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Minutes of an Ordinary Meeting of Council held in the Council Chambers on Wednesday 21 November 2018 commencing at 4.40pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Garrick Yandle – Guest (incoming CEO)

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
G Robins	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
N Mason	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 – 17 October 2018

01/1118

Moved Cr Bowey Seconded Cr Varone that the minutes of the Ordinary Council Meeting held on 17 October 2018 be confirmed as a true and correct record.

Carried 9/0

Kulin Child Care Management Committee Meeting – 23 October 2018

02/1118

Moved Cr Smoker Seconded Cr Robins that the minutes of the Kulin Child Care Management Committee Meeting held on 23 October 2018 be received.

Carried 9/0

Freebairn Recreation Club AGM & Sporting Council – 22 October 2018

03/1118

Moved Cr Robins Seconded Cr Lucchesi that the minutes of the Freebairn Recreation Club AGM & Sporting Council Meetings held on 22 October 2018 be received.

Carried 9/0

04/1118

Moved Cr Taylor Seconded Cr Varone that the minutes of the RoeROC Council Meeting Minutes held on 1 November 2018 be received.

Carried 9/0

05/1118

Moved Cr McInnes Seconded Cr Duckworth that the minutes of the Shire of Kulin's Audit & Risk Committee Meeting held on 21 November 2018 be received.

Carried 9/0

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – October 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 October 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 October payments being cheque no.'s 37043 – 30753; EFT No's 14556 - 14672, DD6687.1 – DD6709.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$709,702.89 be received.

VOTING REQUIREMENTS:

Simple majority required.

06/1118

Moved Cr Bowey Seconded Cr Varone that October payments being cheque no.'s 37043 – 30753; EFT No's 14556 - 14672, DD6687.1 – DD6709.1 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$709,702.89 be received.

Carried 9/0

6.2 Financial Reports – October 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 31 October 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 31 October 2018.

VOTING REQUIREMENTS:

Simple majority required.

Financials not available due to DCEO being on Annual Leave. Financial Statements for the period ending 31 October 2018 will be presented at the December Meeting.

6.3 Review of Code of Conduct

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.04 Corporate Management – Review of Code of Conduct
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is required to review the Code of Conduct within 12 months of an electoral cycle. As the Code forms part of the policy manual, it was given a cursory assessment for the June 2018 policy review, but to be sure that it is given special attention – it is again reviewed at this meeting.

The Policy Manual and Administrative Procedures and Operational Guidelines (APOG) Manual have been sent out to Councillors previously, the Code of Conduct is Policy item A1. Copy is included in this report.

BACKGROUND & COMMENT:

The Council adopted changes to the Policy Manual at the June 2018 meeting and whilst the Code was considered under this review, it is required to have its own review to meet the electoral cycle compliance.

The Code of Conduct establishes the basis for the culture of the organisation and commits Councillors and staff alike to behaviours that are recognised as appropriate. This review is aimed at establishing if the detailed behaviours still conforms to Council and the Shire’s view on appropriate professional conduct. The Code has originated from the WALGA model template and has had some slight revisions over time.

The review of the document identifies no shortcomings and recommends no changes.

FINANCIAL IMPLICATIONS:

In the review of the Code of Conduct - Nil.

STATUTORY AND PLANNING IMPLICATIONS:

Council is required by the Local Government Act 1995 to review the Code of Conduct within 12 months of the election cycle. Whilst Council reviews the complete Policy Manual on an annual basis in June each year, the Code of Conduct requires its own review every two years.

POLICY IMPLICATIONS:

Nil, no changes are recommended to the Code of Conduct.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER’S RECOMMENDATION:

That the Shire of Kulin Code of Conduct reviews for November 2018 as detailed be adopted.

VOTING REQUIREMENTS:

Absolute majority required.

07/1118

Moved Cr Duckworth Seconded Cr Smoker that the Shire of Kulin Code of Conduct review for November 2018 as detailed, be adopted.

Carried 9/0

6.4 Office Closure - Christmas

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 22.16
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

As has been the case in past years the Shire Office has been closed during the Christmas & New Year period.

This year Christmas day falls on Tuesday, as such proposed dates for office closure are Monday 24 December to Tuesday 1 January 2018 (inclusive). The Administration Office will reopen on 2nd January 2019.

During that period of 7 days, 3 are public holidays, with the remaining 4 to be taken as either annual or unpaid leave (depending on an individuals accumulated entitlement).

BACKGROUND & COMMENT:

The December Ordinary Meeting of Council will be held on Wednesday 19 December 2018.

This is also the date agreed to for the Annual Electors Meeting, with a possible start time of 11.30am followed by a light luncheon prior to the commencement of the Concept Forum at 1.00pm.

The annual Shire Christmas Party will be held same day at the Freebairn Recreation Centre from 6.00pm.

Outside staff Christmas function at the depot is scheduled for Thursday 20 December 2018.

Christmas New Year closure usually requires a senior staff member to be present in Kulin during the period to instigate Fire and Movement of Vehicle Bans and address any emergency responses if required. Staff will resolve who these contacts will be closer to the closure when all staff Christmas movements are known.

FINANCIAL IMPLICATIONS

Nil

STATUTORY AND TOWN PLANNING IMPLICATIONS

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Community will be advised in Update and on Notice Boards of the closure.

WORKFORCE IMPLICATIONS:

Staff will establish emergency contacts for Administration, Works, Bushfire and Ranger services during the period.

RECOMMENDATION

Council approve the Administration Office Closure for 2018/19.

VOTING REQUIREMENTS

Simple majority required

08/1118

Moved Cr Robins Seconded Cr Lucchesi that the Council approve the Administration Office Closure for 2018/19.

Carried 9/0

6.5 Council Meeting Dates 2019

NAME OF APPLICANT: DCEO
RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 13.03
AUTHOR: DCEO
STRATEGIC REFERENCE/S: SCP 2013-2017 – 4.3 Excellent Customer Service, 4.4 Communication with ratepayers
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Legislation requires meeting dates are advertised in advance, for all Council meetings to be held in the following year. As Council does not hold any committee meetings that have delegated powers there are no committee meetings requiring the necessary notification.

BACKGROUND & COMMENT:

Proposed meeting dates and times are as follows:

Date	Time
20 February 2019	1:00PM
20 March 2019	1:00PM
17 April 2019	1:00PM
15 May 2019	3:00PM
19 June 2019	1:00PM
17 July 2019	1:00PM
21 August 2019	1:00PM
18 September 2019	1:00PM
16 October 2019	1:00PM
20 November 2019	3:00PM
18 December 2019	1:00PM

Quarterly meetings of the Audit Committee – March, June, September & December – no change to start time.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council advertise that all 2019 Ordinary Council meetings are to be held on the third Wednesday of each month, commencing at the indicated times, excluding January 2019 when no meeting is held. Meeting dates and times changed due to extraordinary circumstances will be advertised in the Shire of Kulin Update and on the Council's Website.

VOTING REQUIREMENTS:

Simple majority required.

09/1118

Moved Cr Robins Seconded Cr Taylor that Council advertise that all 2019 Ordinary Council meetings are to be held on the third Wednesday of each month, commencing at the indicated times, excluding January 2019 when no meeting is held. Meeting dates and times changed due to extraordinary circumstances will be advertised in the Shire of Kulin Update and on the Council's Website.

Carried 9/0

6.6 RoeROC Memorandum of Understanding

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 13.07
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Roe Regional Organisation of Councils (RoeROC) was established in October 2006 to facilitate voluntary cooperation and resource sharing between the Shires of Corrigin, Kondinin, Kulin and Narembeen.

The regional purposes for which RoeROC is established are to:

- a) Undertake the activities defined as projects and services in accordance with Clause 7:
- b) Provide a means for the Member Councils, through voluntary participation and the integration and sharing of resources, where requirements of clause 7.1 are met, to:
 - (i) Assess the possibilities and methodology of facilitating a range of services and facilities on a regional basis including, without limitation, the services and facilities described in Schedule 2;
 - (ii) Promote, initiate, undertake, manage and facilitate the services and facilities described in Schedule 2;
 - (iii) Promote productive effectiveness and financial benefit to the Member Councils where there are common and shared community of interest linkages;

The objectives of RoeROC shall be:

- a) To carry out the Regional Purposes in a manner which enhances and assists in the advancement of the Region,
- b) To form a strategic alliance for the retention of infrastructure, community services and population, increased funding for development and maintenance/improvement of local road network, economic development initiatives, promotion and marketing initiatives, retention of health services, salinity and environment and general local government industry issues,
- c) To encourage cooperation and resource sharing on a regional basis
- d) Not to detract from the relationships an individual shire holds within its community, with the state and federal governments and other entities it interacts with in the course of usual business.

The previous Memorandum of Understanding Expired on 30 June 2018. The members of RoeROC have reviewed and present a draft copy of the MOU from 1 July 2018 to 30 June 2023 for Council endorsement and finalisation.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Local Government Act 1995

FINANCIAL IMPLICATIONS:

Member Councils are required to make an annual financial contribution towards the operations of RoeROC as determined by RoeROC, the contributions to be in equal shares, and may also be requested to contribute towards specific projects or initiatives of RoeROC.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Projects and programs undertaken will align with the Shire's Community Strategic Plan

VOTING REQUIREMENT:

Simple Majority

10/1118

Moved Cr Duckworth Seconded Cr Bowey that Council adopt the RoeROC Memorandum of Understanding 1 July 2018 – 30 June 2023.

Carried 9/0

6.7 Roe Regional Environmental Health Services Scheme

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 13.07
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Roe Regional Organisation of Councils (RoeROC) was established in October 2006 to facilitate voluntary cooperation and resource sharing between the Shires of Corrigin, Kondinin, Kulin and Narembeen.

Since its establishment RoeROC has worked to deliver a number of shared services to its member Councils. The Roe Regional Environmental Health Services Scheme (RREHSS) provides an environmental health service that also includes the Shire of Lake Grace. RREHSS operates under a Memorandum of Understanding (MOU) between the Councils commencing 1 July 2018 and expiring on the 30 June 2023. The MOU can be extended by the Member Councils in writing.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Local Government Act 1995

FINANCIAL IMPLICATIONS:

Scheme Costs and Administration Costs are included in the annual budget each year based on the visitation schedule included in schedule 1 of the MOU

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Projects and programs undertaken will align with the Shire's Community Strategic Plan

VOTING REQUIREMENT:

Simple Majority

11/1118

Moved Cr Duckworth Seconded Cr McInnes that Council adopt the Roe Regional Environmental Health Services Scheme Memorandum of Understanding 1 July 2018 – 30 June 2023.

Carried 9/0

6.8 Shire Residences - Staff Utilities - Cost of Water

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: Shire Residences - Staff Utilities - Cost of Water
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Substantial increases to the Water Corporation's billing for residential water use has resulted in a review of the Shire's current arrangement for residential water.

Estimates of the Water Corporation residential water increases could see the current water costs treble for the Shire.

Adopt a method of providing subsidised water consumption for staff.

BACKGROUND & COMMENT:

Water Corporation has announced substantial increases in water consumption charges to commence in 2019. Currently the Shire has a practice whereby the cost of consumption at each residence is paid by the Shire. This is done so that staff will have no cost pressure to maintain lawns and gardens.

During 2016/17, the Water Corporation proceeded to a billing regime whereby scaled rates were applied to consumption and this has changed the environment in which we operate. Previously with flat rate charges each quarter, accounts included the quarterly charge for water rates and a consumption fee based on the reading. The 2016/17 change, saw a scaled approach on cumulative consumption (targeting high users) and this started to bite.

Description	Location	Avg Daily Consumpt Litres	Water Consumption July - Aug	Water Consumption Sept - Nov	Water Consumption Nov - Jan	Water Consumption Feb - Apr	Water Consumption Apr - Jun	Total Price
			65	75	75	75	75	
	Lot 193 Wright St (No 8)	222	14	31	48	64	81	\$ 144.40
	Lot 6 Bull St (NO 23)	603	39	58	87	126	174	\$ 324.30
	14 Stewart St (1 & 2) Lot 289	889	58	124	191	258	324	\$ 750.03
	17 McInnes Street Lot 4-5	921	60	129	198	267	336	\$ 813.27
	Lot 35 Bowey Way	1254	82	176	270	364	458	\$ 1,456.21
	Johnston St Units - Unit 1	159	10	22	34	46	58	\$ 103.42
	Lot 9 Wright St (No 19)	794	52	111	171	230	290	\$ 599.80
	Lot 15 Bull St (No 3)	667	43	93	143	193	243	\$ 488.18
	Lot 89 Johnston St	2889	188	404	621	838	1054	\$ 6,780.46
	Lot 3, McInnes St (No 19)	492	32	69	106	143	180	\$ 338.55
	90 Johnston Street	1905	124	267	410	552	695	\$ 3,333.34
	Lot 32 Bowey Way (No 12)	968	63	136	208	281	353	\$ 902.86
	Lot 312 Johnston St No. 20	1540	100	216	331	447	562	\$ 2,056.27
	Lot 297 - Kulin Child Care	1397	91	196	300	405	510	\$ 1,730.25
	Lot 161 Lake Grace Rd	1984	129	278	427	575	724	\$ 3,611.80
	3 Hodgson Rd (Lot 112)	841	55	118	181	244	307	\$ 1,303.38
	9 Rankin St WA (Lot 108)	1175	76	165	253	341	429	\$ 660.44

\$ 25,396.95

Currently the annual consumption across all residential properties in \$15k at an average of \$1500pa for consumption. It is anticipated under new scale arrangements announced for 2018/19 – the Shire's bill for consumption could increase to approx. \$4500 per household.

It is argued that the additional cost should not be the Shires alone and that the time has arrived whereby tenants may have to pay for some of the cost – as a means of keeping consumption to the minimum. The downside being the quality of gardens at Shire residences, because even if explained, tenants always react to increases by reducing water on gardens.

A proposal to increase the Shire's contribution has been considered to match the Water Corporations approach to billing. If Council allowed consumption allowances based on quarterly billing – then the impact may be minimised for the individual employee.

Quarterly	Consumption Allowance \$\$\$'s
First bill	\$ 100
Second bill	\$ 200
Third bill	\$ 400
Final June bill	<u>\$ 800</u>
Total Allowance	\$1500

\$1500 would be on average more than the Shire has paid in the past for water at each residence – therefore it can be argued that the Shire has created the system to only target high end water users.

The Shire may need to consider allowing for the upgrade to a more water wise garden at one – two residences per annum over the next 5 years – in an attempt to reduce lawn and more to more areas of flowering native gardens.

Staff currently maintain a process of compiling accounts from Water Corporation on a continuous spreadsheet, so extracting the data to calculate the applicable allowance won't be as difficult as it appears. Invoices to staff can be done at the time of Water Corporation payment. As staff contributions to utilities rise, so too will staff question value of gardens.

STATUTORY ENVIRONMENT:

Local Government Act 1995

POLICY IMPLICATIONS:

Any proposal adopted to provide a staff benefit would need to be reviewed against actual Water Corporation billing in June July 2019. The actual usage patterns that this will create may shift behaviour.

The Shire staff will always be checking payment anomalies to ensure that some residential properties are not using excessive water, are being billed incorrectly or meters are being misread.

Three (3) senior staff currently have utility allowances as part of their remuneration packages. The CEO is the only staff member where this impact is likely to have ramifications, in terms of exceeding the Salaries Tribunal determination. On the salary for the new CEO, this is not likely to trigger.

FINANCIAL IMPLICATIONS:

Current actual costs could treble under the new Water Corporation billing arrangements – if so Council could expect to pay up to \$45k per year for water consumption at it 9 major residences. Shire currently pays approx. \$15k for consumption.

Any calculation of allowance needs to be activated by the Water Corporation December billing cycle – when the first of the higher charges will begin to bite.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

For each of the staff currently receiving their water consumption for free, yes this is likely to impact and cause some disgruntlement. Council's response to upgrading water allowances and gardens may be the only affordable response to this point.

The Shire should complete its preferred proposal – then advise staff of the implementation, indicating that it will be willing to quickly address any obvious reductions in consumption, e.g. turning off sections of garden not requiring all year round watering, or reducing lawn areas etc.; and will endeavour to take action to address 1-2 gardens based on the consumption patterns i.e. highest users first. Invoices for consumption will be issued to staff and recouped through the payroll process.

OFFICER'S RECOMMENDATION:

Shire adopt a scaled contribution to residential water consumption accounts by allowing a \$1500 consumption allowance. The allowance be implemented immediately following staff notification.

VOTING REQUIREMENTS:

Simple Majority

Resolved that the recommendation lay on the table.

6.9 Freebairn Recreation Centre - Bowling Green Shelter

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

SUMMARY:

Prior to budget preparations the Kulin Bowling Club requested that Council consider contributing towards the construction of new shade shelters on the Freebairn Recreation Centre bowling greens. The estimated cost of the construction was \$45,000. The bowling club requested a contribution of \$15,000 from Council and indicated that they were also seeking further funding from the Country Sporting and Recreation Facilities Funds (CSRFF) of \$15,000. The remainder of the cost would be covered by the bowling club. During budget preparation Council approved a one third contribution of \$15,000 to the Kulin Bowling Club to assist with the construction costs.

BACKGROUND & COMMENT:

Initially the Kulin Bowling Club enquired to Taryn (Community Development Officer) for assistance in preparing a funding application to the Country Sporting and Recreation Facilities Funds (CSRFF) for funding to construct the shelter prior to the beginning of the 2018/2019 season. Taryn informed the club that in order to get the funding the club would be required to provide one third of the funding and the remaining two thirds would be provided by the Shire (1/3) and the CSRFF also providing one third. Taryn also explained that if the club was to apply for funding now the funds would not be available until early in 2019. Taryn provided the following information in her March 2018 Council forum report:

Kulin Bowling Club

Kulin Bowling Club have contacted the Shire in regards to the replacement of shade structures at the bowling greens. The current structures are the original ones that were moved from the old bowling club. These structures have past their use by date. The frames are broken and in some sections becoming unrepairable, and all the shade needs replacing. This will become a safety issue into the future.

The Bowling Club propose to build purpose built shade structures. The initial quote for these works is \$45,000. Part of the high cost is due to the layout of the 14 rink greens, with long stretches on both sides of the greens needing replacement.

Kulin Bowling Club request that the Shire of Kulin put \$15,000 (1/3) into budget considerations for the 2018/19 budget. The bowling club will be requesting the balance of the remaining insurance claim of \$9,169.37 also be put towards the shade structure. The bowling club will do significant in-kind works and also financial contribution to the remainder of the project.

Council adopted to contribute a total of \$29,000 towards the cost of building the bowling club shade shelters at the Freebairn Recreation Centre during the preparation of the 2018/2019 Annual Budget. This figure is made up of a \$15,000 cash contribution towards the materials and construction of the structure as well as labour, overhead and plant costs. The labour, overhead and plant costs were included to cover any incidental assistance which may be provided by the Shire with the removal of existing and construction of the new shelters. While it was unknown exactly what in kind support (in the form of labour and plant) would be required, it seemed likely that these costs would be incurred by the Shire therefore a budget for this expenditure was included in the project.

As the bowling club wanted the shade structures in place before the 2018/2019 season they did not apply for CSRFF funding as it was outside the grant period and instead made application to the Kulin Bush Races Committee (KBR Inc.). They were successful and received \$13,500 (\$14,850 inc GST) from KBR Inc.

The construction of the shades has been completed the Building Maintenance Officer has reported some major issues with the structural integrity of the structure erected by the bowling club. Information has been provided in the Building Maintenance Officer's forum report. There was substantial work required to ensure the structure was safely constructed. The cost of labour, plant and materials related to providing this assistance is \$14,687.46.

The Kulin Bowling Club have sent Council the invoice from the company who provided the materials. Contrary to the quote value of \$45,000 provided by the Bowling Club initially, the cost of the structure was just \$30,127. KBR Inc have paid \$13,500 and the Council have been asked to pay \$16,627 and recover the remaining \$1,627 from the bowling club which forms their contribution. The total cost of the project for each of the groups will be:

	Materials/Contribution	In Kind
Shire of Kulin	\$15,000	\$14,687
KBR Inc	\$13,500	Nil
Kulin Bowling Club	\$ 1,627	Unknown

The question is, based on the fact that Council and staff were under the impression that the cost of the project would be split in thirds (\$10,042 would be each contribution), are Council still comfortable contributing the entire \$15,000?

FINANCIAL IMPLICATIONS:

Nil, a \$15,000 contribution has been provided for in the budget. If Council are happy to go ahead with the contribution the funds are available to be dispersed.

STATUTORY AND PLANNING IMPLICATIONS:

Nil

STRATEGIC & POLICY IMPLICATIONS:

Nil

COMMUNITY/CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

For Council consideration.

VOTING REQUIREMENTS:

Simple majority required.

12/1118

Moved Cr Duckworth Seconded Cr Robins that Council contribute \$15,000 and a letter be written to the Kulin Bowling Club explaining Council's dissatisfaction with the process.

Carried 9/0

7 COMPLIANCE

7.1 Compliance Reporting – General & Financial Compliance October 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 October 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.

Outstanding September 2018

FOI Statement - Send FOI Statement to Commissioner – *After Audit November*

Record Keeping Plan Compliance - Comment in Annual Report - *November*

Bushfire Firebreak Inspections - *Ranger organised to undertake November – Completed*

Audit Committee September – *Council meeting November to accept Annual Report & contact meeting with Auditor*

ABS return - Submit annual return - *After Audit report finalised*

ESL Reconciliation – Annual ESL return - *After Audit has been finalised*

CBH Ex Gratia Rates - Annual Invoice CBH – *Unsure check November*

Water Usage Charges - invoices for water standpipe consumption - *N/A awaiting Council decision November*

Check town blocks for wild oats – Annual inspection - *Send notice to clean up – Completed*

R2R Annual report – Annual Audited R2R Report due - *After Audit received*

Swimming pool water sampling - Season opening 5 Nov – *testing by EHO approx. 20 Oct 2018 – Completed*

Outstanding October 2018

Electors Meeting – 56 days after adoption Annual Report

Audit Report – to Dept. of Local Government – Copy to Council Website

Bush Fire Ban Processes – Planned for 28th Nov 2018

Water Usage Charges - invoices for water standpipe consumption - *N/A awaiting Council decision November*

WALGA Roads Return – requires audit completion and information

Airconditioner filters – Clean filters – Ambrose to make start

Audit Report to DRD for CRC Expenditure – DCEO to arrange after Audit

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 October 2018 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

13/1118

Moved Cr Duckworth Seconded Cr Lucchesi that Council receive the General & Financial Compliance Report for September 2018 and note the matters of non-compliance.

Carried 9/0

7.2 Compliance Reporting – Delegations Exercised – October 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 31 October 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	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).

G2 Building Licences

3/10/2018 - Lot 1121 Harvey Rd Holt Rock 6355, Modesty Rock Farming - Hillson Nominees - TR Homes New Residence

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 October 2018.

VOTING REQUIREMENTS:

Simple majority required.

14/1118

Moved Cr Duckworth Seconded Cr Bowey that Council receive the Delegation Exercised Report for October 2018.

Carried 9/0

7.3 Annual Report 2017/18 – Auditors Report

NAME OF APPLICANT: DCEO
RESPONSIBLE OFFICER: DCEO
FILE REFERENCE: 12.05 Audit Return and Review
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

This report is submitted for Council consideration following a Meeting of the Shire of Kulin Audit Committee on the 21 November 2016.

The Shire of Kulin Annual Report 2017/18 has been audited by Councils Auditor, Byfields. The Auditor has provided the Independent Auditor's Report. It should be noted that no issues of inaccuracy or non-compliance with the Shire's Annual Financial Report for the year ended 30 June 2018 have been identified.

COMMENT:

Each year, as part of Council's audit process, an Independent Audit is undertaken to assess Council's Annual Financial Report and the legitimacy and accuracy of Council's accounts.

An Independent Audit Report is then produced by the Auditor and provided to the Chief Executive Officer, President and the Minister, Department for Local Government. The Report is included in Council's Annual Report. Any issues arising from the Independent Audit Report are to be investigated and action taken to resolve those issues.

Council's Auditor, Ms Leanne Oliver, will attend a teleconference at 2.15pm on the 21 November to discuss the audit report and take questions from Audit Committee members.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION OF AUDIT COMMITTEE:

That the Auditors Report for the 2017/18 financial Year be received and the accompanying management letter be noted. Questions arising from the Audit Report and management letter requiring action be addressed by the CEO. The Shire of Kulin Annual Report 2017/18 be received.

VOTING REQUIREMENTS:

Simple majority required.

15/1118

Moved Cr Robins Seconded Cr Taylor that the Auditors Report for the 2017/18 financial year be received and the accompanying management letter be noted. Questions arising from the Audit Report and management letter requiring action be addressed by the CEO. The Shire of Kulin Annual Report 2017/18 be received.

Carried 9/0

8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

8.1 Enquiry – Sale of Donga

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE:
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Ben Whisson has enquired if the Shire are interested in selling the 12m x 3m office dongas.

COMMENT:

This donga was initially purchased for staff offices during the period the CRC was relocated to the Shire whilst the new Administration building was renovated. Cost was approx. \$20,000.

The donga remains on site at the old offices, and one of the rooms currently has some items stored belonging to the Kulin Bush Races.

FINANCIAL IMPLICATIONS:

Sale of asset

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Advertise Sale by Tender

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

VOTING REQUIREMENTS:

Simple majority required.

16/1118

Moved Cr Taylor Seconded Cr Lucchesi that Council agree to advertise the donga for Sale by Tender.

Carried 9/0

8.2 Kulin CWA – Request for Assistance

The Kulin CWA forward a request for maintenance assistance for the building on Johnston St to individual Councillors. Judd Hobson has met with the CWA ladies to investigate some of the issues.

Resolved

That the letter be received and that the Shire will assist with running storm water from the fence out to the road (under the footpath).

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

Nil

10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

17/1118

Moved Cr Robins Seconded Cr Duckworth that the meeting be closed to members of the public to discuss a staff issue.

Carried 9/0

Cassi Vandenberg, Nicole Thompson, Judd Hobson and Garrick Yandle left the Council Chambers at 5.57pm

18/1118

Moved Cr Smoker Seconded Cr Taylor that the meeting now be opened to members of the public.

Carried 9/0

The President indicated that matters discussed whilst the meeting was closed to the public will remain confidential.

11 DATE AND TIME OF NEXT MEETING

Wednesday 19 December 2018.

Annual Electors Meeting 11.30am, followed by a light lunch at 12 noon.

Concept Forum from 1pm with Council Meeting to follow.

Council Christmas Party at the Freebairn Recreation Centre from 6pm.

12 CLOSURE OF MEETING

There being no further business the President declared the meeting closed at 6.00pm.