

# ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS**
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
- 3 PUBLIC QUESTION TIME**
- 4. DECLARATIONS OF INTEREST BY MEMBERS**
  - 4.1 Declarations of Financial Interest
  - 4.2 Declarations of Proximity Interest
  - 4.3 Declarations of Impartiality Interest
- 5. APPLICATIONS FOR APPROVED LEAVE OF ABSENCE**
- 6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
  - 6.1 Shire of Kulin - Ordinary Meeting
  - 6.2 Kulin Child Care Centre – Meeting 12 August 2021 Attachment 1
- 7 MATTERS REQUIRING DECISION**
  - 7.1 List of Accounts – July 2021 Attachment 2
  - 7.2 Financial Reports – July 2021 Attachment 3
  - 7.3 Operating Income and Expenditure Attachment 4
  - 7.4 RDO Policy Attachment 5
  - 7.5 All Ages Precinct Construction – Stage 3 Attachment 6 & 7
  - 7.6 Sale of Property for Non-Payment of Rates
  - 7.7 CSRFF Oval Lighting Project
  - 7.8 National Local Roads and Transport Congress – Presentation Request
- 8 COMPLIANCE**
  - 8.1 Compliance Reporting – General Compliance July 2021 Attachment 8
  - 8.2 Compliance Reporting – Delegations Exercised July 2021
- 9 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 10 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 12 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 13 DATE AND TIME OF NEXT MEETING**
- 14 CLOSURE OF MEETING**

## 1 DECLARATION OF OPENING

The President declares the meeting open

### VISITORS

Llew Withers - Public Health Report

## 2 RECORD OF ATTENDANCE

### ATTENDANCE

BD West	President	West Ward
G Robins	Deputy President	Town Ward
R Bowey	Councillor	Town Ward
L Varone	Councillor	East Ward
B Smoker	Councillor	West Ward
MS Lucchesi	Councillor	Central Ward
JK Noble	Councillor	Town Ward
RD Duckworth	Councillor	West Ward
G Yandle	CEO	
C Vandenberg	DCEO	
T Scadding	Community Service Manager	
F Jasper	Executive Support Officer	

### APOLOGIES

J Hobson – Works Manager (Annual Leave)

### LEAVE OF ABSENCE

Nil

## 3 PUBLIC QUESTION TIME

Nil

## 4 DECLARATION OF INTEREST BY MEMBERS

## 5 APPLICATIONS FOR APPROVED LEAVE OF ABSENCE

Nil

## 6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1	Shire of Kulin – Ordinary Meeting – 28 July 2021
6.2	Kulin Child Care Centre Meeting – 12 August 2021

## 7 MATTERS REQUIRING COUNCIL DECISION

### 7.1 List of Accounts – July 2021

---

**RESPONSIBLE OFFICER:** DCEO  
**FILE REFERENCE:** 12.06  
**AUTHOR:** DCEO  
**STRATEGIC REFERENCE/S:** 12.01  
**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

Attached is the list of accounts paid during the month of July 2021, for Council's consideration.

**BACKGROUND & COMMENT:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STATUTORY AND PLANNING IMPLICATIONS:**

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare each month a statement of financial activity reporting on the revenue and expenditure of funds for the month in question.

**POLICY IMPLICATIONS:**

Nil

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That July payments being cheque no.'s (Trip), 464 (Trust), 37357 - 37365; EFT No's 18015 - 18154, DD7815.1 – DD7840.13 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$1,181,294.17 be received.

**VOTING REQUIREMENTS:**

Simple majority required.

Attachment 2

## 7.2 Financial Reports – July 2021

---

**RESPONSIBLE OFFICER:** DCEO  
**FILE REFERENCE:** 12.01  
**AUTHOR:** DCEO  
**STRATEGIC REFERENCE/S:** 12.01  
**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

Attached are the financial reports for the periods ending 31 July 2021.

**BACKGROUND & COMMENT:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STATUTORY AND PLANNING IMPLICATIONS:**

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare each month a statement of financial activity reporting on the revenue and expenditure of funds for the month in question.

**POLICY IMPLICATIONS:**

Nil

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That Council endorse the monthly financial statements for the periods ending 31 July 2021.

**VOTING REQUIREMENTS:**

Simple majority required.

Attachment 3

### **7.3 Operating Income and Expenditure Detail**

---

**RESPONSIBLE OFFICER:** DCEO  
**FILE REFERENCE:** 12.01 – Financial Reporting, Annual and Monthly  
**AUTHOR:** DCEO  
**STRATEGIC REFERENCE/S:**  
**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

Provided for information is the Shire's detailed operating income and expenditure accounts.

**BACKGROUND & COMMENT:**

Detailed operating income and expenditure accounts were provided with an historical version of the Shire's monthly financial reports. These are no longer provided under the cover of the financial statements but as a separate attachment, provided for information.

**STATUTORY AND PLANNING IMPLICATIONS:**

Nil

**POLICY IMPLICATIONS:**

Nil

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That Council receive the attached accounts for information.

**VOTING REQUIREMENTS:**

Simple majority required.

Attachment 4

## 7.4 RDO Policy

---

**NAME OF APPLICANT:** Shire of Kulin  
**FILE REFERENCE:**  
**STRATEGIC REFERENCE/S:**  
**AUTHOR:** DCEO  
**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

Full time administrative staff have been using an informal Rostered Day Off (RDO) program since 2016. Policy has been drafted, which reflects current practice, to formalise this process and add to the Administrative Procedure and Operational Guidelines (APOG) manual.

**BACKGROUND:**

All full-time administrative staff who commence work at the Shire of Kulin are invited to participate in the RDO program where staff work an additional 0.4 hours per day to accrue one day's leave over the course of a 19-day month. There are currently just two staff members who access this program as most of our staff are part-time.

To provide formal guidance to the staff who access the program and formalised RDO policy has been prepared to be included in Council's APOG.

Provided as an attachment is a policy: HR22 – RDO Policy

**CONSULTATION:**

Shire of Kulin staff

**STATUTORY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**POLICY IMPLICATIONS:**

New procedure for APOG.

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That Council adopt HR22 – RDO Policy to be included in the Shire of Kulin's Administrative Procedures and Operational Guidelines (APOG) Manual

**VOTING REQUIREMENTS:**

Simple majority required.

Attachment 5

## 7.5 All Ages Precinct Construction – Stage 3

---

**RESPONSIBLE OFFICER:** CEO  
**FILE REFERENCE:** 21.02 Parks and Reserves / Design and Construction  
**AUTHOR:** CEO  
**STRATEGIC REFERENCE/S:** 1.4 A liveable and safe community  
1.4.3 Provide a variety of sport, recreation and leisure services and facilities for all life stages.  
1.4.5 Opportunities for development and participation of young people (e.g. Youth Services Group).  
2.2 A positive visitor experience  
2.2.1 The Shire's capacity for tourism is grown, founded on iconic major events and distinct local attractions

**DISCLOSURE OF INTEREST:**  
Nil.

**SUMMARY:**  
For Council to consider approving final design of Kulin All Ages Precinct – Stage 3.

**BACKGROUND & COMMENT:**  
The following provides an overview and update of the procurement process undertaken with regarding the Kulin All Ages Precinct project.

- 30<sup>th</sup> January 2021.
  - EOI advertised to short list suppliers.
- 15<sup>th</sup> February 2021.
  - EOI submissions closed with submissions received from.
- 24<sup>th</sup> February 2021.
  - Short Listed Suppliers notified.
- 10<sup>th</sup> March 2021.
  - Project Briefing and Site Visit for Short Listed Suppliers held.
- 19<sup>th</sup> March 2021.
  - Invited Tender Documentation issued.
- 12<sup>th</sup> April 2021.
  - Invited Tender submissions closed.
- 19<sup>th</sup> May 2021 - Ordinary Council Meeting
  - Invited Tender awarded to Landscape Australia Construction for \$600K.

**07/0521 Moved Cr Duckworth Seconded Cr Lucchesi that Council:**

- 1. Award the construction of the Kulin All Ages Precinct to Landscape Australia for the nominal contract of \$600,000 + GST**
- 2. Request the CEO continue the Design refinement process with Landscape Australia to confirm specific elements and present to Council for final endorsement at the earliest moment.**
- 3. Request the CEO to Submit a Lottery-west Grant application at the earliest possible moment once applications are open.**

**Carried 8/0**

- 30<sup>th</sup> June 2021
  - Skate Park Design Workshop
- 29<sup>th</sup> July 2021
  - Construction commenced onsite.

Following award of tender at 19<sup>th</sup> May 2021 Ordinary Council Meeting, further works have been undertaken by Landscape Australia Construction refining the design and budget inclusions in the Stage 1 contract of \$600,000, as well as updating the design and budget for Stage 2. Updated designs were presented to Council on Wednesday 28<sup>th</sup> July for comment.

The final design and budget are presented for final endorsement with the commentary on the refinement process.

AGENDA OF ORDINARY MEETING TO BE HELD 18 AUGUST 2021

Elements	Comments	Budget
Preliminaries	<ul style="list-style-type: none"> <li>▪ Design Refinement.</li> <li>▪ Site Set Out and Survey.</li> <li>▪ Bulk earthworks, site levelling.</li> <li>▪ Certification.</li> </ul>	\$33K
Pump Track	<ul style="list-style-type: none"> <li>▪ Proposed surface finish Asphalt</li> <li>▪ Alternative proposed PolyPave, agreed to due to offering comparable quality.</li> </ul>	\$196K
Skate Park	<ul style="list-style-type: none"> <li>▪ Updated design workshopped with KDHS, CKC and Council.</li> </ul>	\$231K
Hangout Zone	<ul style="list-style-type: none"> <li>▪ Shelter and Platform                             <ul style="list-style-type: none"> <li>- Double shelter included.</li> <li>- Terrace retaining wall.</li> <li>- Line marking and artwork removed.</li> <li>- Smart Bench removed due to excessive cost.</li> <li>- Lighting removed due to inclusion in CCTV project.</li> <li>- BBQ removed.</li> <li>- Bin Cover removed.</li> <li>- Water fountain installation only, as already one located at Depot.</li> <li>- Turf to be supplied by Shire, turf cut from Oval.</li> </ul> </li> <li>▪ Half Court with Hit Up Wall                             <ul style="list-style-type: none"> <li>- Line marking and artwork removed.</li> <li>- Initial cost of wall was \$62K,</li> <li>- Design options explored to reduce cost to \$23K.</li> </ul> </li> <li>▪ Landscaping                             <ul style="list-style-type: none"> <li>- Access ramp to platform and skate park.</li> <li>- Turf installation.</li> <li>- Earthworks.</li> </ul> </li> </ul>	\$140K
<b>Stage 1 Total</b>		<b>\$600K</b>

Elements	Comments	Budget
Preliminaries	<ul style="list-style-type: none"> <li>▪ Design Refinement.</li> <li>▪ Site Set Out and Survey.</li> <li>▪ Bulk earthworks, site levelling.</li> <li>▪ Certification.</li> </ul>	\$20K
Obstacle Course	<ul style="list-style-type: none"> <li>▪ Obstacle Course (Playground Centre – Extreme Elite 601)</li> <li>▪ Flying Fox - Forpark</li> <li>▪ Rubber soft fall reduced between Obstacle Course and Flying Fox.</li> <li>▪ Mulch soft fall.</li> </ul>	\$315K
Landscaping	<ul style="list-style-type: none"> <li>▪ Concrete Kerbing</li> <li>▪ Soil conditioner and mulch for gardens.</li> <li>▪ Irrigation installation by Shire staff.</li> <li>▪ Shrubs and Trees procurement and installation by Shire staff.</li> </ul>	\$15K
<b>Stage 2 Total</b>		<b>\$350K</b>

**STATUTORY ENVIRONMENT:**

Section 11 Local Government (Functions & General) Regulations 1996 – When tenders have to be publicly invited.

Council have already undertaken a competitive tender process for Stage 1, as well as receiving budgets for Stage 2. For efficiency of delivery it is recommended that the same contractor be engaged for Stage 2.

**POLICY IMPLICATIONS:**

A11 Procurement, Purchasing and Tenders.

**FINANCIAL IMPLICATIONS:**

The All Ages Activity Precinct project is funded within 2020/21 Budget for \$300K to undertake construction of Stage 1, as well as staff hours to assist with bulk earthworks and site preparation. This is funded by the following sources:

Stage	Funding Source	Funding Amount	Financial Year
Design	Local Roads and Community Infrastructure Program (LRCIP-1)	\$40K	2020/21
<b>Design</b>	<b>Total Funding</b>	<b>\$40K</b>	



Stage	Funding Source	Funding Amount	Financial Year
1	Local Roads and Community Infrastructure Program (LRCIP-1)	\$110K	2020/21
1	Cultivating Kulin Committee Inc. (CKC)	\$100K	2021/22
1	LRCIP-2	\$390K	2021/22
<b>1</b>	<b>Total Funding</b>	<b>\$600K</b>	

Stage	Funding Source	Funding Amount	Financial Year
2	Council	\$50K	2021/22
2	Lotterywest	\$200K	2021/22
2	LRCIP-3	\$100K	2021/22
<b>2</b>	<b>Total Funding</b>	<b>\$350K</b>	

#### LOTTERYWEST FUNDING:

Lotterywest are transitioning to the Community Investment Framework for grant applications in WA. During the past 12 months Lotterywest were operating under the COVID-19 Relief Fund model in direct response to the pandemic.

The Community Investment Framework has five priority areas

- Inclusive thriving community
- Connected cultural experiences
- Protected sustainable ecosystems
- Smart innovative society
- Active health people

Lotterywest have agreed that Stage 2 of the All Ages Precinct project falls into the Inclusive thriving community priority area and invite us to lodge an application. Applications are open all year round and the application process can take up to four months for grants to be assessed.

Now that we have finalised the design and budget, we will apply for \$300,000 for Stage 2 of the All Ages Precinct project, which will potentially release \$100,000 of LRCIP-3 for other projects. This application will be submitted by the end of August 2021.

#### COMMUNITY CONSULTATION:

Community consultation has been undertaken during the design and budget development process with:

- Council – multiple Concept Forums.
- CKC
- Kulin District High School.
- Community Workshop.

#### WORKFORCE IMPLICATIONS:

Council works staff to be involved in bulk earthworks and site preparation, with hours already allocated within Council's 20/21 and 21/22 budgets.

Community Services Manager and CEO to complete and submit Lotterywest Application.

#### OFFICER'S RECOMMENDATION:

That Council:

- Approve the design of Stage 2 of the Kulin All Ages Precinct.
- Award the construction of the Kulin All Ages Precinct – Stage 2 to Landscape Australia for a nominal contact of \$350,000K + GST.
- Request the CEO to submit a Lotterywest Grant application for a minimum \$200,000.

#### VOTING REQUIREMENTS:

Simple Majority

Attachments 6 & 7

KUL All Ages Precinct Updated Design

Kulin All Ages Costing - IFC Budget

## 7.6 Sale of Property for Non-Payment of Rates

---

**RESPONSIBLE OFFICER:** CEO  
**FILE REFERENCE:**  
**AUTHOR:** DCEO  
**STRATEGIC REFERENCE/S:**  
**DISCLOSURE OF INTEREST:**

### **SUMMARY:**

The Shire of Kulin have made many informal written attempts to recover outstanding rates owed for 30 Beard Street, Kulin, WA. These attempts have been unsuccessful. In consultation with CS Legal, Council's debt collection agency, the Shire propose to proceed with legal action to take possession and sell the property in attempt to recover the local government rates, service charges and interest.

Under Section 6.64(1)(b) of the Local Government Act 1995, if any rates or service charges due to a local government have been unpaid for at least three years, the local government may take possession of the land and proceed to sell it.

### **BACKGROUND & COMMENT:**

1. For the purposes of section 1.4 of the *Local Government Act 1995* (WA), Steven Anthony Moore is the owner of Lot 299 on Deposited Plan 184737 being the whole of the land contained in Certificate of Title Volume 2220 Folio 620, more commonly known as 30 Beard Street, Kulin, WA or A50 ("**Property**").
2. As at 18 August 2021, the Shire of Kulin has imposed \$4,115.37 in local government rates, service charges, and interest against the Property.
3. A portion of the local government rates, service charges and interest have remained outstanding for a period of more than three (3) years.
4. The Shire of Kulin has not attempted to recover the rates, service charges and interest through legal proceedings.
5. Elders Real Estate has provided the Shire of Kulin with a detailed market appraisal of the Property which estimates its market value to be between \$8,000.00 to \$10,000.00.
6. CS Legal, the Shire of Kulin's solicitors, estimate the costs and disbursements to commence and progress legal proceedings against the owner to recover the rates, service charges and interest to be between \$10,500.00 to \$16,500 and between \$25,000 to \$41,000 if the matter was to progress to trial.

Shire of Kulin officers are seeking a decision from Council to exercise their power under section 6.68(2)(a) of the Local Government Act 1995 to take possession of 30 Beard Street and proceed to sell the property without commencing legal action as the costs incurred to take legal action will exceed the amount they could reasonably expect to recover from the sale.

### **STATUTORY AND PLANNING IMPLICATIONS:**

Sections 6.64, 6.56 and 6.68(2) (b) of the Local Government Act 1995

### **FINANCIAL IMPLICATIONS:**

As outlined above.

### **POLICY IMPLICATIONS:**

Nil

### **COMMUNITY CONSULTATION:**

Nil

### **WORKFORCE IMPLICATIONS:**

Nil

### **OFFICER'S RECOMMENDATION:**

That pursuant to section 6.68(2)(a) of the Local Government Act 1995 (WA), Council resolves to exercise the Shire of Kulin's power of sale under Part 6 Division 6 Subdivision 6 of the Local Government Act 1995 (WA) over Lot 299 on Deposited Plan 184737 being the whole of the land contained in Certificate of Title Volume 2220 Folio 620, more commonly known as 30 Beard Street, Kulin, in the State of Western Australia noting that the Shire of Kulin has not made an attempt to recover the rates, service charges and interest under section 6.56 of the Local Government Act

AGENDA OF ORDINARY MEETING TO BE HELD 18 AUGUST 2021

1995 (WA) within the last 3 years for the reason that the Shire of Kulin reasonably believes that the costs of proceedings under that section will equal or exceed the value of the Property.

**VOTING REQUIREMENTS:**

Absolute majority required.

## 7.7 CSRFF Oval Lighting Project

---

**RESPONSIBLE OFFICER:** CDO  
**FILE REFERENCE:** 15.11  
**AUTHOR:** CDO  
**STRATEGIC REFERENCE/S:** CSP 1.3.1 The community and recreation facilities meet the needs of the growing and active communities throughout the Shire

**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

Applications are open under the newly announced CSRFF Club Night Lights Program (CNLP) with applications closing 4.00pm Thursday 30 September 2021.

**BACKGROUND & COMMENT:**

The purpose of the CNLP is to provide financial assistance to community groups and local governments to develop sports floodlighting infrastructure. The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

CNLP will cover one third of the total estimated project cost (excluding GST) up to a maximum grant of \$1 million.

Shire of Kulin will submit an application under the program with the estimated project budget being \$150,000, based on preliminary costings.

- Light procurement \$90,000
- Electrical installation – \$10,000
- Earthworks, concrete footing, pole installation – \$15,000
- Contingency for additional pole and associated works \$35,000

Council has a budget allocation for the Oval Lighting Project.

**STATUTORY AND PLANNING IMPLICATIONS:**

Club Night Lights Program floodlighting projects must meet Australian Standards

**FINANCIAL IMPLICATIONS:**

Shire of Kulin will apply for 30% (GST Exclusive) of the total project from the CSRFF Club Night Lights Program. Shire of Kulin will fund the remaining 70%. Council have approved a budget allocation for the Oval Lighting Project.

**POLICY IMPLICATIONS:** Nil

**COMMUNITY CONSULTATION:**

Kulin Kondinin Football Club  
Kulin Hockey Club  
Kulin Tennis Club

**WORKFORCE IMPLICATIONS:**

Shire of Kulin will undertake the works associated with the pole installation.

**OFFICER'S RECOMMENDATION:**

That Council endorse the Kulin Oval Lighting project  
An application to be submitted to CSRFF Club Nights Program for 30% of total project costs  
Shire of Kulin to fund 70% of the project.

**VOTING REQUIREMENTS:**

Simple majority required.

## **7.8 National Local Roads and Transport Congress – Presentation Request**

---

**RESPONSIBLE OFFICER:** CEO

**FILE REFERENCE:**

**AUTHOR:** CEO

**STRATEGIC REFERENCE/S:** 1.2 Connected communities through a safe and efficient transport network throughout the Shire.  
4.1.1 Develop leadership skills and behaviours that enhance the knowledge, skills and experience of the Shire staff and Council

**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

For Council to consider the request from National Roads and Transport Congress organiser for CEO Garrick Yandle to give a presentation at the scheduled conference in Hobart November 2021.

**BACKGROUND & COMMENT:**

CEO, Garrick Yandle has been contacted by Paris Lord from the Australian Local Government Association who is organising the National Local Roads and Transport Congress in Hobart from 7-9 November 2021. Garrick has been invited to give a presentation on the Wheatbelt Secondary Freight Network project and how it has been delivered during the first 2 years of implementation. An initial presentation on this project was delivered at the 2017 Congress in Albany.

Given Garrick's role as the Project Technical Director and involvement with WSN since its early planning stages in 2016, he has been approached to deliver the presentation on WSN behalf.

Currently the WSN project is being promoted by current and previous Deputy Prime Ministers (and Minister for Infrastructure and Regional Development) as well as Federal Local Members as the flagship model for the delivery of significant Federally funded infrastructure projects with both regional and local benefits via collaboration of 42 local governments and wider stakeholders.

The presentation will provide an opportunity to showcase the work of 42 local governments from the Wheatbelt Region at a national level. It will also be an opportunity to promote the attractions of Kulin via presenter biography as well as networking opportunities.

**STATUTORY ENVIRONMENT:**

Section 5.90A of the Local Government Act 1995 provides that a local government must prepare and adopt an Attendance at Events policy.

**POLICY IMPLICATIONS:**

APOG G8 ELECTED MEMBER AND CEO ATTENDANCE AT EVENTS

**FINANCIAL IMPLICATIONS:**

Currently the Kulin Shire Council has a contract with WSN to deliver the wider WSN Program Management. This is of a nominal value of \$100,000 per annum to cover costs associated with this work.

It is proposed that any costs associated with travel, accommodation and attendance at the Congress be charged to the WSN Program Management job code as a way of reimbursing any costs to Kulin Shire Council.

CEO has previously attended National Local Roads and Transport Congress on behalf of Council in South Australia in November 2019, at Council's cost.

**COMMUNITY CONSULTATION:**

WSN Steering Committee – has been requested to provide approval of this request and subsequent allocation of costs as per terms and conditions of the WSN Program Management agreement.

**WORKFORCE IMPLICATIONS:**

CEO will be attending conference and would be out of the office the best part of the week beginning 7<sup>th</sup> November 2021.

Should COVID-19 arise in Tasmania during the term of conference, it is likely he will have to self-quarantine for 14 days upon return, however Tasmania is currently not significantly affected.

**OFFICER'S RECOMMENDATION**

That Council approve the CEO to attend the National Local Roads and Transport Congress in Hobart from 7-9 November 2021 to deliver a presentation on Wheatbelt Secondary Freight Network Project, with all associated costs to be allocated to WSNF Program Management job code.

**VOTING REQUIREMENTS:**

Simple Majority

## 8 COMPLIANCE

### 8.1 Compliance Reporting – General Compliance July 2021

**NAME OF APPLICANT:** CEO  
**RESPONSIBLE OFFICER:** CEO  
**FILE REFERENCE:** 12.05 Compliance 12.06 – Accounting Compliance  
**STRATEGIC REFERENCE/S:** CBP 4.1 Civic Leadership, 4.1.8 Compliance methods  
**AUTHOR:** CEO  
**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

This report addresses General and Financial Compliance matters for July 2021. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations.

The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

**BACKGROUND & COMMENT:**

The Compliance team and works staff commence the monthly compliance effort immediately after the Shire meeting each month. At that time, the Executive Support Officer will email the assigned staff member their compliance requirements for the coming month. As the month progresses, staff in conjunction with their manager, the CEO or DCEO will determine the extent of work/action needed to complete items. During Agenda week, the Compliance Team again meets to ensure the monthly report/list is reviewed and that compliance items are completed. In preparing the Agenda report, the CEO or DCEO will sign off on completed items.

Prior month items not completed previously will be reported in the following month so Council remains aware.

Outstanding

Servicing of Bush Fire Radio's – *At AGM August*

Outstanding - July

LEMC Meeting – *Scheduled for Wednesday*

Outstanding - June

Integrated Planning Review – *In Progress*

Outstanding - May

Create Election Timeline – *Completed*

**FINANCIAL IMPLICATIONS:**

In terms of meeting compliance - normal administration expense. There may be items that require additional administrative effort to complete or require external assistance to resolve. In those cases, individual financial implications will be reported.

**STATUTORY AND PLANNING IMPLICATIONS:**

Nil

**POLICY IMPLICATIONS:**

Identified as necessary – this report Nil

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That Council receive the General & Financial Compliance Report for July 2021 and note the matters of non-compliance.

**VOTING REQUIREMENTS:**

Simple majority required.

Attachment 8

## 8.2 Compliance Reporting – Delegations Exercised – July 2021

---

**NAME OF APPLICANT:** CEO  
**RESPONSIBLE OFFICER:** CEO  
**FILE REFERENCE:** 12.05 - Compliance  
**STRATEGIC REFERENCE/S:** CBP 4.1 Civic Leadership, 4.1.8 Compliance methods  
**AUTHOR:** CEO  
**DISCLOSURE OF INTEREST:** Nil

### SUMMARY:

To report back to Council actions performed under delegated authority for the periods ending 31 July 2021.  
 To provide a comprehensive report listing of the delegations able to be exercised following adoption of a more substantial array of delegations in June 2017.

### BACKGROUND & COMMENT:

This report is prepared for Council detailing actions performed under delegated authority by the respective officers under each of the delegation headings:

#### ADMINISTRATION

<b>Policy</b>	<b>Delegation</b>	<b>Officers</b>
A1	Acting Chief Executive Officer	(CEO)
A2	Agreements for Payments of Debts to Council	(CEO/DCEO)
A3	Casual Hirer's Liability	(CEO)
A4	Complaint Handling	(CEO)
A5	Fees & Charges – Discounts	(CEO/DCEO/MW/MLS/CRC)
A6	Investment of Surplus Funds	(CEO/DCEO)
A7	IT & Social Media – Use of	(CEO)
A8	Legal Advice, Representation & Cost Reimbursement	(CEO)
A9	Payments from Municipal and Trust Funds	(CEO-to numerous staff – purchase orders)
A10	Use of Common Seal	(CEO)
A11	Writing Off Debts	(CEO)
A12	Housing	(CEO)
A13	Procedure for Unpaid Rates Finance	(CEO)

#### GOVERNANCE

G1	Applications for Planning Consent	(CEO)
G2	Building Licences and Swimming Pools	(EHO/Building Surveyor)
G3	Cemeteries Act 1986	(CEO)
G4	Health Act 1911 Provisions	(EHO)

#### HUMAN RESOURCES

H1	Grievance Procedures	(CEO)
----	----------------------	-------

#### COMMUNITY SERVICES

CS1	Bushfire Control – Shire Plant for Use of	(CEO)
CS2	Bushfire Control – Plant Use for Adjoining Shires	(CEO)
CS3	Bushfire Prohibited / Restricted Burning Periods – Changes	(Shire President/CEO)
CS4	Bushfire Training Administration	(CEO)
CS5	Cat Ownership Limit – Cat Control	(CEO)
CS6	Dog Control – Attacks	(CEO)
CS7	Dog Ownership Limit – Dog Control	(CEO)
CS8	Sea Containers Use of – Town Planning	(CEO)
CS9	Second Hand Dwellings	(CEO)
CS10	Temporary Accommodation	(CEO)
CS11	Unauthorised Structures – Building Control	(CEO)
CS13	Freebairn Recreation Club Committee	(FRC Club Committee)
CS14	Kulin Child Care Centre Management Committee	(KCCC Mgmt. Committee)
CS15	General – Community Services Practices	(CEO)
CS20	Seed Collection	(CEO)

#### WORKS

W1	Gravel Supplies	(MW)
W2	Roads – Clearing	(CEO)
W3	Roads – Damage to	(MW)
W4	Roads – Roadside Markers – Management of	(MW)



W5	Stormwater Drainage	(MW)
W6	Street Trees	(CEO)
W7	Streetscape – Improvements	(CEO)
W8	Roadside Burning	(MW)
W9	Temporary Road Closures	(MW)
W10	General – Works Practices Approvals	

**COMMENT:**

The following details the delegations exercised within the Shire relative to the delegated authority for the month of July 2021 and are submitted to Council for information (excluding delegations under A9, Payments – refer to individual order and payment listed in Accounts paid).

**A1 Acting Chief Executive Officer**

Cassi Vandenberg appointed A/CEO from 8/07-13/07, whilst CEO on leave

**A7 IT & Social Media – Use of**

Social Media posts authorised to Community Services Manager and Executive Support Officer as required

**A8 Legal Advice, Representation & Cost Reimbursement**

Advice sought from Civic Legal (WALGA Preferred Supplier) regarding Dam Lease

**G1 Applications for Planning Consent**

Terra Donna Pty Ltd                      2292 (Lot 27210) Yealering-Kulin Rd Kulin West                      Single Dwelling

**W9 Temporary Road Closures**

Multiple road closures due to significant rainfall events

**STATUTORY ENVIRONMENT:**

*Building Act 2011*  
*Bushfires Act 1954*  
*Cemeteries Act 1986*  
*Health (Asbestos) Regulations 1992;*  
*Health (Miscellaneous Provisions) Act 1911;*  
*Local Government Act 1995*  
*Public Health Act 2016*  
*Shire of Kulin TPS2*  
*Town Planning Development Act*  
*Town Planning Scheme*  
*Trustees Act, Part III,*  
*Criminal Procedure Act 2004;*

**FINANCIAL IMPLICATIONS:**

Nil in terms of exercising delegation and reporting to Council though there may be financial implications in the case of each delegation exercised.

**STATUTORY AND PLANNING IMPLICATIONS:**

Sections 5.18 and 5.46 of the Local Government Act 1995

**POLICY IMPLICATIONS:**

There are no known policy implications relating to this report.

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That Council receive the Delegation Exercised Report for July 2021.

**VOTING REQUIREMENTS:**

Simple majority required.

## **9 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## **10 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Meeting may adjourn to move into Concept Forum.

## **11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

## **12 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**

12.1 Confidential Item

## **13 DATE AND TIME OF NEXT MEETING**

Wednesday 15 September 2021 at 1:00pm

## **14 CLOSURE OF MEETING**

There being no further business the President declared the meeting closed.