

ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS**
Lisa Biglin from Kondinin Hospital and Kristian Jones and Paul Grosveld from the Kulin Police, joined Council earlier for afternoon tea.
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
Cr Varone was granted a Leave of Absence at the June Meeting
Apologies Cr Duckworth
- 3 PUBLIC QUESTION TIME**
- 4 APPLICATIONS FOR LEAVE OF ABSENCE**
- 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 5.1 Shire of Kulin Ordinary Meeting – 20 June 2018
 - 5.2 Kulin Retirement Homes Inc Committee Meeting – Minutes 21 June 2018
 - 5.3 Kulin Child Care Centre Management Committee Meeting – Minutes 26 June 2018
 - 5.4 Kulin Bush Races Committee – Minutes 2 July 2018
- 6 MATTERS REQUIRING DECISION**
 - 6.1 List of Accounts – June 2018
 - 6.2 Financial Reports – June 2018
 - 6.3 2018/19 Budget Adoption
- 7 COMPLIANCE**
 - 7.1 Compliance Reporting - General & Financial Compliance June 2018
 - 7.2 Compliance Reporting – Delegations Exercised June 2018
- 8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 9 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 11 DATE AND TIME OF NEXT MEETING**
- 12 CLOSURE OF MEETING**

Minutes of an Ordinary Meeting of Council held in the Council Chambers on Wednesday 18 July 2018 commencing at 4.24pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

BD West	President	West Ward
HT McInnes	Councillor	Town Ward
G Robins	Councillor	Town Ward
B Smoker	Councillor	West Ward
R Bowey	Councillor	Town Ward
BP Taylor	Councillor	Central Ward
M Lucchesi	Councillor	Central Ward
N Mason	Chief Executive Officer	
C Vandenberg	Deputy CEO	
J Hobson	Manager of Works	
N Thompson	ESO / Minutes	

Apologies

RD Duckworth	Deputy President	West Ward
L Varone (Leave of Absence)	Councillor	East Ward

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

01/0718

Moved Cr McInnes Seconded Cr Smoker that a Leave of Absence be granted to Cr West for the August Meeting.

Carried 7/0

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Shire of Kulin Ordinary Meeting – 20 June 2018

02/0718

Moved Cr Robins Seconded Cr Lucchesi that the minutes of the Ordinary Council Meeting held on 20 June 2018 be confirmed as a true and correct record.

Carried 7/0

Kulin Retirement Homes Inc. Committee Meeting – Minutes 21 June 2018

03/0718

Moved Cr Robins Seconded Cr Smoker that the minutes of the Kulin Retirement Homes Committee Inc. Meeting held on 21 June 2018 be confirmed as a true and correct record.

Carried 7/0

Kulin Child Care Centre Management Committee Meeting – Minutes 26 June 2018

04/0718

Moved Cr Bowey Seconded Cr Lucchesi that the minutes of the Kulin Child Care Centre Management Committee Meeting held on 26 June 2018 be confirmed as a true and correct record.

Carried 7/0

05/0718

Moved Cr Robins Seconded Cr Lucchesi that the minutes of the Kulin Bush Races Committee Meeting held on 2 July 2018 be confirmed as a true and correct record.

Carried 7/0

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – June 2018

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 June 2018 for Council's consideration.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That June payments being cheque No's 2126 – 2132 (Kulin Bush Races), 36980 – 36999 (Municipal), EFT No's 14100 - 14233, DD6526.1 – DD6547.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$606,732.87 be received.

VOTING REQUIREMENTS:

Simple majority required.

06/0718

Moved Cr Taylor Seconded Cr Robins that June payments being cheque No's 2126 – 2132 (Kulin Bush Races), 36980 – 36999 (Municipal), EFT No's 14100 - 14233, DD6526.1 – DD6547.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$606,732.87 be received.

Carried 7/0

6.2 Financial Reports – June 2018

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 30 June 2018.

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 statement for the period ending 30 June 2018.

VOTING REQUIREMENTS:

Simple majority required.

07/0718

Moved Cr Smoker Seconded Cr Bowey that Council endorse the monthly financial statement for the period ending 30 June 2018.

Carried 7/0

6.3 2018/2019 Budget Adoption

NAME OF APPLICANT: DCEO
RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 12.04
AUTHOR: DCEO
DISCLOSURE OF INTEREST: Nil.

SUMMARY:

Councillors were presented with the draft budget at the June Meeting.

As part of the budget adoption and to enable rate notices to be finalised, the following needs to be endorsed:

- Rate in the \$ for GRV and UV properties (based on 3.5% increase)
- Minimum values for GRV and UV properties
- Discount on early payment of rates
- Interest on late payment of rates and administration charge for instalment options
- Payment options and instalment dates

Note: Changes to the Budget at this point would require deferment of adoption to allow changes to be incorporated.

Changes since draft budget were presented:

- The 6 Wheeler truck has been removed from the plant replacement schedule. A transfer to the plant reserve of \$45,000 was made to restrict some of the funds which would have been used to replace this item, for the future replacement of a prime mover.
- Labour contingencies across the salaries budget were halved which created a saving of just over \$35,000.
- Financial assistance grant income was increased by \$50,000 which will be spread across the four quarterly instalments over the financial year. An additional \$50,000 was received in June which increased our opening net current assets balance.
- The natural disaster reserve will be drawn upon and \$120,000 of the funds will be placed in the plant reserve.
- The budget for contract employment has been reduced by \$15,000.
- Maintenance of our joint venture housing will be funded in part by a transfer from our joint venture housing reserve.

- A contribution of \$5,000 was added to the budget, expected to be received from the Ladies Football Committee to fund the purchase of a dishwasher for the Freebairn Recreation Centre.
- Increase in the transfer from the building reserve to fund the construction of staff housing.
- Capital expenditure of \$10,000 as a contingency if new IT equipment was required has been reduced to \$0. If an urgent replacement of IT equipment is required it will be funded from the administration equipment reserve.
- The Pingaring Dam project was removed from the budget as there is no funding available this financial year. This provided a saving in contractor payments of \$20,000.
- The changeover cost of the replacement of the Hamm Roller was reduced by \$20,000.

COMMENT:

Statement of Comprehensive Income (Profit and Loss Statement)

	NOTE	2018/19 Budget	2017/18 Actual	2017/18 Budget
		\$	\$	\$
Revenue				
Rates	1	1,961,137	1,890,226	1,896,823
Operating grants, subsidies and Contributions	9	1,544,195	2,544,229	1,585,805
Fees and charges	8	1,526,879	1,502,182	1,304,208
Interest earnings	10(a)	83,168	77,381	71,005
Other revenue	10(b)	302,987	3,928	267,987
		5,418,366	6,017,946	5,125,828
Expenses				
Employee costs		(2,300,359)	(2,489,057)	(2,347,324)
Materials and contracts		(1,914,136)	(1,992,557)	(1,761,915)
Utility charges		(292,816)	(263,115)	(234,926)
Depreciation on non-current assets	5	(2,991,178)	(2,886,530)	(2,810,664)
Interest expenses	10(d)	(40,272)	(43,504)	(43,261)
Insurance expenses		(266,916)	(182,410)	(203,437)
Other expenditure		(250,900)	0	(249,700)
		(8,056,577)	(7,857,173)	(7,651,227)
		(2,638,211)	(1,839,227)	(2,525,399)
Non-operating grants, subsidies and Contributions	9	471,000	1,190,769	1,118,872
Profit on asset disposals	4(b)	40,000	4,159	15,000
Loss on asset disposals	4(b)	(32,050)	(105,572)	(111,000)
Net result		(2,159,261)	(749,871)	(1,502,527)
Other comprehensive income				
Total other comprehensive income		0	0	0
Total comprehensive income		(2,159,261)	(749,871)	(1,502,527)

This statement is to be read in conjunction with the accompanying notes.

We have budgeted for a loss of \$2,159,261 for the 2018/2019 financial year compared to a budgeted loss of \$1,502,527 in the previous financial year. The value of the loss has increased by \$656,734. While we expect to receive an increase of operating income (5.7%) and incur more expenditure (5.3%) the increase in our loss can almost entirely be attributed to the reduction in our capital grants and contributions (-\$647,872).

Comparison to 2017/2018 Annual Budget

Income

Rates levied has yielded Council an increase of \$64,300 (3.4%). While the increase to our revenue will be 3.5%, we have also budgeted for the write off of retirement homes rates charges which were overlooked in the budget in 2017/18. Including the additional expenditure of \$12,000 has resulted in an overall increase in rates revenue of 3.4%.

Budgeted operating grants have reduced by \$41,610 (-2.6%) due to the reduction in the forecast of grant/donation income from Camp Kulin, (\$75,000). Financial assistance grants have increased by \$50,000 and our diesel rebate budget has been reduced by \$10,000 as actual figures have not been reaching our budget.

Budgeted fees & charges have increased by \$220,000 (17%). In 2017/18 we had a private works budget of \$30,000. Throughout the year we were contracted to assist with the completion of two major projects which yielded us an additional \$190,000 of revenue. Again in 2018/19 we have allowed for a project within the Shire of Lake Grace for which we have budgeted to receive \$191,000. The budget for revenue this year has been set at \$220,000.

Expenditure

Employee expenses that were budgeted to capital projects in 2017/18 that were used on operating costs, attributed to our employee expenses being higher than budgeted. In this year employee expenses have been reduced by 2%. While this reduction is small (\$47,000) we need to keep in mind that we have added approximately \$37,000 in employee expenses with the increase of the new housing allowance. This increase coupled with the increase of 3.5% in the minimum wage throughout the award levels means that overall we have had a reduction in wages (FTE positions) of approximately \$117,000.

Insurance and utilities budgets have increased by \$120,000 while our expenditure on depreciation (which isn't incurred as a cash cost) has increased to \$2,991,000 due to the on-going capital expenditure incurred by Council as well as incremental revaluations over the past three years.

Capital Expenditure

	2018/19 Budget total	2017/18 Actual total	2017/18 Budget total
Asset class	\$	\$	
<i><u>Property, Plant and Equipment</u></i>			
Buildings - non-specialised	518,200	87,809	1,005,800
Furniture and equipment	11,000	16,938	10,000
Plant and equipment	460,600	686,295	900,000
Motor Vehicles	471,360	209,845	(combined with P&E)
Construction Other Than Buildings	152,989	61,092	(combined with L&B)
	1,614,149	1,061,981	1,915,800
<i><u>Infrastructure</u></i>			
Infrastructure - Roads	1,518,933	1,036,914	1,667,208
Infrastructure - Other			125,760
	1,518,933	1,036,914	1,792,968
Total acquisitions	3,133,082	2,098,895	3,708,768

Capital expenditure in 2018/2019 has reduced by \$576,000 compared to our 2017/18 capital expenditure budget of \$3,708,768. This is mostly due to the change of our land & buildings priorities and specifically the scaling down of the residential housing construction to one house in 2018/19. Budgeted expenditure on road projects has reduced slightly and this is due to the reduction in grant funding. Council are using their own resources to fund the gap between the road replacement projects planned for the year and the funding of \$471,000 provided by state and federal government.

It is anticipated that through this budget, Council will be able to further progress and increase facilities provided to the community and its wider users, and increase Council owned assets. These are very interesting times for the Kulin Shire and the demand for increased infrastructure expenditure continues.

STATUTORY ENVIRONMENT:

As per the Recommendation

FINANCIAL IMPLICATIONS:

The budget sets the Council approved expenditure for the 2018/2019 financial year.

RECOMMENDATION:

That Council adopt the 2018/2019 Budget in accordance with the following items:

1. As per Section 6.32 (1) of the Local Government Act 1995, Rates and Minimum Rates to be levied on all rateable property be as follows:

Valuation	Rate (cents per dollar)	Minimum Rate
Residential Zoning – GRV	9.9197	\$ 432.22
Industrial Zoning – GRV	9.9197	\$ 432.22
Commercial Zoning – GRV	9.9197	\$ 432.22
Rural Zoning – UV	1.0385	\$ 432.22
Mining Zoning – UV	1.0385	\$ 432.22
Rural Zoning - GRV	9.9197	\$ 432.22

2. Section 6.46 of the Local Government Act allows a discount of 5.0% be allowed for payment of rates in full within 35 days of the date of issue of the rate notice;
3. Section 6.45 of the Local Government Act a 5.5% interest charge be levied on rates instalments, Deferred Pensioners Rates' excluded;
4. Section 6.45 of the Local Government Act an administration charge of \$7 be levied for the second and each of the subsequent rates instalments;
5. Section 6.51 of the Local Government Act an 11% interest charge be levied on all overdue rates outstanding, Deferred Pensioners' Rates excluded;
6. Section 6.32 (1) of the Local Government Act 1995 the Schedule of Rents, Leases and Charges as detailed in the budget document;
7. Section 64 (2) of the Local Government (Financial Management) Regulations 1996 that the due date for instalments be set as follows:

Two Instalment Option:

- 1st Instalment not due before 28th September 2018
- 2nd Instalment not due before 28th January 2019

Four Instalment Option

- 1st Instalment not due before 28th September 2018
- 2nd Instalment not due before 28th November 2018
- 3rd Instalment not due before 28th January 2019
- 4th Instalment not due before 28th March 2019

VOTING REQUIREMENTS:

Absolute majority required.

08/0718

Moved Cr Robins Seconded Cr Taylor that Council adopt the 2018/2019 Budget in accordance with the following items:

1. As per Section 6.32 (1) of the Local Government Act 1995, Rates and Minimum Rates to be levied on all rateable property be as follows:

Valuation	Rate (cents per dollar)	Minimum Rate
Residential Zoning – GRV	9.9197	\$ 432.22
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Rural Zoning – UV	1.0385	\$ 432.22
Mining Zoning – UV	1.0385	\$ 432.22
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4. Section 6.45 of the Local Government Act an administration charge of \$7 be levied for the second and each of the subsequent rates instalments;
5. Section 6.51 of the Local Government Act an 11% interest charge be levied on all overdue rates outstanding, Deferred Pensioners' Rates excluded;
6. Section 6.32 (1) of the Local Government Act 1995 the Schedule of Rents, Leases and Charges as detailed in the budget document;
7. Section 64 (2) of the Local Government (Financial Management) Regulations 1996 that the due date for instalments be set as follows:
 Two Instalment Option:
 - 1st Instalment not due before 28th September 2018
 - 2nd Instalment not due before 28th January 2019
 Four Instalment Option
 - 1st Instalment not due before 28th September 2018
 - 2nd Instalment not due before 28th November 2018
 - 3rd Instalment not due before 28th January 2019
 - 4th Instalment not due before 28th March 2019

Carried by Absolute Majority 7/0

7 COMPLIANCE

7.1 Compliance Reporting – General & Financial Compliance June 2018

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/DCEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

This report addresses General and Financial Compliance matters for June 2018. 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 of

Items Outstanding for April

Water Licenses – Renew Water Reuse Licenses – still discussing future needs with Water Corp

Outstanding Items May 2018

Annual Report CCC - Due July – To be completed by end July

Council Photo June Bi-annual - photo of current Council – No, now Aug 2018

Performance Reviews - Administration staff, DCEO and Managers – Underway- some complete

Adjust KRA's for Senior staff and Managers – *Underway awaiting CEO KRA's*
Delegation Review - confirm in writing Delegations approved by Council – Completed *June*
Finance Petty Cash & Other Advances Recoups in Accounts and avoid accruals - Completed *30th June*
FRC - Final EOY Stocktake – Completed EOY processes

Outstanding Items June 2018

Australia Day Awards – *Awaiting Aust. Day materials*
Adjust KRA's for Senior staff and Managers – *Will be possible after CEO's finalised*
RRG Direct Grant Payments – *After Budget adoption when 40% can be claimed of 2018/19 jobs*

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 June 2018 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

09/0718

Moved Cr Smoker Seconded Cr Bowey that Council receive the General & Financial Compliance Report for June 2018 and note the matters of non-compliance.

Carried 7/0

7.2 Compliance Reporting – Delegations Exercised – June 2018

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 30 June 2018.

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

A1 Acting Chief Executive Officer
A2 Agreements for Payments of Debts to Council
A3 Casual Hirer's Liability

Officers

(CEO)
(CEO/DCEO)
(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 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

C1	Bushfire Control – Shire Plant for Use of	(CEO)
C2	Bushfire Control – Plant Use for Adjoining Shires	(CEO)
C3	Bushfire Prohibited / Restricted Burning Periods – Changes	(Shire President/CEO)
C4	Bushfire Training Administration	(CEO)
C5	Cat Ownership Limit – Cat Control	(CEO)
C6	Dog Control – Attacks	(CEO)
C7	Dog Ownership Limit – Dog Control	(CEO)
C8	Sea Containers Use of – Town Planning	(CEO)
C9	Second Hand Dwellings	(CEO)
C10	Temporary Accommodation	(CEO)
C11	Unauthorised Structures – Building Control	(CEO)
C12	Kulin Bush Races	(Kulin Bush Races Committee)
C13	Freebairn Recreation Club Committee	(FRC Club Committee)
C14	Kulin Child Care Centre Management Committee	(KCCC Mgmt. Committee)
C15	General – Community Services Practices	(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 June 2018 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 - Appointment of Cassi-Dee Vandenberg to act as CEO for the period 25th June to 9th July 2018.

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

Municipal funds

Type	Rate	Deposit/(Withdrawal)
At Call	1.5%	(150,000)
Term Deposit	2.3%	(400,000)
Reserves	2.6%	2,073,816.17

G2 Building Licences and Swimming Pools – Approval of Building Licence for a replacement shed at Loc 23691 Graham Rd, S & J Noble.

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:

Nil

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 June 2018.

VOTING REQUIREMENTS:

Simple majority required.

10/0718

Moved Cr Taylor Seconded Cr Robins that Council receive the Delegation Exercised Report for June 2018.

Carried 7/0

ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

Nicole Thompson left the Council Chambers at 5.40pm

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

9.1 Renewal of Licence – Blazing Swan Inc. (BS Inc.)

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 02.06.02 Blazing Swan
AUTHOR: CEO
STRATEGIC REFERENCE/S: 2.2 A positive visitor experience (SCP) – “Continue to support Blazing Swan”

SUMMARY:

Blazing Swan Inc. has approached the Shire of Kulin seeking the renewal of the License to hold the event. The license is due to expire of the 1st April 2019, with the proposed dates for the “Blaze” being 15-21st April 2018.

Council staff have been in conversation with the executive about how the relationship between the community and the event can be strengthened, but the License issue stands separate and can be resolved by Council.

BACKGROUND & COMMENT:

The Blazing Swan is an annual arts based festival event held at the Kulin Bush Races race track site at Easter.

The Shire has provided a License for the event to be held at Locations 7759 & 10085 (Kulin Bush Races Track) for the period commencing in January 2015 and ending in April 2019. Arrangements to extend the land use post April 2019 will be in accordance with Item 2 of the Schedule set out in the Licence to Use Land between Lucca Pty Ltd (Lucchesi) and Shire of Kulin which states:

“ITEM 2: TERM

Five (5) years commencing on the 1st day of April 2014. The Licensee shall have the option of extending this Licence for a further five (5) years, plus five (5) years, plus five (5) years providing the extension is agreed to by both parties at the end of each subsequent term. Provided that neither party shall unreasonably withhold their consent to such a Licence extension.”

BS Inc. are keen to renew and have expressed their absolute commitment to continuance of the event and the relationship with the Kulin community.

Unless there are issues of objection to the renewal of the Licence neither party shall unreasonably withhold consent. There are no known or previously identified issues that would require either party to end the licence agreement. See Financial Implications

The balance of the agreement reads:

In return for the use of land at Locations 7759 & 10085 Blazing Swan Inc. agrees to pay an annual financial contribution to Shire of Kulin:

- *\$10.00 of each Blazing Swan Festival ticket sold*
- *The distribution of the \$10.00 amongst Kulin will be left at the discretion of the Shire however the Shire of Kulin agrees that those providing goods and/or services to Blazing Swan will be suitably compensated. (Note: Council practice has been to equally split the income between Lucca Pty Ltd and Kulin Bush Races)*
- *All annual payments to be completed within 60 days of the conclusion of the Blazing Swan Festival. (Note: has not been the case, some years final issue of invoices for the income has not occurred until June/July).*
- *All Blazing Swan Festival Event financials will be made available annually to the Shire of Kulin within 60 days of the conclusion of each annual Blazing Swan Festival. (Note: Financials have never normally been provided – just the ticket sales information)*

In return for an annual financial contribution, Shire of Kulin in partnership with the Lucchesi family and the Kulin Bush Races Committee agrees to provide the following goods and services to Blazing Swan Inc.:

- *Use of the land as per this agreement for the festival event (including set-up and bump out) and site visits.*
- *Cleaning of all permanent onsite toilets prior to the event. Cleaning during and after the event is to be the responsibility of Blazing Swan Inc.*
- *Event compliance assistance*
- *Grant application assistance as required*
- *Public Liability Insurance for the land and adjoining reserve under control of Shire of Kulin.*
- *Access to surrounding Nature Reserve 15385 (which is vested in the Shire of Kulin). Shire of Kulin will place warning signs saying 'risk area' at Shire Reserve 15385.*
- *Access to Kulin Bush Races Infrastructure which exists at the site including but not limited to toilets, showers, kitchens, fridges, lights, generators.*
- *Assistance with initial setup of infrastructure as required such as medium marquee, large marquee as required, water, power and toilets.*
- *Event signage, road closure, traffic cones, council approvals, information delivered to locals affected*
- *Shire of Kulin Transfer Station access outside normal opening hours. The Shire of Kulin will also open the Transfer Station to the public on an agreed number of days to allow festival goers to dispose of rubbish following the event. Arrangement for access is to be confirmed prior to each event.*
- *Dedicated onsite storage area with infrastructure provided by Blazing Swan Inc. with agreement from land owners as to location and scale.*
- *Acceptance of temporary structures, artwork, fireworks, fire sculptures, music onsite.*
- *Permanent Artwork with agreement from land owners as to location and scale.*

Blazing Swan Inc. agrees to undertake the following:

- *Promotion of Kulin as location for festival*
- *Promotion of Shire of Kulin*
- *Involvement of Kulin Community in participating in the event*
- *Involvement of Kulin Community in setting up the event*
- *Promotion of Art Grants to the Kulin Community*
- *Promotion of supporting Kulin to the Blazing Swan community*
- *Assistance with Kulin projects as agreed upon*

The items listed below do not form part of this lease agreement and therefore Blazing Swan Inc. agrees to liaise with and negotiate any financials, goods and services required directly with the appropriate business or organisation:

- *Access to Camp Hart during the event*
- *Support from Kulin Services including but not limited to St Johns Ambulance, doctors, hospital access, Fire Brigade and Police.*
- *Individual payments for other goods and services provided by Kulin individuals or businesses.*

It is clear the original license was built around unknown elements of what Blazing Swan Inc were trying to achieve and is a broad brush approach to identifying what "might be". Unless there are some specifics that Council would like to target, it is suggested to leave the broad nature of the agreement untouched.

Blazing Swan Inc. still remain an arts based organisation that holds multiple events in WA. It has a premise in East Fremantle for its members and optimises both arts and Work for the Dole grants to support its operations. Their continuance of the license agreement and the event in Kulin is integral to their operations and they too would like to forge a bigger relationship with the Kulin community.

Staff discussed a number of items that have potential to expand the relationship and those listed are only part of the conversation. BS Inc. are proposing to revisit the question of enhancing the relationship at an executive meeting, and come up with proposals that they would like to support. Of those discussed;

- *BS Inc. offered volunteers for environmental activities in Kulin, they have a very large supporter base with an interest in the environment. CEO has suggested a busy bee weekend to look at Jilakin Rock improvements or any other local environmental project. BS Inc. suggesting that a KBR camping weekend may be well supported by their volunteers.*

- Art competition – BS Inc. already hold an Art Prize type competition. They have suggested one piece of the art prize could be for an item to be retained here in Kulin, an addition to community art.
- Forging better involvement with local art interests, by offering space for Kulin artists in the Pre-combination event in August.
- Identifying the skills held by KBR and BS Inc. to see if there could be better crossover and exchange.
- Offered to support local goods for sale e.g. hats from KDHS in 2018 were hot items.
- Considered financial support for local brigades if they could be more involved in fire risk management, as this is a high turnover of staff issue for them.
- Have requested Shire to consider a controlled burn of the Gravel Reserve alongside the KBR site to reduce fuel, as this area is their “safety zone” in the case of evacuation. Whilst they have held some preliminary discussions with Kulin BFS, they would like to progress the matter (if Shire agrees) to ensure completion before the season dries.

FINANCIAL IMPLICATIONS:

Blazing Swan Inc. have a total annual turnover of approx. \$600-650k of which the surplus ranges from \$0 to \$100k. Ticket sales from the Kulin event would normally generate between \$550 and \$600k, with the Kulin Easter event costing approx. \$500-\$550k each year. In terms of cash flow, Blazing Swan require between \$100-\$150k to commence the event preparations and the outlay before the event commences is usually around \$350k, being the reason why they align ticket sales and the sale of early tickets at discounted rates to ensure attendance targets are achieved before outlay.

In 2018 the Kulin event made a loss of approx. \$80k, caused from some budget to actual blowouts in electricity generation and costs, a ticketing scam creaming \$15k of tickets and after being charged for 3 years work from a local supplier that had not previously been accounted for. Additionally, ticket sales were flat last year

These 3 items have placed pressure on the cash flow required to get the 2019 event commenced (needing \$100k-\$150k), but the BS Inc. Executive have affirmatively commenced measures to correct the deficiencies in the budget and have developed contingency plans for a cash injection in August to secure the next year’s event.

They have signalled that the current payment of \$26k payable to the Shire will be made in August. The invoice was issued on the 13th June 2018. Whilst this may be of some concern, they are confident that sufficient support for the Kulin event exists in the “arts” community and they remain confident that all cash flow needed to cover existing debts and start-up costs of next year will be serviced by their next event at the BShed, Fremantle on 18th August 2018.

License agreement

The original License agreement was framed around \$10 per ticket being payable to the landholder and KBR. Given the cumulative effect of inflation since 2014, this would equal \$10.94 in today’s terms.

A review of the price per ticket charged may be appropriate.

Annual Inflation – Since 2014

Year	mar	jun	sep	dec	ann
2018	1.9%				
2017	2.1%	1.9%	1.8%	1.9%	1.9%
2016	1.3%	1%	1.3%	1.5%	1.3%
2015	1.3%	1.5%	1.5%	1.7%	1.5%
2014	2.9%	3%	2.3%	1.7%	2.5%

STATUTORY AND PLANNING IMPLICATIONS:

Under the Licence, BS Inc. are required to seek an event approval each year and get the Shire to sign off on the event prior to commencement. Each year Shire and BS Inc. have refined the process to the point that last year’s approval was the most efficient process to date. BS Inc. have excellent systems of “risk management”, and this helped. So much so that they were asked to support KBR’s, Mr. Tom Murphy last year and the flow on effect was that KBR’s risk management processes improved for their licence significantly. BS Inc. are keen to continue supporting KBR wherever possible.

There are no significant Statutory or Planning matters that came to light in our discussions other than the need to seriously consider a plastic lined evaporation pond for grey water, which was originally proposed by Julian Goldacre (EHO). Investment in a pond would significantly reduce complications for KBR (when leach drains overflow with shower water) and BS Inc. in relation to carting away waste water throughout the event. The EHO's point was that turnaround time on the carting was 1.5 hours per load, whereas an onsite evaporation pond would mean a turnaround time of between 15-20 minutes.

Additionally, the EHO was suggesting that a number of the toilet/shower blocks could be placed onto an internal sewer line with a common tank point allowing pumping to the pond, significantly reducing the need to pump at all.

STRATEGIC & POLICY IMPLICATIONS:

The Shire has included the continuation of the Blazing Swan event as a strategic priority in its Community Strategic Plan and undoubtedly as each year unfolds the level of support for BS Inc. improves locally.

Other than improved fuel sales for the week of the event, the Shire is not a direct beneficiary, all turnover falls within businesses within Kulin. Strategically, that is sustainable, many of our other activities cost the Shire funds to hold.

No known Policy implications exist.

COMMUNITY/CONSULTATION:

Shire staff have corresponded with KBR Chairperson about the license renewal. KBR will consider the matter at the next Committee meeting and advise if any issues.

WORKFORCE IMPLICATIONS:

NIL

RECOMMENDATION:

That the matter be placed on the table for consideration in August 2018.

VOTING REQUIREMENTS:

Simple majority required.

NOTE: President noted that the recommendation indicated that the matter be held over until the Shires August meeting. As there was no Recommendation to consider, the CEO will again present the item for consideration in August.

11/07/18

Moved Cr Robins seconded Cr Taylor that the meeting be closed to the public in accordance with the Local Government Act S.5.23 (2) (a) to discuss a matter that if disclosed, would reveal information that has a matter affecting an employee or employees; and (b) the personal affairs of any person.

Carried 7/0

Cassi-Dee Vandenberg and Judd Hobson left the Council Chambers at 6.30pm

10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Council noted information the CEO presented.

12/0718

Moved Cr Robins seconded Cr Taylor that the meeting be open to the public.

Carried 7/0

There being no further business the President declared the meeting closed at 7.30pm.

ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS**
Lisa Biglin from Kondinin Hospital and Kristian Jones and Paul Grosveld from the Kulin Police, joined Council earlier for afternoon tea.
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
Cr Varone was granted a Leave of Absence at the June Meeting
Apologies Cr Duckworth
- 3 PUBLIC QUESTION TIME**
- 4 APPLICATIONS FOR LEAVE OF ABSENCE**
- 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 5.1 Shire of Kulin Ordinary Meeting – 20 June 2018
 - 5.2 Kulin Retirement Homes Inc Committee Meeting – Minutes 21 June 2018
 - 5.3 Kulin Child Care Centre Management Committee Meeting – Minutes 26 June 2018
 - 5.4 Kulin Bush Races Committee – Minutes 2 July 2018
- 6 MATTERS REQUIRING DECISION**
 - 6.1 List of Accounts – June 2018
 - 6.2 Financial Reports – June 2018
 - 6.3 2018/19 Budget Adoption
- 7 COMPLIANCE**
 - 7.1 Compliance Reporting - General & Financial Compliance June 2018
 - 7.2 Compliance Reporting – Delegations Exercised June 2018
- 8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 9 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 11 DATE AND TIME OF NEXT MEETING**
- 12 CLOSURE OF MEETING**

Minutes of an Ordinary Meeting of Council held in the Council Chambers on Wednesday 18 July 2018 commencing at 4.24pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

BD West	President	West Ward
HT McInnes	Councillor	Town Ward
G Robins	Councillor	Town Ward
B Smoker	Councillor	West Ward
R Bowey	Councillor	Town Ward
BP Taylor	Councillor	Central Ward
M Lucchesi	Councillor	Central Ward
N Mason	Chief Executive Officer	
C Vandenberg	Deputy CEO	
J Hobson	Manager of Works	
N Thompson	ESO / Minutes	

Apologies

RD Duckworth	Deputy President	West Ward
L Varone (Leave of Absence)	Councillor	East Ward

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

01/0718

Moved Cr McInnes Seconded Cr Smoker that a Leave of Absence be granted to Cr West for the August Meeting.

Carried 7/0

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Shire of Kulin Ordinary Meeting – 20 June 2018

02/0718

Moved Cr Robins Seconded Cr Lucchesi that the minutes of the Ordinary Council Meeting held on 20 June 2018 be confirmed as a true and correct record.

Carried 7/0

Kulin Retirement Homes Inc. Committee Meeting – Minutes 21 June 2018

03/0718

Moved Cr Robins Seconded Cr Smoker that the minutes of the Kulin Retirement Homes Committee Inc. Meeting held on 21 June 2018 be confirmed as a true and correct record.

Carried 7/0

Kulin Child Care Centre Management Committee Meeting – Minutes 26 June 2018

04/0718

Moved Cr Bowey Seconded Cr Lucchesi that the minutes of the Kulin Child Care Centre Management Committee Meeting held on 26 June 2018 be confirmed as a true and correct record.

Carried 7/0

05/0718

Moved Cr Robins Seconded Cr Lucchesi that the minutes of the Kulin Bush Races Committee Meeting held on 2 July 2018 be confirmed as a true and correct record.

Carried 7/0

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – June 2018

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 June 2018 for Council's consideration.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That June payments being cheque No's 2126 – 2132 (Kulin Bush Races), 36980 – 36999 (Municipal), EFT No's 14100 - 14233, DD6526.1 – DD6547.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$606,732.87 be received.

VOTING REQUIREMENTS:

Simple majority required.

06/0718

Moved Cr Taylor Seconded Cr Robins that June payments being cheque No's 2126 – 2132 (Kulin Bush Races), 36980 – 36999 (Municipal), EFT No's 14100 - 14233, DD6526.1 – DD6547.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$606,732.87 be received.

Carried 7/0

6.2 Financial Reports – June 2018

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 30 June 2018.

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 statement for the period ending 30 June 2018.

VOTING REQUIREMENTS:

Simple majority required.

07/0718

Moved Cr Smoker Seconded Cr Bowey that Council endorse the monthly financial statement for the period ending 30 June 2018.

Carried 7/0

6.3 2018/2019 Budget Adoption

NAME OF APPLICANT: DCEO
RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 12.04
AUTHOR: DCEO
DISCLOSURE OF INTEREST: Nil.

SUMMARY:

Councillors were presented with the draft budget at the June Meeting.

As part of the budget adoption and to enable rate notices to be finalised, the following needs to be endorsed:

- Rate in the \$ for GRV and UV properties (based on 3.5% increase)
- Minimum values for GRV and UV properties
- Discount on early payment of rates
- Interest on late payment of rates and administration charge for instalment options
- Payment options and instalment dates

Note: Changes to the Budget at this point would require deferment of adoption to allow changes to be incorporated.

Changes since draft budget were presented:

- The 6 Wheeler truck has been removed from the plant replacement schedule. A transfer to the plant reserve of \$45,000 was made to restrict some of the funds which would have been used to replace this item, for the future replacement of a prime mover.
- Labour contingencies across the salaries budget were halved which created a saving of just over \$35,000.
- Financial assistance grant income was increased by \$50,000 which will be spread across the four quarterly instalments over the financial year. An additional \$50,000 was received in June which increased our opening net current assets balance.
- The natural disaster reserve will be drawn upon and \$120,000 of the funds will be placed in the plant reserve.
- The budget for contract employment has been reduced by \$15,000.
- Maintenance of our joint venture housing will be funded in part by a transfer from our joint venture housing reserve.

- A contribution of \$5,000 was added to the budget, expected to be received from the Ladies Football Committee to fund the purchase of a dishwasher for the Freebairn Recreation Centre.
- Increase in the transfer from the building reserve to fund the construction of staff housing.
- Capital expenditure of \$10,000 as a contingency if new IT equipment was required has been reduced to \$0. If an urgent replacement of IT equipment is required it will be funded from the administration equipment reserve.
- The Pingaring Dam project was removed from the budget as there is no funding available this financial year. This provided a saving in contractor payments of \$20,000.
- The changeover cost of the replacement of the Hamm Roller was reduced by \$20,000.

COMMENT:

Statement of Comprehensive Income (Profit and Loss Statement)

	NOTE	2018/19 Budget	2017/18 Actual	2017/18 Budget
		\$	\$	\$
Revenue				
Rates	1	1,961,137	1,890,226	1,896,823
Operating grants, subsidies and Contributions	9	1,544,195	2,544,229	1,585,805
Fees and charges	8	1,526,879	1,502,182	1,304,208
Interest earnings	10(a)	83,168	77,381	71,005
Other revenue	10(b)	302,987	3,928	267,987
		5,418,366	6,017,946	5,125,828
Expenses				
Employee costs		(2,300,359)	(2,489,057)	(2,347,324)
Materials and contracts		(1,914,136)	(1,992,557)	(1,761,915)
Utility charges		(292,816)	(263,115)	(234,926)
Depreciation on non-current assets	5	(2,991,178)	(2,886,530)	(2,810,664)
Interest expenses	10(d)	(40,272)	(43,504)	(43,261)
Insurance expenses		(266,916)	(182,410)	(203,437)
Other expenditure		(250,900)	0	(249,700)
		(8,056,577)	(7,857,173)	(7,651,227)
		(2,638,211)	(1,839,227)	(2,525,399)
Non-operating grants, subsidies and Contributions	9	471,000	1,190,769	1,118,872
Profit on asset disposals	4(b)	40,000	4,159	15,000
Loss on asset disposals	4(b)	(32,050)	(105,572)	(111,000)
Net result		(2,159,261)	(749,871)	(1,502,527)
Other comprehensive income				
Total other comprehensive income		0	0	0
Total comprehensive income		(2,159,261)	(749,871)	(1,502,527)

This statement is to be read in conjunction with the accompanying notes.

We have budgeted for a loss of \$2,159,261 for the 2018/2019 financial year compared to a budgeted loss of \$1,502,527 in the previous financial year. The value of the loss has increased by \$656,734. While we expect to receive an increase of operating income (5.7%) and incur more expenditure (5.3%) the increase in our loss can almost entirely be attributed to the reduction in our capital grants and contributions (-\$647,872).

Comparison to 2017/2018 Annual Budget

Income

Rates levied has yielded Council an increase of \$64,300 (3.4%). While the increase to our revenue will be 3.5%, we have also budgeted for the write off of retirement homes rates charges which were overlooked in the budget in 2017/18. Including the additional expenditure of \$12,000 has resulted in an overall increase in rates revenue of 3.4%.

Budgeted operating grants have reduced by \$41,610 (-2.6%) due to the reduction in the forecast of grant/donation income from Camp Kulin, (\$75,000). Financial assistance grants have increased by \$50,000 and our diesel rebate budget has been reduced by \$10,000 as actual figures have not been reaching our budget.

Budgeted fees & charges have increased by \$220,000 (17%). In 2017/18 we had a private works budget of \$30,000. Throughout the year we were contracted to assist with the completion of two major projects which yielded us an additional \$190,000 of revenue. Again in 2018/19 we have allowed for a project within the Shire of Lake Grace for which we have budgeted to receive \$191,000. The budget for revenue this year has been set at \$220,000.

Expenditure

Employee expenses that were budgeted to capital projects in 2017/18 that were used on operating costs, attributed to our employee expenses being higher than budgeted. In this year employee expenses have been reduced by 2%. While this reduction is small (\$47,000) we need to keep in mind that we have added approximately \$37,000 in employee expenses with the increase of the new housing allowance. This increase coupled with the increase of 3.5% in the minimum wage throughout the award levels means that overall we have had a reduction in wages (FTE positions) of approximately \$117,000.

Insurance and utilities budgets have increased by \$120,000 while our expenditure on depreciation (which isn't incurred as a cash cost) has increased to \$2,991,000 due to the on-going capital expenditure incurred by Council as well as incremental revaluations over the past three years.

Capital Expenditure

	2018/19 Budget total	2017/18 Actual total	2017/18 Budget total
Asset class	\$	\$	
<i><u>Property, Plant and Equipment</u></i>			
Buildings - non-specialised	518,200	87,809	1,005,800
Furniture and equipment	11,000	16,938	10,000
Plant and equipment	460,600	686,295	900,000
Motor Vehicles	471,360	209,845	(combined with P&E)
Construction Other Than Buildings	152,989	61,092	(combined with L&B)
	1,614,149	1,061,981	1,915,800
<i><u>Infrastructure</u></i>			
Infrastructure - Roads	1,518,933	1,036,914	1,667,208
Infrastructure - Other			125,760
	1,518,933	1,036,914	1,792,968
Total acquisitions	3,133,082	2,098,895	3,708,768

Capital expenditure in 2018/2019 has reduced by \$576,000 compared to our 2017/18 capital expenditure budget of \$3,708,768. This is mostly due to the change of our land & buildings priorities and specifically the scaling down of the residential housing construction to one house in 2018/19. Budgeted expenditure on road projects has reduced slightly and this is due to the reduction in grant funding. Council are using their own resources to fund the gap between the road replacement projects planned for the year and the funding of \$471,000 provided by state and federal government.

It is anticipated that through this budget, Council will be able to further progress and increase facilities provided to the community and its wider users, and increase Council owned assets. These are very interesting times for the Kulin Shire and the demand for increased infrastructure expenditure continues.

STATUTORY ENVIRONMENT:

As per the Recommendation

FINANCIAL IMPLICATIONS:

The budget sets the Council approved expenditure for the 2018/2019 financial year.

RECOMMENDATION:

That Council adopt the 2018/2019 Budget in accordance with the following items:

1. As per Section 6.32 (1) of the Local Government Act 1995, Rates and Minimum Rates to be levied on all rateable property be as follows:

Valuation	Rate (cents per dollar)	Minimum Rate
Residential Zoning – GRV	9.9197	\$ 432.22
Industrial Zoning – GRV	9.9197	\$ 432.22
Commercial Zoning – GRV	9.9197	\$ 432.22
Rural Zoning – UV	1.0385	\$ 432.22
Mining Zoning – UV	1.0385	\$ 432.22
Rural Zoning - GRV	9.9197	\$ 432.22

2. Section 6.46 of the Local Government Act allows a discount of 5.0% be allowed for payment of rates in full within 35 days of the date of issue of the rate notice;
3. Section 6.45 of the Local Government Act a 5.5% interest charge be levied on rates instalments, Deferred Pensioners Rates' excluded;
4. Section 6.45 of the Local Government Act an administration charge of \$7 be levied for the second and each of the subsequent rates instalments;
5. Section 6.51 of the Local Government Act an 11% interest charge be levied on all overdue rates outstanding, Deferred Pensioners' Rates excluded;
6. Section 6.32 (1) of the Local Government Act 1995 the Schedule of Rents, Leases and Charges as detailed in the budget document;
7. Section 64 (2) of the Local Government (Financial Management) Regulations 1996 that the due date for instalments be set as follows:

Two Instalment Option:

- 1st Instalment not due before 28th September 2018
- 2nd Instalment not due before 28th January 2019

Four Instalment Option

- 1st Instalment not due before 28th September 2018
- 2nd Instalment not due before 28th November 2018
- 3rd Instalment not due before 28th January 2019
- 4th Instalment not due before 28th March 2019

VOTING REQUIREMENTS:

Absolute majority required.

08/0718

Moved Cr Robins Seconded Cr Taylor that Council adopt the 2018/2019 Budget in accordance with the following items:

1. **As per Section 6.32 (1) of the Local Government Act 1995, Rates and Minimum Rates to be levied on all rateable property be as follows:**

Valuation	Rate (cents per dollar)	Minimum Rate
Residential Zoning – GRV	9.9197	\$ 432.22
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 - 2nd Instalment not due before 28th January 2019
 Four Instalment Option
 - 1st Instalment not due before 28th September 2018
 - 2nd Instalment not due before 28th November 2018
 - 3rd Instalment not due before 28th January 2019
 - 4th Instalment not due before 28th March 2019

Carried by Absolute Majority 7/0

7 COMPLIANCE

7.1 Compliance Reporting – General & Financial Compliance June 2018

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/DCEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

This report addresses General and Financial Compliance matters for June 2018. 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 of

Items Outstanding for April

Water Licenses – Renew Water Reuse Licenses – still discussing future needs with Water Corp

Outstanding Items May 2018

Annual Report CCC - Due July – To be completed by end July

Council Photo June Bi-annual - photo of current Council – No, now Aug 2018

Performance Reviews - Administration staff, DCEO and Managers – Underway- some complete

Adjust KRA's for Senior staff and Managers – *Underway awaiting CEO KRA's*
Delegation Review - confirm in writing Delegations approved by Council – *Completed June*
Finance Petty Cash & Other Advances Recoups in Accounts and avoid accruals - *Completed 30th June*
FRC - Final EOY Stocktake – *Completed EOY processes*

Outstanding Items June 2018

Australia Day Awards – *Awaiting Aust. Day materials*
Adjust KRA's for Senior staff and Managers – *Will be possible after CEO's finalised*
RRG Direct Grant Payments – *After Budget adoption when 40% can be claimed of 2018/19 jobs*

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 June 2018 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

09/0718

Moved Cr Smoker Seconded Cr Bowey that Council receive the General & Financial Compliance Report for June 2018 and note the matters of non-compliance.

Carried 7/0

7.2 Compliance Reporting – Delegations Exercised – June 2018

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 30 June 2018.

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

A1 Acting Chief Executive Officer
A2 Agreements for Payments of Debts to Council
A3 Casual Hirer's Liability

Officers

(CEO)
(CEO/DCEO)
(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 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

C1	Bushfire Control – Shire Plant for Use of	(CEO)
C2	Bushfire Control – Plant Use for Adjoining Shires	(CEO)
C3	Bushfire Prohibited / Restricted Burning Periods – Changes	(Shire President/CEO)
C4	Bushfire Training Administration	(CEO)
C5	Cat Ownership Limit – Cat Control	(CEO)
C6	Dog Control – Attacks	(CEO)
C7	Dog Ownership Limit – Dog Control	(CEO)
C8	Sea Containers Use of – Town Planning	(CEO)
C9	Second Hand Dwellings	(CEO)
C10	Temporary Accommodation	(CEO)
C11	Unauthorised Structures – Building Control	(CEO)
C12	Kulin Bush Races	(Kulin Bush Races Committee)
C13	Freebairn Recreation Club Committee	(FRC Club Committee)
C14	Kulin Child Care Centre Management Committee	(KCCC Mgmt. Committee)
C15	General – Community Services Practices	(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 June 2018 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 - Appointment of Cassi-Dee Vandenberg to act as CEO for the period 25th June to 9th July 2018.

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

Municipal funds

Type	Rate	Deposit/(Withdrawal)
At Call	1.5%	(150,000)
Term Deposit	2.3%	(400,000)
Reserves	2.6%	2,073,816.17

G2 Building Licences and Swimming Pools – Approval of Building Licence for a replacement shed at Loc 23691 Graham Rd, S & J Noble.

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:

Nil

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 June 2018.

VOTING REQUIREMENTS:

Simple majority required.

10/0718

Moved Cr Taylor Seconded Cr Robins that Council receive the Delegation Exercised Report for June 2018.

Carried 7/0

ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

Nicole Thompson left the Council Chambers at 5.40pm

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

9.1 Renewal of Licence – Blazing Swan Inc. (BS Inc.)

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 02.06.02 Blazing Swan
AUTHOR: CEO
STRATEGIC REFERENCE/S: 2.2 A positive visitor experience (SCP) – “Continue to support Blazing Swan”

SUMMARY:

Blazing Swan Inc. has approached the Shire of Kulin seeking the renewal of the License to hold the event. The license is due to expire of the 1st April 2019, with the proposed dates for the “Blaze” being 15-21st April 2018.

Council staff have been in conversation with the executive about how the relationship between the community and the event can be strengthened, but the License issue stands separate and can be resolved by Council.

BACKGROUND & COMMENT:

The Blazing Swan is an annual arts based festival event held at the Kulin Bush Races race track site at Easter.

The Shire has provided a License for the event to be held at Locations 7759 & 10085 (Kulin Bush Races Track) for the period commencing in January 2015 and ending in April 2019. Arrangements to extend the land use post April 2019 will be in accordance with Item 2 of the Schedule set out in the Licence to Use Land between Lucca Pty Ltd (Lucchesi) and Shire of Kulin which states:

“ITEM 2: TERM

Five (5) years commencing on the 1st day of April 2014. The Licensee shall have the option of extending this Licence for a further five (5) years, plus five (5) years, plus five (5) years providing the extension is agreed to by both parties at the end of each subsequent term. Provided that neither party shall unreasonably withhold their consent to such a Licence extension.”

BS Inc. are keen to renew and have expressed their absolute commitment to continuance of the event and the relationship with the Kulin community.

Unless there are issues of objection to the renewal of the Licence neither party shall unreasonably withhold consent. There are no known or previously identified issues that would require either party to end the licence agreement. See Financial Implications

The balance of the agreement reads:

In return for the use of land at Locations 7759 & 10085 Blazing Swan Inc. agrees to pay an annual financial contribution to Shire of Kulin:

- *\$10.00 of each Blazing Swan Festival ticket sold*
- *The distribution of the \$10.00 amongst Kulin will be left at the discretion of the Shire however the Shire of Kulin agrees that those providing goods and/or services to Blazing Swan will be suitably compensated. (Note: Council practice has been to equally split the income between Lucca Pty Ltd and Kulin Bush Races)*
- *All annual payments to be completed within 60 days of the conclusion of the Blazing Swan Festival. (Note: has not been the case, some years final issue of invoices for the income has not occurred until June/July).*
- *All Blazing Swan Festival Event financials will be made available annually to the Shire of Kulin within 60 days of the conclusion of each annual Blazing Swan Festival. (Note: Financials have never normally been provided – just the ticket sales information)*

In return for an annual financial contribution, Shire of Kulin in partnership with the Lucchesi family and the Kulin Bush Races Committee agrees to provide the following goods and services to Blazing Swan Inc.:

- *Use of the land as per this agreement for the festival event (including set-up and bump out) and site visits.*
- *Cleaning of all permanent onsite toilets prior to the event. Cleaning during and after the event is to be the responsibility of Blazing Swan Inc.*
- *Event compliance assistance*
- *Grant application assistance as required*
- *Public Liability Insurance for the land and adjoining reserve under control of Shire of Kulin.*
- *Access to surrounding Nature Reserve 15385 (which is vested in the Shire of Kulin). Shire of Kulin will place warning signs saying 'risk area' at Shire Reserve 15385.*
- *Access to Kulin Bush Races Infrastructure which exists at the site including but not limited to toilets, showers, kitchens, fridges, lights, generators.*
- *Assistance with initial setup of infrastructure as required such as medium marquee, large marquee as required, water, power and toilets.*
- *Event signage, road closure, traffic cones, council approvals, information delivered to locals affected*
- *Shire of Kulin Transfer Station access outside normal opening hours. The Shire of Kulin will also open the Transfer Station to the public on an agreed number of days to allow festival goers to dispose of rubbish following the event. Arrangement for access is to be confirmed prior to each event.*
- *Dedicated onsite storage area with infrastructure provided by Blazing Swan Inc. with agreement from land owners as to location and scale.*
- *Acceptance of temporary structures, artwork, fireworks, fire sculptures, music onsite.*
- *Permanent Artwork with agreement from land owners as to location and scale.*

Blazing Swan Inc. agrees to undertake the following:

- *Promotion of Kulin as location for festival*
- *Promotion of Shire of Kulin*
- *Involvement of Kulin Community in participating in the event*
- *Involvement of Kulin Community in setting up the event*
- *Promotion of Art Grants to the Kulin Community*
- *Promotion of supporting Kulin to the Blazing Swan community*
- *Assistance with Kulin projects as agreed upon*

The items listed below do not form part of this lease agreement and therefore Blazing Swan Inc. agrees to liaise with and negotiate any financials, goods and services required directly with the appropriate business or organisation:

- *Access to Camp Hart during the event*
- *Support from Kulin Services including but not limited to St Johns Ambulance, doctors, hospital access, Fire Brigade and Police.*
- *Individual payments for other goods and services provided by Kulin individuals or businesses.*

It is clear the original license was built around unknown elements of what Blazing Swan Inc were trying to achieve and is a broad brush approach to identifying what "might be". Unless there are some specifics that Council would like to target, it is suggested to leave the broad nature of the agreement untouched.

Blazing Swan Inc. still remain an arts based organisation that holds multiple events in WA. It has a premise in East Fremantle for its members and optimises both arts and Work for the Dole grants to support its operations. Their continuance of the license agreement and the event in Kulin is integral to their operations and they too would like to forge a bigger relationship with the Kulin community.

Staff discussed a number of items that have potential to expand the relationship and those listed are only part of the conversation. BS Inc. are proposing to revisit the question of enhancing the relationship at an executive meeting, and come up with proposals that they would like to support. Of those discussed;

- *BS Inc. offered volunteers for environmental activities in Kulin, they have a very large supporter base with an interest in the environment. CEO has suggested a busy bee weekend to look at Jilakin Rock improvements or any other local environmental project. BS Inc. suggesting that a KBR camping weekend may be well supported by their volunteers.*

- Art competition – BS Inc. already hold an Art Prize type competition. They have suggested one piece of the art prize could be for an item to be retained here in Kulin, an addition to community art.
- Forging better involvement with local art interests, by offering space for Kulin artists in the Pre-combubulation event in August.
- Identifying the skills held by KBR and BS Inc. to see if there could be better crossover and exchange.
- Offered to support local goods for sale e.g. hats from KDHS in 2018 were hot items.
- Considered financial support for local brigades if they could be more involved in fire risk management, as this is a high turnover of staff issue for them.
- Have requested Shire to consider a controlled burn of the Gravel Reserve alongside the KBR site to reduce fuel, as this area is their “safety zone” in the case of evacuation. Whilst they have held some preliminary discussions with Kulin BFS, they would like to progress the matter (if Shire agrees) to ensure completion before the season dries.

FINANCIAL IMPLICATIONS:

Blazing Swan Inc. have a total annual turnover of approx. \$600-650k of which the surplus ranges from \$0 to \$100k. Ticket sales from the Kulin event would normally generate between \$550 and \$600k, with the Kulin Easter event costing approx. \$500-\$550k each year. In terms of cash flow, Blazing Swan require between \$100-\$150k to commence the event preparations and the outlay before the event commences is usually around \$350k, being the reason why they align ticket sales and the sale of early tickets at discounted rates to ensure attendance targets are achieved before outlay.

In 2018 the Kulin event made a loss of approx. \$80k, caused from some budget to actual blowouts in electricity generation and costs, a ticketing scam creaming \$15k of tickets and after being charged for 3 years work from a local supplier that had not previously been accounted for. Additionally, ticket sales were flat last year

These 3 items have placed pressure on the cash flow required to get the 2019 event commenced (needing \$100k-\$150k), but the BS Inc. Executive have affirmatively commenced measures to correct the deficiencies in the budget and have developed contingency plans for a cash injection in August to secure the next year’s event.

They have signalled that the current payment of \$26k payable to the Shire will be made in August. The invoice was issued on the 13th June 2018. Whilst this may be of some concern, they are confident that sufficient support for the Kulin event exists in the “arts” community and they remain confident that all cash flow needed to cover existing debts and start-up costs of next year will be serviced by their next event at the BShed, Fremantle on 18th August 2018.

License agreement

The original License agreement was framed around \$10 per ticket being payable to the landholder and KBR. Given the cumulative effect of inflation since 2014, this would equal \$10.94 in today’s terms.

A review of the price per ticket charged may be appropriate.

Annual Inflation – Since 2014

Year	mar	jun	sep	dec	ann
2018	1.9%				
2017	2.1%	1.9%	1.8%	1.9%	1.9%
2016	1.3%	1%	1.3%	1.5%	1.3%
2015	1.3%	1.5%	1.5%	1.7%	1.5%
2014	2.9%	3%	2.3%	1.7%	2.5%

STATUTORY AND PLANNING IMPLICATIONS:

Under the Licence, BS Inc. are required to seek an event approval each year and get the Shire to sign off on the event prior to commencement. Each year Shire and BS Inc. have refined the process to the point that last year’s approval was the most efficient process to date. BS Inc. have excellent systems of “risk management”, and this helped. So much so that they were asked to support KBR’s, Mr. Tom Murphy last year and the flow on effect was that KBR’s risk management processes improved for their licence significantly. BS Inc. are keen to continue supporting KBR wherever possible.

There are no significant Statutory or Planning matters that came to light in our discussions other than the need to seriously consider a plastic lined evaporation pond for grey water, which was originally proposed by Julian Goldacre (EHO). Investment in a pond would significantly reduce complications for KBR (when leach drains overflow with shower water) and BS Inc. in relation to carting away waste water throughout the event. The EHO's point was that turnaround time on the carting was 1.5 hours per load, whereas an onsite evaporation pond would mean a turnaround time of between 15-20 minutes.

Additionally, the EHO was suggesting that a number of the toilet/shower blocks could be placed onto an internal sewer line with a common tank point allowing pumping to the pond, significantly reducing the need to pump at all.

STRATEGIC & POLICY IMPLICATIONS:

The Shire has included the continuation of the Blazing Swan event as a strategic priority in its Community Strategic Plan and undoubtedly as each year unfolds the level of support for BS Inc. improves locally.

Other than improved fuel sales for the week of the event, the Shire is not a direct beneficiary, all turnover falls within businesses within Kulin. Strategically, that is sustainable, many of our other activities cost the Shire funds to hold.

No known Policy implications exist.

COMMUNITY/CONSULTATION:

Shire staff have corresponded with KBR Chairperson about the license renewal. KBR will consider the matter at the next Committee meeting and advise if any issues.

WORKFORCE IMPLICATIONS:

NIL

RECOMMENDATION:

That the matter be placed on the table for consideration in August 2018.

VOTING REQUIREMENTS:

Simple majority required.

NOTE: President noted that the recommendation indicated that the matter be held over until the Shires August meeting. As there was no Recommendation to consider, the CEO will again present the item for consideration in August.

11/07/18

Moved Cr Robins seconded Cr Taylor that the meeting be closed to the public in accordance with the Local Government Act S.5.23 (2) (a) to discuss a matter that if disclosed, would reveal information that has a matter affecting an employee or employees; and (b) the personal affairs of any person.

Carried 7/0

Cassi-Dee Vandenberg and Judd Hobson left the Council Chambers at 6.30pm

10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Council noted information the CEO presented.

12/0718

Moved Cr Robins seconded Cr Taylor that the meeting be open to the public.

Carried 7/0

There being no further business the President declared the meeting closed at 7.30pm.