



SHIRE OF MT MARSHALL

AGENDA

Notice is hereby given that the next Ordinary Meeting of Council will be held at 3:00pm in Council Chambers, 71 Monger St, Bencubbin on Tuesday 15 August 2023.

Ben McKay
Chief Executive Officer

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SHIRE OF MT MARSHALL

QUESTION TIME FOR THE PUBLIC

❖ {Please Write Clearly}

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTIONS TO THE PRESIDENT:-

❖ {GENERAL QUESTION / QUESTION RELATED TO THE AGENDA}

❖ {Strike out unnecessary words}

ITEM NO: _____

PAGE NO: _____

PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 9:30AM ON THE DAY OF THE MEETING AT THE SHIRE OF MT MARSHALL OFFICE, MONGER STREET, BENCUBBIN.

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Quasi-Judicial:** When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.
- Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes:** Includes items provided to Council for information purposes only which do not require direction from Council (that is for 'noting').

DISCLAIMER

MEMBERS OF THE PUBLIC ARE REQUESTED TO READ THROUGH AND FAMILIARISE THEMSELVES WITH THE DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Mt Marshall for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Mt Marshall disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by a member or officer of the Shire of Mt Marshall during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Mt Marshall. The Shire of Mt Marshall warns that anyone who has an application lodged with the Shire of Mt Marshall must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Mt Marshall in respect of the application.

Ben McKay
Chief Executive Officer

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Agenda for the Ordinary Meeting of Council on Tuesday 15 August 2023

9. Applications for Leave of Absence
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12. Matters for Which Members of the Public are Excluded
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Agenda for the Ordinary Meeting of Council on Tuesday 15 August 2023

1.0 Declaration of Opening / Announcement of Visitors

2.0 Announcements by Presiding Person Without Discussion

3.0 Record of Attendance

3.1 Apologies

3.2 Approved Leave of Absence

Nil

4.0 Declarations of Interest

5.0 Public Questions

5.1 Response to Previous Public Questions Taken on Notice

5.2 Public Question Time

6.0 Confirmation of Minutes of Previous Meetings

6.1 Minutes of the Ordinary Meeting held on Tuesday 18 July 2023

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on Tuesday 18 July 2023 be confirmed as a true and correct record of proceedings.

Voting Requirement: Simple Majority

7.0 Petitions, Presentations and Deputations

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

Agenda for the Ordinary Meeting of Council on Tuesday 15 August 2023

8.0 Reports

8.1 Council Committees

Nil

8.2 Chief Executive Officer

Nil

8.3 Executive Assistant

Nil

8.4 Finance and Administration Manager

8.4.19 Accounts Paid to 31 July 2023

File Ref:	4.0651
Applicant/Proponent:	N/A
Author:	Paula Harris – Finance Officer
Declaration of Interest:	Nil
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	8.4.19 - Monthly Schedule of Accounts Paid to 31 July 2023

Report Purpose:

Council is required to have produced a Schedule of Accounts Paid each month containing relevant information, as legislated. The purpose of this report is to present the:

- Schedule of Creditor Accounts Paid for 31 July 2023,
- Trust Fund Payments for 31 July 2023, and
- Corporate Credit Card Reconciliations for 31 July 2023.

Council is requested to confirm the Monthly Schedule of Accounts Paid, as presented.

Background:

The *Local Government (Financial Management) Regulations 1996* require Shire officers, monthly and within a prescribed timeframe, to prepare a schedule of payments made from the Municipal Fund and the Trust Fund and present this to Council for confirmation.

Consultation:

Tanika McLennan – Finance and Administration Manager
Ben McKay – Chief Executive Officer

Agenda for the Ordinary Meeting of Council on Tuesday 15 August 2023

Statutory Environment:

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegate authority.

Relevant Plans and Policy:

Finances have been managed in accordance with the Shire of Mt Marshall policies. Payments have been made under delegated authority.

Financial Implications:

Funds expended are in accordance with Council's adopted 2023/2024 Budget.

Risk Assessment:

The Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* should this item not be presented.

Community & Strategic Objectives:

Governance and Leadership

- Provide informed and transparent decision making that, meets our legal obligations, reflect the level of associated risk, and are adequately explained to community
- Implement systems and processes that meet our legal and audit obligations and the needs of the community.

Comment:

Shire officers have prepared the Monthly Schedule of Accounts Paid, in accordance with legislative requirements, and this is attached. These payments have already occurred, and Council are not making a decision as to whether payments are to be made.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION:

That Council, in accordance with Local Government (Financial Management) Regulations 1996 Regulation 13, confirms the Monthly Schedule of Accounts Paid for 31 July 2023, totalling \$664,560.81 as included at Attachment 8.4.19.

8.4.20 Statement of Financial Activity to 31 July 2023

File Ref:	4.0651
Applicant/Proponent:	N/A
Author:	Tanika McLennan – Finance and Administration Manager
Declaration of Interest:	Nil
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	8.4.20 - Statement of Financial Activity to 31 July 2023

Report Purpose:

The purpose of this report is to have Council approve the monthly statement of financial activity.

Background:

Under Regulation 34 of the *Local Government (Financial Management) Regulations 1996* a local government is to prepare each month a statement of financial activity which includes annual budget estimates, year to date budget estimates, actual amounts expenditure, revenue and income, material variances and net current assets.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

Relevant Plans and Policy:

Nil

Financial Implications:

The statement presented to Council is the most up to date information on its current financial position.

Risk Assessment:

Nil

Community & Strategic Objectives:

Governance and Leadership

Implement systems and processes that meet our legal and audit obligations and the needs of the community.

Comment:

Nil

Voting Requirement:

Simple Majority

OFFICER'S RECOMMENDATION:

The Council endorse the Statement of Financial Activity for the month ending 31 July 2023.

8.5 Coordinator of Community Development

8.5.4 Update Policy – CS.1.6 Club Support Fund

File Ref:	4.0601
Applicant/Proponent:	N/A
Author:	Georgina McKay – Coordinator Community Development
Declaration of Interest:	Nil
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	8.5.4a - Current Policy CS.1.6 - Club Support Fund 8.5.4b - Updated Policy CS.1.6 - Club Support Fund

Report Purpose:

The purpose of this report is to provide clarity to the community and improve participation in community funding. Officers have reviewed Policy CS.1.6 - Club Support Fund and recommend Council adopts the updated policy.

Background:

The Shire of Mt Marshall Club Support Fund is an initiative by the Shire to provide support and assistance to community groups and sport and recreational clubs within the community. A similar scheme called the 'Community Support Fund' was run by the Shire between 2003-2008 and assisted many community projects and events. The Club Support Fund aims to facilitate and encourage growth within our communities and facilities to provide access to recreational opportunities for all.

Every year the Shire receives funding requests from different community groups to assist them with various projects. The intent of this fund was to streamline this process and ensure all groups receive an equal opportunity for funding. Applying for financial assistance for smaller projects can often be very time consuming for the volunteers in committee roles, the Club Support Fund is a local opportunity only open to incorporated clubs or associations within our Shire.

Consultation:

Ben McKay – Chief Executive Officer

Statutory Environment:

Nil

Relevant Plans and Policy:

Policy CS.1.6 - Club Support Fund
Community Strategic Plan - Shire of Mt Marshall

Financial Implications:

\$50,000 (ex GST) allocated within the 2023/24 budget.

Agenda for the Ordinary Meeting of Council on Tuesday 15 August 2023

Risk Assessment:

The Club Support Fund Scheme provides the community with the opportunity to request funds from Council to assist with particular projects. This process eliminates council receiving numerous applications for assistance during the year with no formal assessment or acquittal process.

Community & Strategic Objectives:

Governance and Leadership

- Deliver programs and services that engage with the wider community and engender community spirit.
- Support and maintain facilities that connect people, promote a healthy community and are appropriate for

Comment:

The Shire has previously offered an Economic Development Grant Fund and a Club Support Fund each financial year. Historically the Economic Development Grant Fund has been undersubscribed and the Club Support Fund heavily oversubscribed.

In 2023/24 the Economic Development Grant Fund Committee will be reviewing the effectiveness of the grant. As such, additional funds have been allocated to the Club Support Fund with total fund pool of \$50,000 (ex GST). This amount is to be divided equally between North and South - North being the localities of Beacon and Wialki, South being the localities of Bencubbin, Gabbin & Welbungin.

The Administration has undertaken an internal audit and review of its funding program and governance framework. Through this process, it has been identified that existing policy CS.1.6 - Club Support Fund (Attachment 8.5.4a) is not fit for purpose and does not provide clear direction to the administration of the Shire's grants and sponsorship program. The policy was first adopted by Council on 16 July 2019 and has not been subject to a review since.

The review identified the following areas required further clarification:

- Programs and Guidelines.
- Eligibility.
- Assessment and approval process.
- Decision-making process.
- Agreements and acquittals.

The policy has been reviewed and updated to address these gaps. This item recommends changes that will improve the equity of the program and achieving the benefits outlined as the rationale.

Voting Requirements:

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the revised Policy CS.1.6 - Club Support Fund attached as Attachment 8.5.4b.

Agenda for the Ordinary Meeting of Council on Tuesday 15 August 2023

Report Purpose:

This report seeks Council resolution for the signing and sealing of the Deed of variation to the 'Supply of Medical Services Deed' between the Kununoppin Medical Practice Committee (KMPC) and Olatwhaler Medical Pty Ltd.

12.4 Chief Executive Officer Annual Review Process

File Ref:	STAFF
Applicant/Proponent:	N/A
Author:	Ben McKay – Chief Executive Officer
Declaration of Interest:	CEO Ben McKay discloses a financial interest in item 12.4 – 2022 CEO Performance Review as it relates to his employment with the Shire. The extent of my interest is financial interest pursuant to Section 5.60A of the Local Government Act 1995.
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	12.4 – Proposed Performance Review Questionnaire

Reason for Confidentiality

This matter is to be considered behind closed doors pursuant to s.5.23(2)(a) of the *Local Government Act 1995* as the subject matter relates to:

s.5.23(2)(a) a matter affecting an employee or employees.

Report Purpose:

The purpose of this report is for Council to consider the process to be undertaken to review the Chief Executive Officers (CEO) performance in line with legislative and best practice standards and guidelines.

13.0 Next Meeting – Tuesday 19 September 2023 commencing at 3.00pm in Council Chambers, 71 Monger St, Bencubbin

14.0 Closure of Meeting