – means the payment of additional cash salary but does not include other remuneration benefits.

Remuneration – means the employee's gross cash salary and other benefits as prescribed in the Remuneration Schedule.

Salary - means the employee's gross cash salary.

Policy Statements:

1. This policy acknowledges that some pre-existing employment and remuneration benefits offered to some employees:
 - a) May not accord with this remuneration framework.
 - b) Will remain in place for the duration of the individual's employment, or as otherwise negotiated to align with this policy.
2. The CEO when determining the remuneration level and benefits for a position shall have regard for the Shire of Brookton Remuneration Schedule 2021 appended to this policy.

3. An employee is to be remunerated within the designated Band and associated level for their position based on their skills, qualifications, and/or experience taking in to consideration the defined responsibilities outlined in the relevant Position Description (PD).
4. Future employment within Band 2 is to be offered on a Local Government employment performance contract, if determined as a 'Senior Employee' by Council under Section 5.37 of the Local Government Act 1995, with the period of the contact to be determined by the CEO not exceeding 5 years.
5. Future employment within Bands 3 to 6 shall be offered on a fixed term appointment basis, with the term of employment to be determined by the CEO not exceeding 5 years.
6. All employees must meet three or more of criteria a) to e) below, with a rating of successful or above on the most recent employee performance appraisal within the last 12 months. Conversely, an increase in remuneration may be awarded in consideration of criteria f) or g) where satisfactory evidence is provided:
 - a) A significant increase in service or productivity through innovation.
 - b) Outstanding administrative performance or productivity as documented in the employees personnel file.
 - c) Demonstrated positive attitude and spirit of service and cooperation.
 - d) A substantial contribution to the goals of the organisation or specific area through the performance of special assignments/projects or the provision of exceptional customer service not previously included in performance objectives and where the outcome is considered successful.
 - e) The attainment of a higher level of education or professional development related to the current position or recognised as being otherwise valuable to the organisation.
 - f) To correct a salary or pay inequity or salary compression within the organisation.
 - g) To address a job market salary discrepancy for the position, provided there is consistently high performance.
7. Any movement in remuneration (salary and /or benefits) between a Band and Level under this policy must align to, and not conflict with, the Local Government Industry Award 2020 and National Employment Standards.
8. An employee shall be paid higher duties when requested to 'act' in, or assume many of the responsibilities of, a more senior position (other than the CEO position Refer to Policy 1.18) for a period exceeding two (2) days on a continuous basis.

The higher duties shall be paid at:

- a) 70% of the cash salary difference between the employee and senior position, where one employee is requested to perform higher duties;
- b) 35% of the cash salary difference between the employee and senior position, where more than one employee is requested to perform higher duties; or
- c) As may be determined by the CEO, where special circumstances warrant a higher percentage to be paid.

Applications:

- This policy applies to all permanent full time, and part-time employees on a pro-rata basis.

- The offer of employment for full and part time is to be based on appointment of up to 3 years (with the possible of extension), subject to satisfactory performance as determined by the CEO., and the need for the position to be retained.
- For casual employees, only the (cash) salary range applies inclusive of all casual loadings in accordance with the Award.
- This policy does not apply to contractors or consultants engaged to fulfil a particular task or responsibility.
- This policy must be reviewed and amended as required to account for any change to legislative standards, including (but not limited to) decisions handed down by the Fair Work Commission.

BAND	EMPLOYEE CATEGORY	SALARY RANGE (Cash Component)	SALARY LEVELS (Commence at**)	SUPER CONT. (Optional)	VEHICLE PRIVATE USE (as per Council Policy)	HOUSING SUBSIDY	UTILITIES SUBSIDY	A/LEAVE & ACCRUED TIME	MIN AWARD LEVEL
1	Chief Executive Officer (LG Contract*)	Refer Salary & Wages Tribunal schedule	Local Government Level 4 Negotiable	Negotiated	Allowance ****	Negotiated	Negotiated	5 weeks – No loading + EDOs as negotiated	N/A
2	Manager (LG Contract*)	\$93,380 - \$111,650	4 \$111,650 3 \$105,560 2 \$99,470 1 \$93,380	Up to 5% matching	Allowance ****	Staff house p/w \$75 3 Bed \$40 2 bed	\$2,000	5 weeks – no loading + 5 EDOs	10-11
3	Snr. Tech Officer/Super visor / Coordinator	\$71,646 - \$87,290	4 \$87,290 3 \$82,029 2 \$76,838 1 \$71,646	Up to 5% matching	Commuter Use	No	No	4 weeks + 17.5% loading + RDOs***	8-9
4	Snr. Admin/ Finance/ Tech Officer	\$58,147 - \$67,492	4 \$67,492 3 \$64,377 2 \$61,262 1 \$58,147	Up to 5% matching	No	No	No	4 weeks + 17.5% loading + RDOs***	6-7
5	Admin Officer/ Finance Officer/ GSO	\$45,687 - \$55,032	4 \$55,032 3 \$51,917 2 \$48,802 1 \$45,687	Up to 5% matching	No	No	No	4 weeks + 17.5% loading + RDOs***	3-5
6	Cadet/ Trainee/ Apprentice	\$39,457 - \$44,129	4 \$44,129 3 \$42,572 2 \$41,014 1 \$39,457	Up to 5% matching	No	No	No	4 weeks + 17.5% loading + RDOs***	1-2

* 3 – 5 year performance employment contract is to apply.

** Cash Salary excludes 10.0% mandatory superannuation – CEO to determine the commencement remuneration level based on qualifications, experience and expertise.

*** Refer to Council Policy 2.31 for RDO accrual.

****Refer to Council Policy 2.30 for private use of motor vehicles.

16.11.21 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.11.21 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

18.11.21 CONFIDENTIAL REPORTS**OCM 11.21-09****COUNCIL RESOLUTION**

MOVED Cr Lilly SECONDED Cr Macnab

That Council close the meeting to the public at 6.04pm, in accordance with Section 5.23(3) as Item 18.11.21.01 relates to subsection (h), as this matter prescribed in based on the Council's desire to conceal the name of the Community Member/Group until the respective award presentations.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Cr Crute and Cr Macnab declared an impartiality interest in item 18.11.21.01 and remained in the room and voted on the item.

18.11.21.01 NOMINATIONS – AUSTRALIA DAY AWARDS 2022

File No:	CO004A4
Date of Meeting:	18 November 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Brookton
Author/s:	Kylie Freeman – Community Development Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The author and authorising officer have no interest in this item.
Voting Requirements:	Simple majority vote required
Previous Report:	N/A

Summary of Item:

This item is presented to Council for endorsement of the nominations received for Australia Day Awards 2022. The Australia Day Panel has supported the nominations and are presented within this item.

The nomination period has spanned some 4 weeks which closed on 29 October 2021. At the end of this period 3 nominations were received and are detailed in this report.

PANEL'S RECOMMENDATION 1

That Council endorse the recipient for the 2022 Citizen of the Year Award, as reflected in Attachment 18.11.21.01B.

(Simple majority vote required)

PANEL'S RECOMMENDATION 2

That Council endorse the recipient for the 2022 Community Event of the Year Award, as reflected in Attachment 18.11.21.01D

(Simple majority vote required)

PANEL'S RECOMMENDATION 3

That Council endorse the recipient for the 2022 Voluntary Act of the Year Award, as reflected in Attachment 18.11.21.01F.

(Simple majority vote required)

OCM 11.21-10

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Lilly

That Council endorse the recipient for the 2022 Citizen of the Year Award, as reflected in Attachment 18.11.21.01B.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

OCM 11.21-11

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Walker

That Council endorse the recipient for the 2022 Community Event of the Year Award, as reflected in Attachment 18.11.21.01D.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

OCM 11.21-12

COUNCIL RESOLUTION

MOVED Cr Macnab SECONDED Cr Hartl

That Council endorse the recipient for the 2022 Voluntary Act of the Year Award, as reflected in Attachment 18.11.21.01F.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

Attachments - Confidential

Attachment 18.11.21.01A – Citizen of the Year Award – Criteria & Eligibility

Attachment 18.11.21.01B– Nomination – Citizen of the Year Award

Attachment 18.11.21.01C – Community Event of the Year Award – Criteria & Eligibility

Attachment 18.11.21.01D– Nomination – Community Event of the Year

Attachment 18.11.21.01E – Voluntary Act of the Year Award – Criteria & Eligibility

Attachment 18.11.21.01F – Nomination – Voluntary Act of the Year Award

OCM 11.21-13

COUNCIL RESOLUTION

MOVED Cr Walker SECONDED Cr Lilly

That Council reopen the meeting to the public at 6.07pm.

CARRIED BY SIMPLE MAJORITY VOTE 6/0

19.11.21 NEXT MEETING & CLOSURE

The next Ordinary meeting of the Council will be held on Thursday 16th December 2021 commencing at 6.00 pm.

There being no further business the meeting was closed at 6.07pm.