

# Shire of Tammin

## ORDINARY COUNCIL MEETING

### AGENDA



### NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Shire of Tammin will be held on **Thursday April 26<sup>th</sup>, 2018** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:00pm**.



Neville Hale  
Chief Executive Officer  
Friday 20<sup>th</sup> April 2018

### MISSION STATEMENT

*"Together with the people of Tammin we will provide leadership, vision and progress to achieve sustainability and growth"*

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## **AGENDA**

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Shire President will declare the meeting open at \_\_\_\_\_ pm.

**2. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES**

**Present:**

Cr M Greenwood	Shire President
Cr D Thomson	Deputy President
Cr C Crane	Member
Cr G Batchelor	Member
Cr T Daniels	Member
Cr N Caffell	Member

**In Attendance:**

Neville Hale	Chief Executive Officer
Kelsey Pryer	Manager Finance & Administration
Greg Stephens	Manager of Works & Services

**Leave of Absence previously granted:**

Nil

**Apologies:**

Nil

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4. PUBLIC QUESTION TIME**

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS**

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**7.1 Ordinary Council Meeting Minutes**

**Recommendation**

That the Minutes of the Ordinary Council meeting held on 22<sup>nd</sup> March 2018 be confirmed as a true and correct record.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_/\_\_\_

**8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

**9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

## 10. MATTERS FOR CONSIDERATION – FINANCE

### 10.1 List of Payments for March 2018

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Administration / Finance Officer
<b>Date:</b>	13 <sup>th</sup> April 2018
<b>Author:</b>	Georgie Crane
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	FIN05
<b>Attachment/s:</b>	Attachment Item 10.1 - Payment List for March 2018 & Attachment Item 10.1 - Credit Card Statement 30.01.2018 - 28.02.2018

#### Background

Accounts paid for February 2018 is listed totaling:

Cheque number	6691	\$41.85
Direct debit payments	01/03/18 - 31/03/18	\$5,623.12
Licensing transfers	01/03/18 - 31/03/18	\$26,008.70
Bank fees	01/03/18 - 31/03/18	\$245.62
VISA payments	01/03/18 - 31/03/18	\$488.74
EFT payments	EFT 2010 - 2066	\$308,590.04
Salaries and Wages	01/03/18 - 31/03/18	\$42,831.96
<b>Total payments</b>	<b>01/03/18 - 31/03/18</b>	<b>\$383,830.03</b>

#### Comment

Nil

#### Financial Implications

Directly impacts the Shire of Tammin 2017/2018 Operating Budget

#### Policy Implications

Nil

#### Statutory Implications

*Local Government (Financial Management) Regulations 1996*

### **11. Payment of accounts**

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
  - a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - b) Petty cash systems.
- (1) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (2) Payments made by a local government —
  - a) Subject to sub-regulation (4), are not to be made in cash; and
  - b) Are to be made in a manner which allows identification of —
    - (i) The method of payment;
    - (ii) The authority for the payment; and
    - (iii) The identity of the person who authorised the payment.
- (3) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

*[Regulation 11 amended in Gazette 31 Mar 2005 p. 1048.]*

### **12. Payments from municipal fund or trust fund**

- (1) A payment may only be made from the municipal fund or the trust fund —
  - a) If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
  - b) Otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

*[Regulation 12 inserted in Gazette 20 Jun 1997 p. 2838.]*

### **13. Lists of accounts**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - a) The payee's name;
  - b) The amount of the payment;
  - c) The date of the payment; and
  - d) Sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - a) For each account which requires council authorisation in that month —
    - (i) The payee's name;
    - (ii) The amount of the payment; and
    - (iii) Sufficient information to identify the transaction; and
  - b) The date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub-regulation (1) or (2) is to be —

- a) *Presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- b) *Recorded in the minutes of that meeting.*

**Strategic Plan Implications**

Nil

**Community Consultation**

Nil

**Recommendation**

That Council notes that during the month of March 2018, the Chief Executive Officer has made the following payments.

Municipal Fund payments totaling \$383,830.03 on licensing transactions, bank fees, EFT, Cheque, Visa, Direct Debit and salaries and wages payments.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Simple Majority Required

Carried/Lost: \_\_\_/\_\_\_

## 10.2 Financial Management Report for the month of March 2018

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	4 <sup>th</sup> April 2018
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item 10.2 - March 2018 Monthly Financial Report

### Background

Enclosed is the Monthly Financial Report for the month of March 2018.

### Financial Implications

Financial Management of 2017/2018

### Statutory Implications

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

#### **34. Financial activity statement report — s. 6.4**

*(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

*(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

- a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
- b) budget estimates to the end of the month to which the statement relates;*
- c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- e) the net current assets at the end of the month to which the statement relates.*

*(2) Each statement of financial activity is to be accompanied by documents containing —*

- a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
- b) an explanation of each of the material variances referred to in sub regulation (1)(d); and*



c) *such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity December be shown —*

a) *according to nature and type classification; or*

b) *by program; or*

c) *by business unit.*

(4) *A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —*

a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*

b) *recorded in the minutes of the meeting at which it is presented.*

*Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

### **Comment**

Nil

### **Policy Implications**

Council resolved that in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% or \$10,000, whichever is greater, be adopted for reporting material variances.

### **Strategic Plan Implications**

Nil

### **Community Consultation**

Nil

### **Recommendation**

That Council adopt the Financial Report for the month of March 2018 comprising;

a) Statement of Financial Activity

b) Note 1 to Note 12

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Simple Majority Required

Carried/Lost: \_\_/\_\_\_

### 10.3 Unbudgeted Expenditure - Tamma Village Unit Refurbishment

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Works Manager
<b>Date:</b>	17 <sup>th</sup> April 2018
<b>Author:</b>	Greg Stephens
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	A1076
<b>Attachment/s:</b>	Nil

#### Proposal/Summary

Council to approve unbudgeted expenditure for capital improvements to refurbish units 3 and 5 at Tamma Village.

#### Background

As per Councils 2017/2018 adopted budget monies were set aside for routine maintenance on all the units in Tamma Village, there were also funds allocated for unexpected repairs, replacement items (stoves, air-conditioners, water heaters etc). However, there is no specific budget provision for capital improvements.

#### Comments

A recent property inspection was carried out on all shire housing and units, the maintenance and repairs will be addressed this financial year and can be funded from the maintenance budget for Shire housing and Tamma Village units. To date there has not been any excessive expenditure on unexpected repairs and replacement items.

Unit 5 Tamma Village is to be vacated in early May 2018 - there has not been any major maintenance works carried out for some years, so this is an ideal time to go through the Unit and refurbish whilst empty. Works will consist of painting, new carpets, renovations to the bathroom and other minor repairs.

The residents in Unit 3 will be moving into Unit 5 (when works have been completed) and again this will be an ideal time to go through Unit 3 and refurbish whilst empty. Works will consist of painting, new carpets and other minor repairs.

#### Consultation

CEO and Works Manager.  
Quotations from Suppliers and installers.

**Statutory Implications**

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

(1a) In subsection (1) —

**additional purpose** means a purpose for which no expenditure estimate is included in the local government’s annual budget.

**Policy Implications**

Nil

**Financial Implications**

The refurbishment works for units 3 and 5 at Tamma Village is estimated to be \$16,000. A new account is to be created for that purpose. The expenditures to be offset against savings within the Tamma Village maintenance budget allocations.

**Strategic Implications**

Nil

**Recommendation**

That Council approves:

- an unbudgeted expenditure of \$16,000 to undertake refurbishment of Units 3 & 5 in the Tamma Village complex; and,
- creation of Capital Expenditure Account TVREN within account number 084401 for the purpose of the capital expenditures.
- with the capital costs to be offset against savings in the Tamma Village Maintenances provisions.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Absolute Majority

Carried/Lost: \_\_\_/\_\_\_

## 11. MATTERS FOR CONSIDERATION – ADMINISTRATION

### 11.1 Policy Manual Review

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	17 <sup>th</sup> April 2018
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ADM52
<b>Attachment/s:</b>	Attachment Item 11.1 – Review Summary

#### Proposal/Summary

For Council to receive an update on its Policy Manual Review.

#### Background

Council's Policy Manual is in need of review to remove unnecessary policies that are of an operational nature or require amendment to reflect changes in legislation.

By Definition: -

- Council policies are statements of the principles that govern the activities of the Shire in its relationship with its stakeholders. Council policies should have a strategic focus and align with the vision and strategic direction set out in the Strategic Community Plan/Corporate Business Plan/ Long Term Financial Plan.
- Management Directives and Operational, Functional and Statutory decision making responsibilities are internally focused and solely for the use of business administration and operations by employees within the organisation .

An update of the organisation's policy framework is needed to give the Shire a clearer "policy scope" for the core principles of importance to the Integrated Planning Framework.

A review of existing policies is currently being undertaken.

#### Comments

The attached document reflects the initial assessment of current policies in accordance with the Governance, Policy and Management Document Hierarchy.

Whilst there are a number of current policies that can be deemed to be of a management nature or more appropriately included as a delegation, a number of new policy requirements have been identified. The list of new policies will be expanded upon as further research is undertaken.

**Consultation**

Marg Hemsley - LG People  
Niel Mitchell - Conway - Highbury

**Statutory Implications**

N/A

**Policy Implications**

A new and up to date Policy Manual to be produced for Council’s consideration.

**Financial Implications**

The Review process will incur consultancy costs of \$5,000 in accordance with current budget provisions.

**Strategic Implications**

Policy Manual is to reflect the vision and strategies of the Shire’s Corporate Business Plan and Strategic Community Plan.

**Recommendation**

For Council’s information and noting.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple Majority

Carried/Lost \_\_\_/\_\_\_

## 11.2 Establishment of the Audit Committee and appointment of Delegates

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	18 <sup>th</sup> April 2018
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item 11.2 – Terms of Reference

### Proposal/Summary

For Council to establish its Audit Committee of Council for the period ending with the 2019 Elections and appoint delegates to external committees.

### Background

Council, at its 26<sup>th</sup> October 2017 Ordinary Meeting purported to establish a number of Committees of Council and appoint delegates. Regrettably, not all committees established met the requirements of the Local Government Act, 1995 in that the resolution to establish the Committees was recorded as a simple majority when an absolute majority is required. Moreover reference is made to Committees consisting of one or two Councillors when a lawful committee has a minimum membership of three persons.

Furthermore, if appointing a committee consisting of persons other than Councillors, all members of the committee must also be appointed and named.

Accordingly the appointments of 26<sup>th</sup> October 2017, as listed below, are to be reviewed and re-established where appropriate:

<b>Committee</b>	<b>Members</b>
<b>Kellerberrin Regional Road Group</b>	<b>Cr Greenwood Cr Thomson</b>
<b>WALGA Great Eastern Zone</b>	<b>Cr Batchelor Cr Daniels</b>
<b>Senior Citizens Management Committee</b>	<b>Cr Crane Cr Daniels</b>
<b>Audit Committee</b>	<b>Cr Greenwood Cr Thomson Cr Batchelor Cr Caffell</b>
<b>East Avon Voluntary Regional Organisation of Councils</b>	<b>Shire of President Deputy Shire President</b>
<b>Chief Executive Officer Resource Sharing Committee</b>	<b>Shire President Deputy Shire President</b>

In addition, delegates should be appointed to the Kellerberrin & Tammin Local Emergency Management Committee.

### **Comment**

In accordance with the Local Government Act, 1995 Council may establish a number of varying types of committee.

Under the Local Government Act 1995 Committees can be classified as:

- Council committees, that is, a committee of three or more persons established by council to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees; or,
- Non council committees established by some other authority, e.g. Emergency Management Act; or,
- community groups that operate with no delegated authority in respect to Council's powers or duties but which have an interest in some of the activities of Council and to which Council wishes to have formal representation by way of Delegates.

### **Shire of Tammin Audit & Risk Committee**

Authority	Local Government Act, 1995 s5.9(2)(a)
Delegation	No delegated authority. Minutes are published and distributed to Councillors
Current Membership	Cr Greenwood, Cr Thomson, Cr Batchelor, Cr Caffell
Meetings	Quarterly, usually held before Council Meetings
Current Status	Active

The Audit & Risk Committee is established under the Local Government Act, 1995 s5.9(2) and s7.1A. Recommendations are made in Minutes of the Audit & Risk Committee meeting and should a Council resolution be required, recommendations are to be included as an item of business at the next available Ordinary Meeting of Council.

In accordance with the Local Government (Audit) Committee Regulations

#### 16. Audit committee, functions of

An audit committee —

- (a) is to provide guidance and assistance to the local government —
  - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
  - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;
- and
- (b) may provide guidance and assistance to the local government as to —
  - (i) matters to be audited; and

- (ii) the scope of audits; and
  - (iii) its functions under Part 6 of the Act; and
  - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to –
- (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council.

Members are appointed for the two year period between elections, in this case the period ending October 2019 and are appointed in accordance with the Committees Terms of Reference which sets the committee membership as: Shire President and three (3) Councillors.

**Local Emergency Management Committee - Delegate**

Authority	Emergency Management Act 2005 - s38
Delegation	No delegated authority. Minutes are published and distributed to members and Councillors
Current Membership	Not formally appointed but listed in Local Plan
Meetings	As required
Current Status	Active

This Committee is a shared arrangement with the Shire of Kellerberrin to which Council appoints its delegate with the CEO being their proxy.

The Local Emergency Management Committee is established under the Emergency Management Act 2005 and Local Government Act, 1995 s5.9(2). Recommendations are made in Minutes of the Committee meeting and should a Council resolution be required, recommendations are to be included as an item of business at the next available Ordinary Meeting of Council.

The constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

The functions of a local emergency management committee are set out in s39 of the Emergency Management Act 2005 (see below in statutory implications).

**Appointment of Other Delegates**

Council may appoint delegates to external committee as it sees fit. The 26<sup>th</sup> October 2017 minutes did not clearly distinguish between committee and delegate appointments

**Consultation**

Shire of Kellerberrin

**Statutory Implications**



## Local Government Act, 1995

### 5.8. Establishment of committees

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

*\* Absolute majority required.*

### 5.9. Committees, types of

(1) In this section —

**other person** means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

### 5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required.*

### 7.1A. Audit committee

(1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

(2) The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

*\* Absolute majority required.*

(3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.

(4) An employee is not to be a member of an audit committee.

*[Section 7.1A inserted by No. 49 of 2004 s. 5; amended by No. 5 of 2017 s. 11.]*

### **Local Government (Audit) Regulations 1996**

#### 17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

### **Emergency Management Act 2005**

#### 38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
  - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
  - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

#### 39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

### **Policy Implications**

N/A

### **Financial Implications**

Committee members are entitled to claim meeting fees and travel expenses.  
Delegates are entitled to claim travel expenses only.

### **Strategic Implications**

#### **Strategic Community Plan**

##### **6. Civic Leadership**

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity and act in good faith on behalf of their communities.

CL 6.1 Deliver sustainable governance through transparent and robust policy and processes.

#### **Recommendation 1**

That Council:

1. In accordance with s5.9(2)(a) of the Local Government Act 1995, establish its Audit Committee and appoint Cr Greenwood, Cr Thomson, Cr Batchelor & Cr Caffell as members of the Audit Committee: and
2. Endorse the attached Terms of Reference

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – **Absolute Majority**

Carried/Lost \_\_\_/\_\_\_

#### **Recommendation 2**

That Council appoint the following Delegates to External Committees & Organisations:

- 1. Shared CEO Resource Sharing Committee (with Shire of Cunderdin)**  
Shire President & Deputy Shire President
- 2. Kellerberrin Regional Road Sub Group**  
Cr Greenwood & Cr Thomson
- 3. WALGA Great Eastern Country Zone (GECZ)**  
Cr Batchelor, Cr Daniels (Proxy Delegate)
- 4. Senior Citizens Management Committee**  
CR Crane, Cr Daniels
- 5. East Avon Voluntary Regional Organisation of Councils**  
Shire President, Shire Deputy President

**6. Kellerberrin Tammin Local Emergency Management Committee**  
Shire President, CEO (Proxy)

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote – Simple Majority

Carried/Lost \_\_\_/\_\_\_

**12 MATTERS FOR CONSIDERATION - TOWN PLANNING**

Nil

**13 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED (S`5.23)**

**14.1 Sale of Property (CONFIDENTIAL)**

**15 CLOSURE OF MEETING**

## 14 REFERENCES

### 6 DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

*The Local Government Act (Section 5.60 – 5.62) provides that it is the Councillor's obligation to declare an interest if they believe that they have a financial interest, proximity interest, closely associated persons interest or an interest affecting impartiality in a matter being discussed by Council.*

*The Act provides that the interest may be declared in writing to the CEO prior to the meeting or declared prior to discussion of the agenda item at the meeting. Forms for this purpose are available to Councillors.*

*The Act further provides that the extent of the interest needs to be declared if the Councillor seeks to remain in the Chamber during the discussion, debate or voting on the item.*

*A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.*

### 7.1 STATUTORY ENVIRONMENT

*Section 5.22(2) of the Local Government Act provides that minutes of all meetings to be kept and submitted to the next full Council meeting for confirmation.*

#### 11.1 List of Financial Payments Reference -STATUTORY ENVIRONMENT

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

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
  - (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
  - (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name;*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;**and*
  - (b) *the date of the meeting of the Council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
  - (a) *presented to the Council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

#### 11.2 Financial Report Reference - STATUTORY ENVIRONMENT

*Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires a Statement of Financial Activity to be prepared each month, which is to contain the following details:*

- (a) *annual budget estimates;*
- (b) *budget estimates to the end of the month;*
- (c) *actual amount of expenditure and revenue;*
- (d) *material variances between comparable amounts in (b) and (c) above; and*
- (e) *the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).*

*The Statement is to be accompanied by:*

- (a) *explanation of the composition of net current assets, less committed assets and restricted assets;*
- (b) *explanation of the material variances; and*
- (c) *such other information considered relevant by the local government.*