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Minutes of an Ordinary Meeting of Council held in the Council Chambers on Wednesday 19 June 2019 commencing at 5.33pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

President West announced that Cr Haydn McInnes has been selected by the Western Australian Local Government Association to receive the WALGA Long and Loyal Service Award – Congratulations were extended to Cr McInnes who will be recognised at the Association Honours Luncheon on 7 August 2019.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

BD West	President	West Ward
RD Duckworth	Deputy President	West Ward
HT McInnes	Councillor	Town Ward
B Smoker	Councillor	West Ward
R Bowey	Councillor	Town Ward
BP Taylor	Councillor	Central Ward
MS Lucchesi	Councillor	Central Ward
L Varone	Councillor	East Ward
G Robins	Councillor	Town Ward
G Yandle	Chief Executive Officer	
C Vandenberg	Deputy Chief Executive Officer	
J Hobson	Manager of Works	
N Thompson	ESO/Minutes	

APOLOGIES

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Shire of Kulin Ordinary Meeting – 15 May 2019

01/0619

Moved Cr Bowey Seconded Cr Varone that the minutes of the Ordinary Council Meeting held on 15 May 2019 be confirmed as a true and correct record.

Carried 9/0

Shire of Kulin Audit & Risk Committee Meeting – Minutes 19 June 2019

02/0619

Moved Cr Robins Seconded Cr Taylor that the minutes of the Audit & Risk Committee held on 19 June 2019 be confirmed as a true and correct record.

Carried 9/0

Local Emergency Management Committee (LEMC) Meeting – Minutes 2 April 2019

03/0619

Moved Cr McInnes Seconded Cr Smoker that the minutes of the Audit & Risk Committee held on 19 June 2019 be confirmed as a true and correct record.

Carried 9/0

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – May 2019

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 May 2019 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 May payments being cheque no.'s 408 - 409 (Trust), 37116 – 37123; EFT No's 15232 - 15343, DD6907.1 - DD6936.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$761,525.15 be received.

VOTING REQUIREMENTS:

Simple majority required.

04/0619

Moved Cr Duckworth Seconded Cr Robins that May payments being cheque no.'s 408 - 409 (Trust), 37116 – 37123; EFT No's 15232 - 15343, DD6907.1 - DD6936.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$761,525.15 be received.

Carried 9/0

6.2 Financial Reports – May 2019

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 period ending 31 May 2019.

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 period ending 31 May 2019.

VOTING REQUIREMENTS:

Simple majority required.

05/0619**Moved Cr Taylor Seconded Cr Bowey that Council endorse the monthly financial statements for the period ending 31 May 2019.****Carried 9/0**

6.3 Adoption of Percentage and Value for the Reporting of Material Variances

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

SUMMARY:

Financial Management Regulations that came into effect on 1 July 2005 require the adoption of a percentage or value, calculated in accordance with *Australian Accounting Standard AASB 1031 Materiality* to be used in the statements of financial activity for reporting material variances.

BACKGROUND & COMMENT:

Currently the Shire variance reported is +/- 10% and +/- \$5,000. It is not proposed to change this position.

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.

1. The statement is to contain the following detail:
 - a) annual budget estimates, taking into account any expenditures incurred for an additional purpose under Section 6.8(1)(b) or (c) (i.e. the revised budget);
 - 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 (b) and (c) above; and
 - e) the net current assets at the end of the month to which the statement relates (ie. surplus/(deficit) position.
2. The statement of financial activity is to be accompanied by:
 - a) explanation of the composition of the net current asset of the month to which the statement relates, less committed assets and restricted assets;
 - b) an explanation of each the material variance referred to in sub regulation 1(d) above; and
 - c) such other supporting information as is considered relevant by the local government.
3. The information in a statement of financial activity may 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.
5. Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the Australian Accounting Standards (AAS), to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS:

Adoption of the proposed percentage and value will become Council policy to guide the preparation of monthly statements.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That staff report material variances of +/- 10% and +/- \$5,000, whichever is the greater, from the budget figure and report these variances by way of a supporting note to the Monthly Statement of Financial Activity for the financial year 2019/20.

VOTING REQUIREMENTS:

Simple majority required.

06/0619

Moved Cr Robins Seconded Cr Varone that staff report material variances of +/- 10% and +/- \$5,000, whichever is the greater, from the budget figure and report these variances by way of a supporting note to the Monthly Statement of Financial Activity for the financial year 2019/20.

Carried 9/0

7 COMPLIANCE

7.1 Compliance Reporting – General Compliance May 2019

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 May 2019. 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 January 2019

LEMAC & Shire Emergency Management Plans – Review – not yet commenced

Outstanding March 2019

Building Gutter Cleaning – Commence gutter cleaning of all Shire buildings (*commenced but not completed*)

Outstanding April 2019

Freedom of Information Statement

Records Management Disaster Plan

Take Down Shade Sails at Pool

Outstanding May 2019

Review of Equal Opportunity Employment Plan

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 May 2019 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

07/0619

Moved Cr Robins Seconded Cr Lucchesi that Council receive the General & Financial Compliance Report for May 2019 and note the matters of non-compliance.

Carried 9/0

7.2 Compliance Reporting – Delegations Exercised – May 2019

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 period ending 31 May 2019.

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**Policy Delegation**

Policy Delegation	Officers
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)
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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)
CS12	Kulin Bush Races	(Kulin Bush Races Committee)
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 September 2018 and are submitted to Council for information (excluding delegations under A9, Payments – refer to individual order and payment listed in Accounts paid).

A6 Investment of Surplus Funds (DCEO) – Local Government Act 1995, section 6.14

Municipal funds

Type	Rate	Deposit/(Withdrawal)
Short Term	1.50%	200,000
Term Deposit	N/A	(500,618)
Short Term	1.50%	(75,000)
Reserves	2.30%	2,039,626
Reserves	N/A	(85,000)
Term Deposit	N/A	(300,000)
Short Term	1.50%	150,000
Term Deposit	2.35%	151,352
Term Deposit	N/A	(358,086)
Term Deposit	1.95%	361,198

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 May 2019.

VOTING REQUIREMENTS:

Simple majority required.

08/0619

Moved Cr Smoker Seconded Cr Taylor that Council receive the Delegation Exercised Report for May 2019.

Carried 9/0

7.3 Shire of Kulin Audit & Risk Committee - Recommendations 19 June 2019

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.05 & 04.04
AUTHOR: CEO
STRATEGIC REFERENCE/S: Corporate Business Plan, Civic Leadership 4.1.1 a; CEO KRA 3.3 Financial Management, 3.5 Integrated Planning
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The below recommendations were presented to the Shire of Kulin Audit and Risk Committee Meeting held on Wednesday 19 June 2019.

Minutes from this meeting are included in this agenda at Item 5.2 for further information and recommendation reports.

BACKGROUND & COMMENT:

DLGSC Response Regarding 2017-18 Annual Financial Report

Following a letter from the Department of Local Government, Sport and Cultural Industries (DLGSC) entitled "2018 Annual Electors Meeting and 2017-18 Annual Financial Report" being received advising of a potential matter of serious non-compliance with the Local Government Act 1995 that had come to the Department's attention, they requested that the Department's letter and the officer's response be presented to a meeting of the Audit Committee as soon as possible.

Audit Committee Regulation 17 – Review

Shire of Kulin Audit and Risk Committee is required to undertake a review of the Council's risk profile by the 30 June 2019, on the basis of a report prepared by the CEO.

The Audit and Risk Committee is required to meet to assess compliance and risk. The Shire of Kulin currently meets quarterly (including our Audit review and hook-up with Auditors) to consider strategic and operational risks including financial and non-financial systems, compliance with legislation, regulations, policies and known best practice. Recommendations are developed and agreed with management for follow-up to ensure that they are implemented as agreed.

Management Letter

As part of the Audit process, Councils auditors, Byfields have reported matters arising from the audit for the year ended 30 June 2018 via the attached *Management Letter*. The Management Letter lists 8 key findings and includes recommendations on how staff can address these.

The Audit & Risk Committee meeting held on Wednesday 19 June 2019 included the following recommendations:

OFFICER'S RECOMMENDATION TO AUDIT & RISK COMMITTEE

That the Audit & Risk Committee:

1. Acknowledge receipt of the letter from DLGSC entitled "2018 Annual Electors Meeting and 2017-18 Annual Financial Report"
2. Verify the outline of events associated with the processes of auditing and presenting the 2017-18 Annual Financial Report to Council.
3. Receive and endorse the updated version 2017-18 Annual Financial Report as signed by CEO 18 April 2019 and present to next Ordinary Council Meeting.
4. Authorise the CEO to provide a written response to DLGSC confirming appropriate action has been undertaken as requested.

OFFICER'S RECOMMENDATION TO AUDIT & RISK COMMITTEE

That:-

1. Council adopt of the Shire of Kulin's Risk Management Report June 2019 (and attachment) as required by Audit Regulation 17 incorporating the Risk Register;
2. Acknowledge that this report and the monthly compliance reporting processes developed by staff satisfies the intent of Audit Regulation 17 whereby the CEO is required to report on risk management, internal controls and legislative compliance;
3. Adopt the recommendation and actions contained in the Shire of Kulin's Risk Register Report June 2019 and where appropriate remove completed risk items;
4. Risk Register recommended actions be incorporated into the monthly Corporate Action Plan for follow-up.

OFFICER'S RECOMMENDATION TO AUDIT & RISK COMMITTEE

That the Audit and Risk Committee recommend to Council to accept the proposed Management Comments, outlining how staff will address each finding outlined in the Auditors Management Letter.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION

That Council endorse the recommendations from the Audit and Risk Committee Meeting held 19 June 2019 as determined at the meeting:

VOTING REQUIREMENTS:

Simple Majority.

09/0619

Moved Cr Robins Seconded Cr Bowey that Council endorse the recommendations from the Audit and Risk Committee Meeting held 19 June 2019 as follows:

A01/0619

Moved Cr Duckworth Seconded Cr McInnes that the Audit and Risk Committee:

1. Acknowledge receipt of the letter from DLGSC entitled "2018 Annual Electors Meeting and 2017-18 Annual Financial Report"
2. Verify the outline of events associated with the processes of auditing and presenting the 2017-18 Annual Financial Report to Council.
3. Receive and endorse the updated version 2017-18 Annual Financial Report as signed by CEO 18 April 2019 and present to next Ordinary Council Meeting.
4. Authorise the CEO to provide a written response to DLGSC confirming appropriate action has been undertaken as requested.

Carried 9/0

A02/0619

Moved Cr Duckworth Seconded Cr Robins that the Audit and Risk Committee:

1. Council adopt of the Shire of Kulin's Risk Management Report June 2019 (and attachment) as required by Audit Regulation 17 incorporating the Risk Register;
2. Acknowledge that this report and the monthly compliance reporting processes developed by staff satisfies the intent of Audit Regulation 17 whereby the CEO is required to report on risk management, internal controls and legislative compliance;
3. Adopt the recommendation and actions contained in the Shire of Kulin's Risk Register Report June 2019 and where appropriate remove completed risk items;
4. Risk Register recommended actions be incorporated into the monthly Corporate Action Plan for follow-up.

Carried 9/0

A03/0619

Moved Cr Robins Seconded Cr Smoker that the Audit and Risk Committee recommend to Council to accept the proposed Management Comments, outlining how staff will address each finding outlined in the Auditors Management Letter.

Carried 9/0

Carried 9/0

7.4 Integrated Planning Report – Minor Review of Strategic Community Plan (SCP) 2017 and Corporate Business Plan (CBP) 2017/18 – 2020/21

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.06 Strategic & Corporate Plans
STRATEGIC REFERENCE/S: Community Strategic Plan and Corporate Business Plan – Civic Leadership – CL4.1.1 a; CEO KRA 3.5
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

To undertake a minor review of the Strategic Community Plan (SCP) 2017 following discussions with Council in March, April and May 2019, as is required under the Local Government Act 1995.

To undertake a minor review of the Corporate Business Plan (CBP) 2017/18-2020/21 (2017 Review) that supports the Strategic Community Plan (SCP) 2017 minor review.

BACKGROUND & COMMENT:

Local governments are required to adopt Community Strategic Plans under S5.56 (1) of the *Local Government Act 1995*. Regulations made under S5.56 (2) require local governments to review the plans every 4 years, and that process of review is to include community engagement and consultation.

The updated Strategic Community Plan (SCP) 2017 (Draft) was adopted at the Shire of Kulin Ordinary Meeting held 19 April 2017. The updated Strategic Community Plan 2017 applies to the Shire of Kulin for the period 2013 – 2023.

The Department of Local Government also developed the *Integrated Planning and Reporting Advisory Standard* which advises local governments on presentation, strategy formulation, engagement actions, standards and report compilation. The SCP 2017 Review details the consultation undertaken (as did the adoption report April 2017) and the number of consultation types achieves intermediate standards with this review.

A minor review of SCP 2017 is required by the end of the 2018/19 financial year.

Councillors have been provided with a list of strategic priorities, which has identified and outlined key projects, issues and drivers currently being dealt with by Council and officers over the course of 2018/19 financial year and into 2019/20 and beyond. It has endeavoured to identify how these fit within the SCP and CBP parameters and is essentially a snap shot of how both plans are being delivered within the current operational, community and economic climate of 2019. These issues have been presented to Council via Council Forum as an evolving documents as follows:

- March 2019 Council Forum – Strategic Plan Review (CEO Issues Paper)
- April 2019 Council Forum – Strategic Plan Review (CEO Issues Paper)
- May 2019 Council Forum – Presented as part of Strategic Items in CEO and Officers' Reports.

The attached document entitled Strategic Actions Plan outlines specific priorities against the generic goals outlined in the SCP and CBP and identifies specific actions to the IPR plans already established and constitutes the documentation associated with the minor review of the IPR process.

A Major Review of the IPR documents and process is due in early 2021. With a relatively new CEO commencing in January 2019 and Council elections schedule for October 2019 and 2021, the proposed timing of the major review is somewhat misaligned. It is proposed to undertake the major review in the first 12 months of the new election cycle rather than the second 12 months. Subsequently each review, either major or minor, would then align with the first 12 months of each election cycle, allowing the new elected Council to have immediate input in the IPR documentation.

STATUTORY AND PLANNING IMPLICATIONS:

Local governments are required to adopt Community Strategic Plans under S5.56 (1) of the *Local Government Act 1995*. Regulations made under S5.56 (2) require the local governments to review the plans every 4 years, and that process of review is to include community engagement and consultation.

Local Government Act 1995 & Local Government (Administration) Regulations 1996

Division 3 - Planning for the future 19C. Planning for the future: strategic community plans — s. 5.56

(1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*

(2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*

(3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*

(4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*

(5) *In making or reviewing a strategic community plan, a local government is to have regard to:-*

(a) the capacity of its current resources and the anticipated capacity of its future resources; and

(b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*

(c) *demographic trends.*

(6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*

(7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

(8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

(9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*

(10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

19DA. Planning for the future: corporate business plans — s. 5.56

(1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending*

(2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*

(3) A corporate business plan for a district is to —

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
(b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

This 2019 minor review involves a review of Council's specific priorities against the generic goals outlined in the SCP and CBP and identifies specific actions to the IPR plans already established. There are no additional specific costs associated with the minor review to be incurred in the 2018/19 budget.

It is likely that costs will need to be allocated in the 2019/20 budget as part of the major review of IPR.

Previously the consultancy work on elements of the IPR were as follows - Community Strategic Plan and Corporate Business Plan \$21k, Workforce Plan \$5k, Long Term Financial Plan \$6k and Asset Management Plan \$25k - Total IPR costs \$57k. Additional administrative assistance via the engagement / employment of a suitably person will be included in the 19/20 budget to ensure sufficient resources to undertake and delivery the engagement processes and produce the SCP and CBP in an acceptable timeframe. Estimated cost \$15k.

All CEO resources will be taken from the existing administration staff salaries budget will create no additional financial impact doing this review work.

Additional costs will be incurred in preparing the 10yr Long Term Financial Plan (DCEO), Workforce Plan (CEO/CDO/staff) and Asset Management Plan (DCEO) have been accounted for as part of the Asset Management Planning budget. Estimated costs for this in 19/20 are \$35k.

Based upon the above figure indicative costs for IPR updates are:

Community Strategic Plan and Corporate Business Plan \$30k

Asset Management Plan, Long Term Financial Plan and Workforce Plan \$35k

There will be some design, printing layout, printing and presentation costs for the IPR Plans once produced in final layout form.

COMMUNITY CONSULTATION:

Nil for Minor Review.

Council consultation as outlined in this report.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council:

1. Adopt the Shire of Kulin Strategic Community Plan 2013-2023 and the Shire of Kulin Corporate Business Plan (CBP) 2017/18-2020/21 as presented in 2017 without modifications or updates;
2. Acknowledge that this report satisfies the intent of Minor Review of both the Strategic Community Plan and Corporate Business Plan;
3. Receive the document Strategic Actions Plan June 2019, which outlines specific priorities against the generic goals outlined in the SCP and CBP and identifies specific actions to the IPR plans already established.

VOTING REQUIREMENTS:

Absolute majority required to adopt the draft SCP and CBP.

10/0619

Moved Cr Robins Seconded Cr Taylor that Council:

- 1. Adopt the Shire of Kulin Strategic Community Plan 2013-2023 and the Shire of Kulin Corporate Business Plan (CBP) 2017/18-2020/21 as presented in 2017 without modifications or updates;**
- 2. Acknowledge that this report satisfies the intent of Minor Review of both the Strategic Community Plan and Corporate Business Plan;**
- 3. Receive the document Strategic Actions Plan June 2019, which outlines specific priorities against the generic goals outlined in the SCP and CBP and identifies specific actions to the IPR plans already established.**

Carried by Absolute Majority

7.5 Review of APOG & Policy Manual

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.04 Corporate Management – Policy Adoption
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is required to review the Policy Manual on an annual basis. The policy manual was last reviewed at the June 2018 Council Meeting.

Updated electronic copies of the Policy Manual and Administrative Procedures and Operational Guidelines (APOG) Manual have been sent out to Councillors with the Agenda. A single copy will be available at the meeting for changes/review.

BACKGROUND & COMMENT:

The Council adopted the renewed Policy Manual at the June 2018 meeting. It was decided in May 2017 to split the manual into pure "Policy items" and to separate out the Administrative Procedures and Operational Guidelines (APOG). The results of this change were significant but has been beneficial over time and is recommended to continue. Policy Manual now contains 24 pages of Policy, and the Administrative Procedures and Operational Guidelines (APOG) manual is up to 163 pages.

The change meant that the Policy Manual would hold the generally unchangeable fixed policy requirements of Council (requiring a direct report and a Council resolution to change) and the APOG would hold the more flexible operational instructions that could be amended by the CEO or Council as required. In the past year, most APOG changes have been the result of discussions at Council, though as can be seen below, many APOG items have been used.

The Shire of Kulin reviews the Policy Manual in June each year, although it is suggested this process may be better suited in April.

Staff have undertaken a thorough internal review of both the Policy Manual and APOG. For ease of Council review area's of proposed change have been highlighted in the following manner.

Yellow – change required for accuracy (eg. grammar, correction or deletion)

Red – recommended change in wording to reflect current practice

Green – highlights an addition to the document

Blue – these area's require further review or work by staff, anticipated to be undertaken in the next 12 months.

Please note page numbering will be finalised after adoption of documents.

Policy Manual Review

In this 2019 Review, the following Policy Manual changes are recommended;

A8 Primary Documents

- *amend review dates on various documents under*

- *add the following to the list of Secondary Documents*

- *Shire of Kulin Customer Service Charter*
- *Shire of Kulin Classification Guide*
- *Kulin Child Care Centre Management Committee Policies & Procedures*
- *Freebairn Recreation Centre Club Policy and Constitution*
- *Kulin Community Resource Centre Australia Day Event Procedure*

- *amend wording Shire of Kulin Records Management Manual to Recordkeeping Management Plan March 2019*

HR1 Termination Payments – Severance Payments
- delete Recognition of Service Gift and replace with Staff Retirement

APOG Review

This document is reviewed on an ongoing basis, with staff referring to it regularly as a guide.

In this 2019 Review, the following changes to the APOG are recommended;

- A14 Housing – *include the requirement for a local business requiring housing for a staff member to be the lessee*
- A16 IT & Social Media – *include media release process*
- A17 Key to Kulin – *delete Kulin Bush Races*
- A19 Motor Vehicles – *update terms for extent of use for employee allocated vehicles in relation to Shire Mechanic, Building Mtce Officer and Leading Hands*
- A22 Rates Procedure for Unpaid Rates – *edited to include other debts and in line with current practice*
- A24 Risk Management – *change wording from will to may in relation to including risk reference in Council reports*
- A26 Records Management – *new*
- G2 Recognition Awards and Honorary Shire Freeman Status – *addition of WALGA Honours Program*
- HR2 Employment Medical – *include permanent part time staff to require a pre-employment medical and casual staff at discretion of their manager*
- HR5 General – Human Resources Practices – *add Senior Employee classification, Employee Plant Use and Conference Expenses staff*
- HR8 Long Service Leave Recognition & Staff Retirement – *include gratuity on retirement levels*
- CS13 General – Community Services Practices – *add office hours; aquatic centre season pass, Australia Day event*
- CS18 Freebairn Estate Fund Allocation – *delete as fund exhausted*
- W1 General Works Practices – *application for private works authorisation & indicative cost of works. Add – Minimum Standard of Footpath; Townsite Crossovers, Rural Crossovers, Natural Surface Water Crossing, Deep Drainage Road Crossings, Road Name Changes*
- W7 Street Trees – *removal of*

Area's highlighted in **blue** (further review required) are:

- A6 Casual Hirer's Liability
- A21 Procurement Purchasing and Tenders - *to transfer from APOG to Policy Manual*
- HR5 General – Human Resources Practices – *Employee Plant Use*
- HR10 Performance Management – Staff - *Performance Management and Development Practice Manual*
- CS7 Bushfire Training Administration - *DFES Fire Control Officer Training*
- CS11 Domestic Waste - *Commercial Waste*
- CS13 General – Community Services Practices - *Management of Halls; Bus key deposit*

A procedure on Council Meeting process and practice is also needed.

New copies of the electronic version will be provided to Councillors.

FINANCIAL IMPLICATIONS:

In the update of the Policy Manual and APOG - Nil.

STATUTORY AND PLANNING IMPLICATIONS:

Review of the Policy Manual is completed on an annual basis in June each year.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That the Policy Manual and APOG Reviews for June 2019 as detailed be adopted.

VOTING REQUIREMENTS:

Absolute majority required.

7.6 Asset Management Plan 2013 - Review

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.11 Asset Management
STRATEGIC REFERENCE/S: Community Strategic Plan and Corporate Business Plan – Civic Leadership – CL4.1.1 a; CEO KRA 3.5
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

To undertake a review of the Shire of Kulin Asset Management (AMP) 2013, as is required under the Local Government Act 1995.

BACKGROUND & COMMENT:

To achieve its strategic objectives the Shire aims to manage its assets over their lifecycle within an asset management framework that takes into consideration the community's service expectations.

The key elements of asset management are:

- Providing a defined level of service and monitor performance;
- Managing the impact of growth or decline through demand management and infrastructure investment;
- Taking a 'whole of life' approach to developing cost-effective management strategies for the long term that meet defined levels of service; Identifying, assessing and appropriately controlling risks; and
- Maintaining a long term financial plan which identifies required expenditure and how it will be funded.

The Shire engaged Talis Consultants to undertake a review of the AMP 2013.

The scope of the AMP was broken into 2 stage and encompasses:

- Stage 1 - Review of Asset Management Plan (2013)
 - Associated Documentation
 - Road Revaluation August 2018
 - Review document
 - Updated Report with New Template
 - Reflect latest valuation numbers
 - Identify risks / issues with existing plan to address in 2019/20
 - Present to
 - Council Forum Wednesday 20th June 2019 (not required).
 - Council Meeting Wednesday 17th July 2019.
 - Deliverable
 - Stage 1 – AMP Updated to reflect current asset values and identified improvement plan
- Stage 2 - Updated Asset Management Plan 2020
 - Updated AMP document
 - Robust review
 - Revaluation of all asset classes
 - Address risks / issues in June 2019 Review.
 - Long Term Financial Plan
 - Review
 - Updated document in consultation with Council
 - Council Workshop October 2019 Forum (tentative)
 - Present to
 - February 2020 Council Forum.
 - April 2020 Council Meeting.
 - Deliverable
 - Stage 2 – AMP updated to consider risks/improvements from Stage 1.

Key details outlined in the AMP - Stage 1 Report are:

To be inserted upon receipt of Asset Management Plan (2019 draft)

Talis will present an overview of AMP - Stage 1 review at the July 2019 Council Forum. This will include:

- Review of AMP 2013.

- Overview of updated AMP- Stage 1.
- Outline of key requirements as part of AMP - Stage 2 update process.

STATUTORY AND PLANNING IMPLICATIONS:

Local governments are required to adopt Community Strategic Plans under S5.56 (1) of the *Local Government Act 1995*. Regulations made under S5.56 (2) require the local governments to review the plans every 4 years, and that process of review is to include community engagement and consultation.

Local Government Act 1995 & Local Government (Administration) Regulations 1996

Division 3 - Planning for the future 19C. Planning for the future: strategic community plans — s. 5.56

(1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.

(3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.

(4) A local government is to review the current strategic community plan for its district at least once every 4 years.

(5) In making or reviewing a strategic community plan, a local government is to have regard to:-

- the capacity of its current resources and the anticipated capacity of its future resources; and
- strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
- demographic trends.

(6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.

(7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

(8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

(10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

19DA. Planning for the future: corporate business plans — s. 5.56

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to —

- set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
- govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
- develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

As per key recommendations outlined by the Shire's Auditor in the 2017/18 Annual Financial Report the "current Asset Management Plan and Long-term financial plan were prepared in financial year ended 2014. Asset Management Plan was scheduled for review in financial year ended 2018 and this has not yet been completed. Also, the Long-term financial plan is not being reviewed on a regular basis." As such a review of the Asset Management Plan and Long term Financial Plan is required in 2018/19 to ensure it is up to date.

This report constitutes the initial stage of the process required with regard to review of both the AMP and LFP for 2018/19 to be concluded in 2019/20.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

This 2019 review involves an initial Stage 1 review of Council's AMP (2013). The consultancy costs associated with this review incurred in the 2018/19 budget is \$8,600 exclusive of GST. This was used as part of the annual consultancy allocation within the budget.

A more detailed Stage 2 review has been indicatively costed at \$35,000 (ex GST). This will be allocated in the 2019/20 consultancy budget.

COMMUNITY CONSULTATION:

Nil for Stage 1 Review.

Council consultation as outlined in this report.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council:

1. Receive the updated document entitled Shire of Kulin Asset Management Plan (2019 draft);
2. Acknowledge that this report for the Asset Management Plan - Stage 1 satisfies the intent of review process;
3. Endorse the process proposed for the Asset Management Plan - Stage 2 review to be undertaken during the 2019/20 financial year.

VOTING REQUIREMENTS:

Simple majority.

12/0619

Moved Cr Smoker Seconded Cr Varone that Council defer this item until July as the Asset Management Plan has not been received.

Carried 9/0

8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

8.1 Policy – CEO Performance Appraisals

NAME OF APPLICANT: Cr Bowey
RESPONSIBLE OFFICER: Cr Bowey
FILE REFERENCE: 04.04 Corporate Management – Policy Adoption
STRATEGIC REFERENCE/S:
AUTHOR: Cr Bowey
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council does not currently have a policy in regards to the CEO Performance Appraisal Process.

BACKGROUND & COMMENT:

Whilst attending WALGA's CEO Appraisal Training at the end of May the presenter referred to the need for Council's to have a policy around their CEO Performance Appraisal Process. This document is based around the way that appraisals are based, and includes the questionnaire Council currently uses.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Currently no policy in place

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

COUNCILLOR'S RECOMMENDATION:

That Council develop a policy for CEO Performance Appraisals. The policy should reflect that a committee of Council shall present the Performance Appraisal, but with some flexibility for Council to employ a facilitator when required.

VOTING REQUIREMENTS:

Simple majority.

Cr Bowey moved the recommendation, however there was no Seconder.

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

Nil

10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil

11 DATE AND TIME OF NEXT MEETING

Wednesday 17 July 2019 at 1.00pm

12 CLOSURE OF MEETING

There being no further business the President declared the meeting closed at 5.56pm