

ORDER OF BUSINESS

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS

1:00pm – 1:15pm Sandra Murray & Robyn Campbell invited Council to a site visit at the new Herbarium set up in the old admin building.

3:30pm Sharyn McAdam joined Council for afternoon tea at 3:30pm to be presented with the Kulin 2017 Citizen of the Year Award (Sharyn was unable to attend the award presentations on Australia Day).

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

3 PUBLIC QUESTION TIME

4 APPLICATIONS FOR LEAVE OF ABSENCE

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.1 Shire of Kulin Ordinary Meeting – 21 December 2016

5.2 Kulin Retirement Homes Inc. Committee Meeting – 18 January 2017

5.3 Occupational Safety & Health Meeting – 19 December 2016

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – December 2016 & January 2017

6.2 Financial Reports – December 2016 & January 2017

6.3 Child Care Management Committee – Nomination

6.4 Reserve R11696 Jitarning - South West Native Title Settlement
– Land Base Consultation

6.5 Proposed Freehold Acquisition – Request from CBH Group

6.6 Appointment of Auditor

6.7 Authorised Persons – Various Acts & Local Laws

6.8 Delegation of Power to Appoint Authorised Officers - Health & LG Act

6.9 Integrated Planning Report (IPR) Review 2017 – Workload & Timeline

7 COMPLIANCE

7.1 Compliance Reporting - General Compliance January 2017

7.2 Compliance Reporting – Accounting Compliance Dec 2016 & Jan 17

7.3 Compliance Reporting – Delegations Exercised Dec 2016 & Jan 17

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 15 February 2017 commencing at 5.10pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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
MJ Ledwith	Councillor	West Ward
G Robins	Councillor	Town Ward
R Bowey	Councillor	Town Ward
R O'Brien	Councillor	Central Ward
BP Taylor	Councillor	Central Ward
L Varone	Councillor	East Ward
N Mason	Chief Executive Officer	
L Hobson	Manager of Works	
N Thompson	ESO/Minutes	

Apologies

C Vandenberg	Deputy CEO
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3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Shire of Kulin Ordinary Meeting – 21 December 2016

01/0217

Moved Cr Bowey Seconded Cr Taylor that the minutes of the Ordinary Council Meeting held on 21 December 2016 be confirmed as a true and correct record.

Carried 9/0

Kulin Retirement Homes Inc. Committee Meeting – 18 January 2017

02/0217

Moved Cr Robins Seconded Cr Varone that the minutes of the Kulin Retirement Homes Inc. Committee Meeting held on 18 January 2017 be received.

Carried 9/0

Shire of Kulin Occupational Safety & Health Meeting – 19 December 2016

03/0217

Moved Cr Taylor Seconded Cr Robins that the minutes of the Occupational Safety & Health Meeting held on 19 December 2016 be received.

Carried 9/0

6 MATTERS REQUIRING COUNCIL DECISION

6.1 List of Accounts – December 2016 and January 2017

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

SUMMARY:

Attached is the list of accounts paid during the months of December 2016 and January 2017 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 December payments being cheque No's 224 -225 (Trip), 36696, 36706 - 36710 (Municipal), EFT No's 12150 - 12219, DD5977.1 - DD5998.12 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$336,103.54 be passed for payment.

That January payments being cheque No's 222 & 226 (Trip Fund) 349 -350 (Trust Fund) 1975 – 1977 (Bush Races), 36711 - 367748 (Municipal), EFT No's 12220 - 12307, DD600.1 – DD6046.11 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$368,037.56 be passed for payment.

VOTING REQUIREMENTS:

Simple majority required.

04/0217

Moved Cr O'Brien Seconded Cr Taylor that December payments being cheque No's 224 -225 (Trip), 36696, 36706 - 36710 (Municipal), EFT No's 12150 - 12219, DD5977.1 - DD5998.12 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$336,103.54 be passed for payment; and

That January payments being cheque No's 222 & 226 (Trip Fund) 349 -350 (Trust Fund) 1975 – 1977 (Bush Races), 36711 - 367748 (Municipal), EFT No's 12220 - 12307, DD600.1 – DD6046.11 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$368,037.56 be passed for payment.

Carried 9/0

6.2 Financial Reports – December 2016 and January 2017

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

Attached are the financial reports for the periods ending 31 December 2016 and 31 January 2017.

BACKGROUND & COMMENT:
Nil

FINANCIAL IMPLICATIONS:
Nil

STATUTORY AND PLANNING IMPLICATIONS:

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

POLICY IMPLICATIONS:
Nil

COMMUNITY CONSULTATION:
Nil

WORKFORCE IMPLICATIONS:
Nil

OFFICER'S RECOMMENDATION:

That Council endorse the monthly financial statements for the periods ending 31 December 2016 and 31 January 2017.

VOTING REQUIREMENTS:
Simple majority required.

05/0217

Moved Cr Robins Seconded Cr McInnes that Council endorse the monthly financial statements for the periods ending 31 December 2016 and 31 January 2017.

Carried 9/0

6.3 Child Care Management Committee - Nomination

NAME OF APPLICANT: Kulin Child Care Management Committee
RESPONSIBLE OFFICER: CDO
FILE REFERENCE: 05.04
AUTHOR: CDO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Kulin Child Care Centre Management Committee currently comprises two Council representatives, Cr Bowey & Taryn Scadding, Centre Coordinators and six community members.

BACKGROUND & COMMENT:

Nominations were called via notices in the Weekly Update. Elana Frantom has nominated for the Management Committee.

It is recommended that Council appoint Elana Frantom onto the Kulin Child Care Management Committee for a one year term.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nominations were called for via notices in a local paper.

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council appoint Elana Frantom to the Kulin Child Care Centre Management Committee for a one year term to expire in October 2017.

VOTING REQUIREMENTS:

Simple majority required.

06/0217

Moved Cr Duckworth Seconded Cr O'Brien that Council appoint Elana Frantom to the Kulin Child Care Centre Management Committee for a one year term to expire in October 2017.

Carried 9/0

6.4 Reserve R11696 Jitarning - South West Native Title Settlement – Land Base Consultation

NAME OF APPLICANT: Department of Lands
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 18.01
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Department of Lands have written to Council advising that there are a number of Department of Water (DoW) managed reserves that are surplus to the DoW's requirements and have been identified by DoW to be considered as part of the benefits package to be offered to the claimant groups under the South West Native Title Settlement.

Seeking Shire comment on one of the identified Reserves.

BACKGROUND & COMMENT:

Department of Lands seeking comment from Council on the change of management order from DoW to Noongar Boodja Trust including the Power to Lease the reserve.

The Reserve (R11696) has previously been held for the purpose of 'water' and is located on the Jitarning Road North, north of the Jitarning townsite. The area is 40.512 ha. See attached map.

There are no known immediate objections or views on the proposal - the matter is open for Council to determine a position. Comments are requested by 21 February 2017.

NOTE: Recent Federal Court determinations (Jan/Feb 2017) have cast some doubt on the South West Native Title Settlement claim, but this aspect of the settlement agreement, allocating vacant Crown land to the applicable Native Title body, is not likely to be delayed or removed in any subsequent agreements.

FINANCIAL IMPLICATIONS

No known financial implications on the Shire.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

It is likely that a number of these Land requests will flow over time through to the Shire. Without having to refer all such requests to a Council meeting; a possible framework for approval processes could be considered.

It may simplify processes if a reference point could be made within Council – e.g. all applications be referred to the President and Deputy President in the first instance to determine if the item is likely to require wider consultation. If either the President or Deputy President believe that wider consultation is required; then an advertisement calling for community comment be circulated in the Kulin Update and on the Shire Notice Board so that feedback can be received prior to the close of the limited DoL comment period.

The item then be reported to Council meeting with community feedback.

COMMUNITY CONSULTATION:

See above

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council comment be provided to the Department of Lands.

VOTING REQUIREMENTS:

Simple majority required.

07/0217

Moved Cr McInnes Seconded Cr Robins that Council have no comment on the change of management order from Department of Water to Noongar Boodja Trust relating to Reserve R11696 Jitarning.

Carried 7/2

Note: Officers recommendation was changed to incorporate Council's opinion.

6.5 Proposed Freehold Acquisition – Request from CBH Group

NAME OF APPLICANT: Department of Lands
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 18.04
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Department of Lands has received a request from CBH Group to purchase Lots 288 and 278 which form Reserve 32765 and Portion of Road Reserve in freehold. See attached map.

BACKGROUND & COMMENT:

Their proposal is to amalgamate Lot 288 into Lot 2 on Diagram 36513 and amalgamate Lot 278 into Lot 213 on Deposited Plan 180616.

The Shire has gone through the necessary procedures to close portion of Williams Kondinin Road No. 6321 for amalgamation into freehold Lot 2 on Diagram 36513.

There are no known objections or views as such - the matter is open for Council to determine a position.

There are two queries in the proposal that DoL should clarify before amalgamation takes place;

- The map does not clearly delineate if a road closure is required alongside the north west portion of Reserve 160186 (the dashed red line – shown on the photo as a solid red line)
- If Reserve 22739 should be changed to exclude the portion that currently houses part of the outside bulk storage bin.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council comment be provided to the Department of Lands and that DoL be requested to comment on;

- if a road closure is required alongside the north west portion of Reserve 160186 (the dashed red line – shown on the photo as a solid red line)
- If Reserve 22739 should be changed to exclude that portion that currently houses part of the outside bulk storage bin.

VOTING REQUIREMENTS:

Simple majority required.

08/0217

Moved Cr Robins Seconded Cr Taylor that Council indicate no objections be provided to the amalgamation; Department of Lands be requested to comment on;

- **if a road closure is required alongside the north west portion of Reserve 160186 (the dashed red line – shown on the photo as a solid red line);**
- **If Reserve 22739 should be changed to exclude that portion that currently houses part of the outside bulk storage bin; and**
- **Request clarification on preferred treatment of outside bin positioned on the boundary line.**

Carried 9/0

Note: Officers recommendation was changed to incorporate Council's opinion and request clarity over the dot points shown.

6.6 Appointment of Auditor

NAME OF APPLICANT: Shire of Kulin

RESPONSIBLE OFFICER: DCEO

FILE REFERENCE: 12.03

AUTHOR: DCEO

DISCLOSURE OF INTEREST: Nil

SUMMARY:

In March 2016, local governments were notified of the WA Government's proposal for the Auditor General to undertake financial and performance audits of the local government sector. It was proposed that the Auditor General and the Office of the Auditor General take responsibility for local government financial audits from 1 July 2017. Local governments were requested not to extend or renew audit contracts past the 2016-17 audit in anticipation of the Local Government Amendment (Auditing) Bill 2016 taking effect.

On 25 August 2016 the Local Government Amendment (Auditing) Bill 2016 was introduced into the Legislative Assembly. However, the Bill will not pass before the dissolution of Parliament.

With the State election scheduled for March 2017, local governments are encouraged to extend or renew audit contracts until the 2017-18 audit, with the option of annual extensions.

BACKGROUND & COMMENT:

In 2014 the Shire opted to invite five local government audit firms to make a submission which addressed all matters contained in the Department of Local Government's Model Standard Audit Specification. They were also required to provide information on the following matters in support of their bid:

- Lump Sum Price (inclusive of disbursements) for each year of the engagement
- Schedule of Rates for Ad Hoc engagements
- Audit methodology
- Statement of resources - skills & experience of key personnel
- Capacity to meet the nominated Shire of Kulin timeframes
- Statement of previous experience - including details of referees
- Estimate of hours to be expended on the audit.

Two firms provided a submission and Byfields were selected as they provided a much cheaper quote than their contender, Moore Stephens (formerly Haines Norton).

FINANCIAL IMPLICATIONS:

Conduct of an annual audit is a statutory obligation and funds are allocated for this specific purpose in the annual budget each year. The price bid by the successful tenderer is within the notional allocation in the Shire's budget for this purpose.

STATUTORY AND PLANNING IMPLICATIONS:

In accordance with the requirements of the Part 7 of the Local Government Act dealing with the appointment of an auditor to the local government and the Local Government Audit Regulations. The requirements of the Department of Local Government's Standard Audit Contract are also relevant to the subject of this report.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That:

- (a) Council appoint Byfields Business Advisors for the provision of statutory audit services for the audit of the Shire's 2016/17 and 2017/18 annual financial statements; and
- (b) The audit contract is to be prepared in accordance with the Department of Local Government Standard Audit Contract conditions.

VOTING REQUIREMENTS:

Absolute majority required.

09/0217

Moved Cr McInnes Seconded Cr Duckworth that

- (a) Council appoint Byfields Business Advisors for the provision of statutory audit services for the audit of the Shire's 2016/17 and 2017/18 annual financial statements; and
- (b) The audit contract is to be prepared in accordance with the Department of Local Government Standard Audit Contract conditions.

Carried by Absolute Majority 9/0

6.7 Authorised Persons – Various Acts & Local Laws

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 19.03 Local Laws/Authorised Officers
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is required to appoint authorised persons to enforce the provisions of various laws and regulations.

MINUTES OF ORDINARY MEETING HELD 15 FEBRUARY 2017

BACKGROUND & COMMENT:

A review of officer appointments has not been conducted for some time and as there have been a number of staff changes over the years a Council resolution is now required.

FINANCIAL IMPLICATIONS:

There is a cost associated with advertising the appointments in the Government Gazette.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Local Government Act (Miscellaneous Provisions) 1960, Part XX (Ranger/Pound Keeper);
Local Government Act 1995, Part 3 – Executive Functions of Local Government and Part 9 Miscellaneous Provisions;
Caravan and Camping Grounds Act 1995;
Dog Act 1976 and Regulations;
Cat Act 2011;
Bush Fires Act 1954 and Regulations;
Litter Act 1979 and Regulations;
Control of Vehicles (Off Road Areas) Act 1978 and Regulations;
Shire of Kulin Local Laws
Shire of Kulin Health Local Laws

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

There are no direct policy implications in relation to this item.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION

That Council appoint the following persons:

Noel Mason, Cassi Dee Vandenberg, Nicole Thompson, Len Hobson, Michael Robins, Julian Goldacre, Joy Adams, Denis Brandis, Nick Grant, Tammy Harris, Sue Herwig, Annette Lewis, Ambrose Poletti, Jonathon Quinn, Darren Thomas, Simone Lockyer, Nikayla Hetherington & Gemma Boxall; WA Ranger Services Pty Ltd, Matthew Sharpe, Jodie Taylor & Deb Walker.

as authorised persons in accordance with the following acts;

Local Government Act (Miscellaneous Provisions) 1960, Part XX (Ranger/Pound Keeper);
Local Government Act 1995, Part 3 – Executive Functions of Local Government and Part 9 Miscellaneous Provisions;
Caravan and Camping Grounds Act 1995;
Dog Act 1976 and Regulations;
Cat Act 2011 and Regulations;
Bush Fires Act 1954 and Regulations;
Litter Act 1979 and Regulations;
Control of Vehicles (Off Road Areas) Act 1978 and Regulations;
Shire of Kulin Local Laws
Shire of Kulin Health Local Laws

And;

appoint the following persons as registration officers in accordance with the Dog Act 1976, Cat Act 2011 and Regulations;

Noel Mason, Cassi Dee Vandenberg, Nicole Thompson, Nikayla Hetherington, Gemma Boxall & Annette Lewis.

All previous authorizations are hereby cancelled and the information be advertised in the Government Gazette.

VOTING REQUIREMENTS:

Absolute majority required.

10/0217

Moved Cr Taylor Seconded Cr O'Brien that Council appoint the following persons:

Noel Mason, Cassi Dee Vandenberg, Nicole Thompson, Len Hobson, Michael Robins, Julian Goldacre, Joy Adams, Denis Brandis, Nick Grant, Tammy Harris, Sue Herwig, Annette Lewis, Ambrose Poletti, Jonathon Quinn, Darren Thomas, Simone Lockyer, Nikayla Hetherington & Gemma Boxall; WA Ranger Services Pty Ltd, Matthew Sharpe, Jodie Taylor & Deb Walker.

as authorised persons in accordance with the following acts;

Local Government Act (Miscellaneous Provisions) 1960, Part XX (Ranger/Pound Keeper);
Local Government Act 1995, Part 3 – Executive Functions of Local Government and Part 9
Miscellaneous Provisions;
Caravan and Camping Grounds Act 1995;
Dog Act 1976 and Regulations;
Cat Act 2011 and Regulations;
Bush Fires Act 1954 and Regulations;
Litter Act 1979 and Regulations;
Control of Vehicles (Off Road Areas) Act 1978 and Regulations;
Shire of Kulin Local Laws
Shire of Kulin Health Local Laws

and;

appoint the following persons as registration officers in accordance with the Dog Act 1976, Cat Act 2011 and Regulations;

Noel Mason, Cassi-Dee Vandenberg, Nicole Thompson, Nikayla Hetherington, Gemma Boxall & Annette Lewis.

All previous authorizations are hereby cancelled and the information be advertised in the Government Gazette.

Carried by Absolute Majority 9/0

6.8 Delegation of Power to Appoint Authorised Officers – Health and LG Act

NAME OF APPLICANT: Shire of Kulin
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 19.03 Local Laws: 04.04 Policy - Delegations & CEO
STRATEGIC REFERENCE/S: 2.1 'What we do'.
AUTHOR: Mr J Goldacre EHO.

SUMMARY:

In addition to Agenda item 6.7 due to a legislative change, Council now has the power to delegate to the Chief Executive Officer the power to appoint authorised officers for the purposes of the administration of the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911* and the *Local Government Act 1995*.

Seeking Council's approval to create the delegation to the CEO.

BACKGROUND & COMMENT:

In July 2016 the *Public Health Act 2016* (Act) gained royal assent and on the 24 January 2017 the Act was gazetted into law.

Whilst initially the new Act will deal with administrative matters pertaining to the function of public health, the recently changed Health Act 1911 to the *Health (Miscellaneous Provisions) Act 1911* remains the engine room for public health. All subsidiary legislation under the Health Act 1911 now has been edited to reflect the term '*Health (Miscellaneous Provisions) Act 1911*' or have been rescinded; those of operational importance to local government remain in effect. Furthermore the *Shire of Kulin Animal Environment and Nuisance Local Law 2016* and *Shire of Kulin Health Local Law 2016* were both gazetted in *Special Gazette* N° 23 on the 25 January 2017 and under this new head of power, administrative requirements for authorised officers, designated officers and appointment of environmental health officers (EHOs) and their delegations are required.

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A key administrative function is that the local government becomes;

- the 'enforcement agency' for the Act,
- now wholly responsible for the appointment of EHOs,
- responsible for the designation of authorised officers,
- issuing identity cards and,
- maintaining a list of enforcement agency EHOs and authorised officers.

With the *Shire of Kulin Animal Environment and Nuisance Local Law 2016* to be able to function appropriately, the mechanism to authorise officers for this local law is required in addition to the direct appointments by Council for certain *Local Government Act 1995* functions. (See Item 6.7)

The following paragraphs (indented) describe the new Council delegations to enable the ability to undertake the effective administration of the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911*, *Shire of Kulin Animal Environment and Nuisance Local Law 2016* and *Shire of Kulin Health Local Law 2016*. These delegations will remain in place until the mid-year review of the Delegation Register, where the delegations can be merged into existing delegations or appended as new delegations.

The Council has previously appointed an EHO who is endorsed by the Dept. of Health WA the *Public Health Act 2016* transition period preserves this appointment. The proposed delegation will be required to enable the administration of the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911*, *Health (Asbestos) Regulations 1992* and *Shire of Kulin Health Local Law 2016* without the need to refer to Council. The caveat of any designation or appointment under the *Public Health Act 2016* is that the person will need to meet prescribed qualification requirements as published in the *Special Gazette* No. 22 on the 24 January 2017.

The authority to extend the period to pay or withdraw an infringement notice cannot be given to the authorised officer who issues the infringement. Council is required to appoint the CEO as an 'approved officer' pursuant to Regulation 15D(5) of the *Health (Asbestos) Regulations 1992* for the purposes of Part 2 of the *Criminal Procedure Act 2004* as the person authorised to extend the period to pay or withdraw an infringement notice.

Delegation - Shire of Kulin Animal Environment Nuisance Local Law 2016

FUNCTION DELEGATED:

Delegation by the Council to the Chief Executive Officer (CEO) the function to appoint authorised person/s or classes of person/s for the administration of the *Shire of Kulin Animal Environment Nuisance Local Law 2016*.

STATUTORY POWER DELEGATED:

Local Government Act 1995

- Section 9.10 Appointment of authorised persons; and
- Section 9.16 Notice, giving of notice to alleged offender

POWER ORIGINALLY ASSIGNED TO:

The Local Government

STATUTORY POWER OF DELEGATION:

Local Government Act 1995

- Section 5.42 Delegation of some powers or duties to the CEO; &
- Section 5.43 Limitations on delegations to the CEO

POWER DELEGATED TO:

Chief Executive Officer

CEO SUB-DELEGATION TO:

Nil

COUNCILS CONDITIONS ON DELEGATION:

The CEO who appoints a person as an authorised officer pursuant to Section 9.10(1) and to be also authorised to give infringement notices under section 9.16 is not eligible to be an authorised person for the purposes of section 9.17(1)(b), section 9.19 or section 9.20 of the *Local Government Act 1995*.

Delegation - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911.

FUNCTION DELEGATED:

Delegation by the Council of the local government of Kulin being an enforcement agency for the purpose of the *Public Health Act 2016* and the *Health (Miscellaneous Provisions) Act 1911* to the Chief Executive Officer (CEO) the functions for:

- the appointment of environmental health officers;
- the designation of a person or class of persons as authorised officers; and
- the appointment of authorised officers to issue infringement notices pursuant to the *Health (Asbestos) Regulations 1992*.

STATUTORY POWER DELEGATED:

Public Health Act 2016 -

- Section 17. Appointment of environmental health officers; and
- Section 24. Designation of authorised officers.
- *Health (Asbestos) Regulations 1992* Regulation 15D(5). Appointment of authorised officers as an officer who is authorised to issue infringement notices for the offences specified under Schedule 1 of the *Health (Asbestos) Regulations 1992*.

POWER ORIGINALLY ASSIGNED TO:

The Local Government.

STATUTORY POWER OF DELEGATION:

Public Health Act 2016

- Section 21. Enforcement agency may delegate.

POWER DELEGATED TO:

Chief Executive Officer.

CEO SUB-DELEGATION TO:

Nil.

COUNCIL CONDITION OF DELEGATION:

The Chief Executive Officer will not designate a person or class of persons as an authorised officer nor appoint a person as an environmental health officer who do not meet the 'guidelines on the designation of authorised officers' of the *Public Health Act 2016* as published in the *Special Gazette* No. 22 on the 24 January 2017.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Public Health Act 2016;

Health (Miscellaneous Provisions) Act 1911;

Criminal Procedure Act 2004;

Health (Asbestos) Regulations 1992; and

Shire of Kulin Health Local Law 2016.

Nil town planning.

OFFICERS RECOMMENDATION:

That Council make the following Delegations and Appointments:

1. Delegation to the Chief Executive Officer for the appointment of 'authorised officer/s' under section 9.10(1) including the authority to the giving of infringement notice/s under section 9.16 by the authorised officer/s pursuant to the *Local Government Act 1995* for the purpose of the administration of the *Shire of Kulin Animal Environment and Nuisance Local law 2016*;
2. That pursuant to the *Local Government Act 1995* Subdivision 2 - Infringement notices, the Shire of Kulin appoints the Chief Executive Officer as an authorised officer for the functions of:
 - i. Section 9.17. Notice, content of – to authorise persons for the purposes of receiving payment of modified penalties;
 - ii. Section 9.19. Extension of time; and
 - iii. Section 9.20. Withdrawal of notice.

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This appointment is to be effected by instrument in writing and signed by the Shire President;

3. Delegation to the Chief Executive Officer for the purpose of designating authorised officers, appointing environmental health officers and the appointment of authorised officers to issue infringement notices pursuant to the *Health (Asbestos) Regulations 1992*; and
4. The appointment of the Chief Executive Officer as an 'approved officer' pursuant to Regulation 15D(5) of the *Health (Asbestos) Regulations 1992* for the purposes of Part 2 of the *Criminal Procedure Act 2004* as the person authorised to extend the period to pay or withdraw an infringement notice. This appointment is to be effected by instrument in writing and signed by the Shire President.

VOTING REQUIREMENTS:

Absolute majority required.

11/0217

Moved Cr O'Brien Seconded Cr Ledwith that Council make the following Delegations and Appointments:

1. **Delegation to the Chief Executive Officer for the appointment of 'authorised officer/s' under section 9.10(1) including the authority to the giving of infringement notice/s under section 9.16 by the authorised officer/s pursuant to the Local Government Act 1995 for the purpose of the administration of the Shire of Kulin Animal Environment and Nuisance Local law 2016;**
2. **That pursuant to the Local Government Act 1995 Subdivision 2 - Infringement notices, the Shire of Kulin appoints the Chief Executive Officer as an authorised officer for the functions of:**
 - i. **Section 9.17. Notice, content of – to authorise persons for the purposes of receiving payment of modified penalties;**
 - ii. **Section 9.19. Extension of time; and**
 - iii. **Section 9.20. Withdrawal of notice.****This appointment is to be effected by instrument in writing and signed by the Shire President;**
3. **Delegation to the Chief Executive Officer for the purpose of designating authorised officers, appointing environmental health officers and the appointment of authorised officers to issue infringement notices pursuant to the Health (Asbestos) Regulations 1992; and**
4. **The appointment of the Chief Executive Officer as an 'approved officer' pursuant to Regulation 15D(5) of the Health (Asbestos) Regulations 1992 for the purposes of Part 2 of the Criminal Procedure Act 2004 as the person authorised to extend the period to pay or withdraw an infringement notice. This appointment is to be effected by instrument in writing and signed by the Shire President.**

Carried by Absolute Majority 9/0

Cr Robins left the Council Meeting at 6:00pm.

6.9 Integrated Planning Report (IPR) Review 2017 – Workload and Timeline

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.06 Strategic and Corporate Plans
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

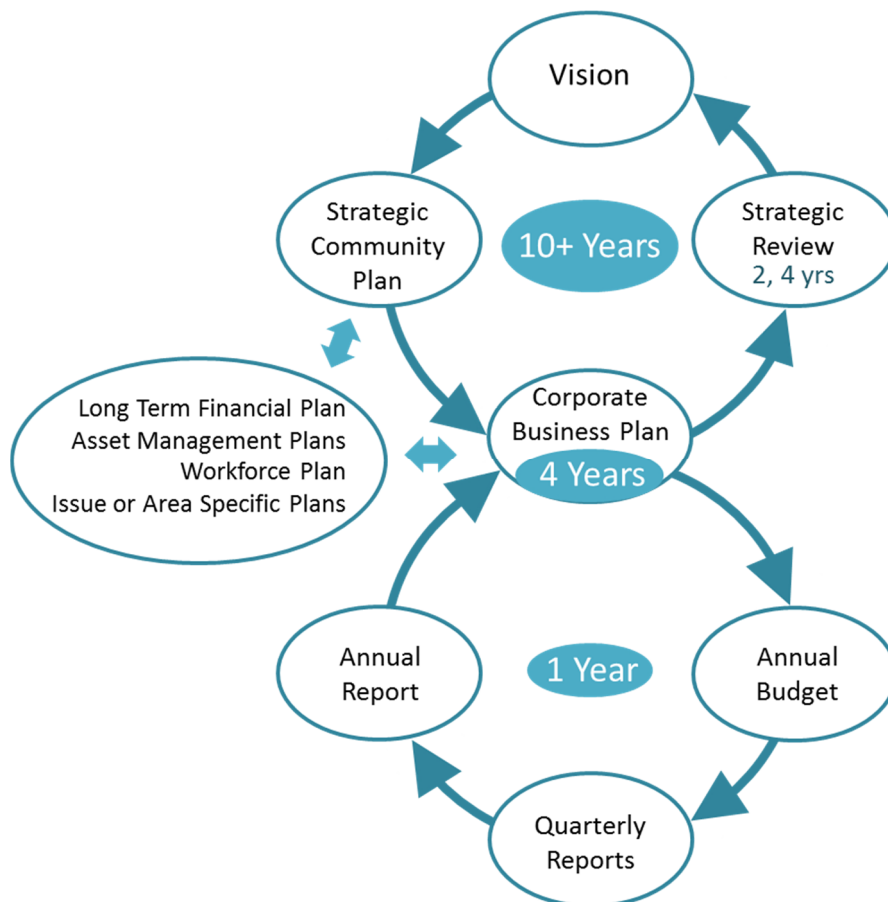
Detailing the process of review required for the IPR 2017 including proposed timeline for the community engagement required and including some indication as to how the process will unfold.

BACKGROUND & COMMENT:

In 2010, the Integrated Planning and Reporting (IPR) Framework and Guidelines were introduced in Western Australia (WA). All local governments were required to have their first suite of IPR documents in place by 1 July 2013; the Shire of Kulin undertook a review of these plans/documents in June 2015 (Resolution 11/0616) but is now required to do a formal 4 year review to be finalised and adopted by 30 June 2017 for incorporation into the 2017/18 Budget cycle.

Core Components

Strategic Community Plan	Community vision, strategic direction, long and medium term priorities and resourcing implications with a horizon of 10+ years
Corporate Business Plan	Four-year delivery program, aligned to the Strategic Community Plan, and accompanied by four-year financial projections
Informing Strategies:	
– Long Term Financial Plan	Long term financial position
– Asset Management Plans	Approach to managing assets to deliver chosen service levels
– Workforce Plan	Shaping workforce to deliver organisational objectives now and in the future
– Issue or Area Specific Plans	Any other informing plans or strategies (eg ICT, recreation plan, youth plan, local area plan etc)
Annual Budget	Financial statements and policies for one year



A review of the Shire of Kulin Strategic Community Plan 2013-2023, the Kulin Corporate Business Plan, the Workforce Development Plan, Asset Management Plan and Long Term Financial plan is required. A high degree of alignment and interconnectedness of all Strategic Planning documents within the Shire’s Strategic Planning framework is expected and the DLG has now established a self-assessment standard to guide all plan elements. Exampled below.

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Advisory Standard – Strategic Community Plan	
Achieving Standard	<p>Achieving Standard is met when:</p> <p>A Council has adopted a Strategic Community Plan that meets all of the regulatory requirements:</p> <ul style="list-style-type: none"> (i) A minimum ten-year timeframe (ii) States community aspirations - vision, outcomes and priorities (iii) Developed or modified through engagement with the community, and this is documented (iv) Has regard to current and future resource capacity, demographic trends and strategic performance measurement (v) Is adopted, or modifications to it are adopted, by an absolute majority of council (vi) is subject to a full review scheduled for 4 years from when it is adopted <p>The local government has a community engagement policy or strategy</p> <p>Community engagement involves at least 500 or 10% of community members, whichever is fewer, and is conducted by at least 2 documented mechanisms</p> <p>A Strategic Review is undertaken every two years, alternating between a Minor Strategic Review and a Major Strategic Review</p>
Intermediate Standard	<p>Intermediate Standard is met when:</p> <p>The Strategic Community Plan connects most of the activities and services that are delivered by the local government with the community's aspirations - vision, outcomes and priorities</p> <p>The Strategic Community Plan takes into account a range of relevant external factors, including relevant plans of State and Commonwealth agencies</p> <p>Community engagement involves more than the minimum number of community members as provided for in the Achieving Standard, is inclusive and uses more than the minimum number of documented mechanisms that apply in the Achieving Standard</p>
Advanced Standard	<p>Advanced Standard is met when:</p> <p>The Strategic Community Plan meets Achieving and Intermediate Standards</p> <p>The Strategic Community Plan connects all of the activities and services that are delivered by the local government with the community's aspirations - vision, outcomes and priorities</p> <p>The Strategic Community Plan demonstrates effectiveness in achieving community objectives</p>

Recapping the purpose of each element:

1 Strategic Community Plan

The Strategic Community Plan is the Council's principal 10-year strategy and planning document. It is the guiding document for the remainder of the IPR suite. Community engagement to determine their vision and priorities is central to the Plan. The community's aspirations (vision, outcomes and priorities) are expressed in the Strategic Community Plan.

The Council may also wish to include its values and mission statement. Along with this, the Council's decision-making criteria provides valuable information on what was taken into account in formulating the Strategic Community Plan.

The Strategic Community Plan is structured with the local government's choice of strategic framework. Usually this will be based on the outcome areas of social, economic, and environmental wellbeing. Usually there will be an outcome area related to good governance as well. The Plan should provide strategic direction across the local government's responsibilities

2 Corporate Business Plan

The Corporate Business Plan (Corporate Business Plan) is the Council's 4-year planning document. It gives effect to the first four years of the Strategic Community Plan and is pivotal in ensuring that the medium term commitments are both strategically aligned and affordable. This is achieved through rigorous scrutiny and prioritisation in the Strategic Review process

Again, it is helpful to articulate the key points of the Plan – what difference it will make to the community – in the front of the Plan. The key points of the Corporate Business Plan will tend to be highly tangible and specific.

3 Issue or area specific strategies/plans

The IPR Framework provides for issue specific strategies and plans. For example, these may include an information and communication technology (ICT) plan, recreation strategy, age-friendly community plan, arts and culture plan, and an economic development strategy.

There may also be plans that cover a wider range of issues but for a specific geographic area. These are generally known as local area plans or place plans or similar.

4 Asset Management Plans

The effective management of assets is crucial to the sustainable delivery of local government services. Assets need to serve the needs of the community, in alignment with the Strategic Community Plan and the Corporate Business Plan. Local governments hold a large portfolio of long-lived assets, so it is critical to plan and prioritise the maintenance, renewal and replacement of existing assets and the acquisition of new assets. This requires a long-term “whole of life” view of asset management.

5 Workforce Plan

It is essential to plan for a workforce that can deliver the Corporate Business Plan and to consider the workforce implications of the Strategic Community Plan. The Workforce Plan addresses the skills, expertise and knowledge requirements; the desired organisational culture and how to develop it; what organisational structure will work best; recruitment and retention in the context of labour market challenges and opportunities; and the facilities and equipment needed to support a productive and inclusive workforce. The Workforce Plan will also have regard to other regulatory requirements such as Equal Employment Opportunity Plans and the Disability Access and Inclusion Plan.

6 Long Term Financial Plan

The Long Term Financial Plan (LTFP) is a ten year rolling plan that incorporates the four-year financial projections accompanying the Corporate Business Plan. It is a key tool for prioritisation and ensuring the financial sustainability of the local government. Annual Budgets are directly aligned to the Corporate Business Plan/LTFP.

7 Annual Budget

All local governments are required to adopt an annual budget in accordance with Part 6, Division 2 of the *Local Government Act 1995*, Part 3 of the *Local Government (Financial Management) Regulations 1996*, Australian Accounting Standards (AASB) and the Australian Accounting Standards Board Interpretations (AASBI). The budget is a detailed financial plan for the coming year covering all aspects of a council’s operations, and should reflect the resources generated by way of revenue and the resources consumed by way of expenditure. It is the basis for the setting of rates. As a short term operational plan the annual budget is directed to the ultimate objectives of the council and serves as a guide to maintaining a definite course of activity.

Strategic Reviews

Overview

While the IPR suite “rolls forward” every year, with one year added and annual adjustments made, the Strategic Review is the main process by which the IPR suite is kept current. The indicative four-year IPR “roadmap” is shown below.



The Shire of Kulin is currently in year 3 – planning for the 4 year review.

Major Strategic Review

The Major Strategic Review needs to be tailored to local circumstances.
The following outlines a timeline for a Major Strategic

Major Strategic Review Process and Timeline for Shire of Kulin

February	Report to Council on Timeline and Process
February	Establish Framework for Community Engagement and advertise
March	Revisions of SCP, CBP, First draft 4 year Budget and review by Council with aim to undertake engagement – April
April	Major Engagement processes with Community discussing SCP/CBP drafts
May	Incorporate changes and review by Council for final engagement with Community
June	Council views final documents (incorporating changes as result of community engagement) and adopts.

Review of the process and suggestions to be incorporated into the process are invited from Council

FINANCIAL IMPLICATIONS:

The Administration Budget for 2016/17 held provisions for the use of Consultants to do a majority of this work. It is the intention to minimise the use of external facilitators and consultants to do the IPR engagements, favouring staff to do the work (CEO, DCEO and CDO) The advantage of this approach will be evident in both alignment of the SCP and BCP as previously these were done by different consultancies and the experience and focus local staff will bring to the outcomes.

Provision for the IPR processes;

Community Engagement

- Cost of Public meetings/workshops to consider IPR topics and workshop ideas for future SCP,
- Advertising in Update, Sms updates etc.
- formal advertising newspaper circulating in district,
- Additional staff time and TIL to undertake the work.

Presentation of IPR

- Cost of printing final reports
- Cost of website presentation etc.

Multiple financial implications impacting income, expenditure, grant funding, loans etc. as part of variations to the CSP/CBP. These financial implications will be considered as part of the Integrated Planning Report review and their initial flow-on effects for Budget deliberations in the adoption of the 2017/2018 Budget.

STATUTORY AND PLANNING IMPLICATIONS:

Local Government (Administration) Regulations 1996 Part 5 – Annual reports and planning

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Targeted and measured consultations on 3 occasions in developing the SCP/CBP.

WORKFORCE IMPLICATIONS:

Administrative workforce implications across a number of staff. KRA's have already been developed to reflect the priorities of this work. Performance Appraisals in June 2017 will assess individual performance in doing and being responsible for elements of this work.

RECOMMENDATION:

That Council receive the Integrated Planning Report (IPR) review detailing workloads and timeline for the 2017 review of the Strategic Community Plan 2013-2023, Corporate Business Plan and supporting plans required to be undertaken to 30th June 2017.

VOTING REQUIREMENT:

Absolute Majority

12/0217

Moved Cr Bowey Seconded Cr Duckworth that Council receive the Integrated Planning Report (IPR) review detailing workloads and timeline for the 2017 review of the Strategic Community Plan 2013-2023, Corporate Business Plan and supporting plans required to be undertaken to 30 June 2017.

Carried 8/0

7 COMPLIANCE

7.1 Compliance Reporting – General Compliance – January 2017

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.05 - Compliance
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

This report addresses General Compliance matters for January 2017. This process is not definitive, each month additional items and/or actions may be identified and 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 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 and can be reported to Council. In preparing the Agenda report – the CEO or DCEO sign off on completed items.

Prior month items not completed previously will be reported in the following month so Council remains aware of what items are still outstanding.

MATTERS OF NON COMPLIANCE: DECEMBER 2016

December report was completed early; some matters had not been completed at the time of the report preparation. These are included now.

1. **Occupational Health & Safety Meeting**
Yes held 19th December 2016 – Minutes included in this Agenda.
2. **Carpet Cleaning**
Undertaken during Christmas closure – Invoice in Feb Accounts for Payment
3. **Kulin CCCStaff Reviews**
Completed 16th December 2016 – CEO viewed recommendations/results Feb 2017.
4. **Monthly Stock on Hand**
Yes Completed for December 2016

MATTERS OF NON COMPLIANCE: JANUARY 2016

1. **Compliance Audit Return**
Statement Form to be completed still to arrive ex Dept. of Local Government
2. **Authorised Officer – Annual Update**
Item updating authorised officers included in this Feb Agenda – previously undertaken in 2013.
3. **Fair Value Calculations for Inclusion in accounting reporting**
In this year Council is required to undertake a fair value assessment for land and buildings. A Contractor will be engaged to undertake this work during April/May.
4. **Budget Review - required between 1 January to 31 March**
To be included in March Agenda

FINANCIAL IMPLICATIONS:

In the generation of the report, Nil in terms of meeting compliance. 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 Compliance Reports for January 2017 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

13/0217

Moved Cr O'Brien Seconded Cr Bowey that Council receive the General Compliance Reports for January 2017 and note the matters of non-compliance.

Carried 8/0

7.2 Compliance Reporting – Accounting Compliance – December 2016 & January 2017

NAME OF APPLICANT: DCEO
RESPONSIBLE OFFICER: SFO
FILE REFERENCE: 12.06 – Accounting Compliance
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

This report addresses Accounting Compliance matters for the month of December 2016 and January 2017. The accounting compliance spreadsheet checklist includes details the majority of the compliance and operation issues that are required throughout the year on a month by month basis. Council should refer to the DCEO any items they wish to raise for review.

Compliance recorded in this way should provide Council with the surety that all known compliance and operational requirements are being addressed as part of staff workloads and that a degree of internal audit is 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 administration staff member will send to the listed staff members an email detailing their compliance requirements for the month.

As the month progresses, staff in conjunction with their manager, the CEO or DCEO will undertake the analysis of the work required and determine the extent of action needed that will be required to complete items. During Agenda week the monthly report/list is reviewed to ensure compliance items are completed and can be reported to Council. As the Agenda is prepared – the CEO or DCEO sign off on all completed items.

MATTERS OF NON COMPLIANCE: DECEMBER 2016/JANUARY 2017

Nil

FINANCIAL IMPLICATIONS:

In the generation of the report, Nil in terms of meeting compliance. 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 Finance Compliance Report for December 2016 and January 2017 and note items of non-compliance outstanding.

VOTING REQUIREMENTS:

Simple majority required.

14/0217

Moved Cr Duckworth Seconded Cr Varone that Council receive the General Compliance Reports for January 2017 and note the matters of non-compliance.

Carried 8/0

7.3 Compliance Reporting – Delegations Exercised – December 2016 & January 2017

NAME OF APPLICANT: Shire of Kulin
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 12.05 - Compliance
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

To report back to Council actions performed under delegated authority from the period 1 December 2016 to 31 January 2017.

BACKGROUND & COMMENT:

This report is prepared for Council detailing actions performed under delegated authority by the respective officers –

Finance

- Investment of Surplus Funds (DCEO)
- Agreements for the payment of debts to Council (DCEO)
- Writing Off debts to Council – Up to \$100 (CEO)

Approvals

- Building Licenses issued (Building Officer)
- Swimming Pool Inspections completed (EHO)
- Health approvals issued or actions taken (EHO)
- Development Applications (DA's) issued (CEO)

Other Delegations

- Fire Fighting – plant hire (CEO)
- Temporary Road Closures (Works Manager)
- Cemeteries Act – exhumations (CEO)
- Use of the Common Seal (CEO)

MINUTES OF ORDINARY MEETING HELD 15 FEBRUARY 2017

COMMENT

The following tables outline the actions performed within the organisation relative to the delegated authority for the month and are submitted to Council for information.

Finance

Investment of Surplus Funds (DCEO) - Local Government Act 1995, section 6.14
Delegation exercised for December 2016 and January 2017.

Municipal funds

\$ (750,000.00)		Draw down
\$ 650,000.00	1.50%	On call
\$ 500,000.00	1.75%	30 days
\$ 250,000.00	2.10%	60 days
\$ 500,000.00	2.35%	90 days
\$ (150,000.00)		Draw down
\$ 500,000.00	2.35%	90 days

Reserve Funds

\$ (550,000.00)	Building Reserve	Draw down
\$ 1,381,384.81	2.35%	4 months
\$ 314,193.59	2.55%	6 months

Agreements for the payment of debts to Council (DCEO) - Local Government Act 1995 section 6.49

Date of Decision	Decision Ref.	Decision Details	Other affected Person(s)
30 January 2017	Ron Hardy	Agreement to pay \$200 month on outstanding rates (3-4months to eliminate) – following adjustment for Pensioner Rate Rebate.	Nil

Writing Off debts to Council – Up to \$100 (CEO) - Local Government Act 1995 section 6.12

No delegated decisions were undertaken by staff pursuant to the payment of debts for the reporting period.

Approvals

No delegated decisions for Building Licenses issued (Building Officer) - Building Act 2011, Building Code of Australia were undertaken by staff pursuant to this reporting period.

Swimming Pool Inspections completed (EHO)

No delegated decisions were undertaken by staff pursuant to the Inspection of Pools for the reporting period.

Health approvals issued or actions taken (EHO) - Health Act 1911, section 26

No delegated decisions were undertaken by staff pursuant to the issue of Health Approvals for the reporting period.

Development Applications (DA's) issued (CEO) – Shire of Kulin TPS2

No delegated decisions were undertaken by staff pursuant to Development Applications issued under the Shire of Kulin TPS2 for the reporting period.

Other Delegations

Fire Fighting – plant hire (CEO) - Local Government Act sections 5.42 and 5.44 and Bush Fires Act section 38 (3), (4) and (5).

No delegated decisions were undertaken by staff pursuant to the hire of firefighting plant for the reporting period.

Temporary Road Closures (Works Manager) - Local Government Act 1995 section 3.50

No delegated decisions were undertaken by staff pursuant to the temporary closure of roads for the reporting period.

Cemeteries Act – exhumations (CEO) - Cemeteries Act 1986 sections 6 and 59

No delegated decisions were undertaken by staff pursuant to exhumations for the reporting period.

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Use of the Common Seal (CEO) - Local Government Act 1995 – Section 9.49A

Date of Decision	Decision Ref.	Decision Details	Other affected Person(s)
21 December 2016	Transfer of Land	MJ & KM Wilson – part of Lot 1001 on Deposited Plan Comprised in Lot 20 On Deposited Plan 406807 – Kulin Townsite Dam – Oval Watering.	Shire of Kulin – purchase of land for Kulin townsite dam
21 December 2016	Transfer of Land	MJ & KM Wilson – Lot 1001 on Deposited Plan 42480; Lot 1 on Diagram 62868 – Kulin Townsite Dam – Oval Watering.	Shire of Kulin – purchase of land for Kulin townsite dam

STATUTORY ENVIRONMENT:

Building Act 2011
Bushfires Act 1954
Cemeteries Act 1986
Health Act 1911, section 26
Health Act 1991 – s.107
Local Government Act 1995
Shire of Kulin TPS2
Town Planning Development Act
Town Planning Scheme
Trustees Act, Part III,

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 December 2016 & January 2017.

VOTING REQUIREMENTS:

Simple majority required.

15/0217

Moved Cr O'Brien Seconded Cr Duckworth that Council receive the Delegation Exercised Report for December 2016 & January 2017.

Carried 8/0

8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil

11 DATE AND TIME OF NEXT MEETING

The next Ordinary Council meeting will be held on Wednesday 15 March 2017 at 1:00pm.

12 CLOSURE OF MEETING

There being no further business the meeting closed at 6:20pm.