

ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS**
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**
Cr Varone – Leave of Absence granted at July Meeting
Cr West due to 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 – 17 July 2019
 - 5.2 Kulin LEMC Meeting – 31 July 2019
 - 5.3 Kulin Retirement Homes Meeting – 4 July 2019
- 6 MATTERS REQUIRING DECISION**
 - 6.1 List of Accounts – July 2019
 - 6.2 Financial Reports – July 2019
 - 6.3 Letter from Norm Scadding – Commonwealth Rd
 - 6.4 Nomination of Council Representative for Cultivating Kulin Committee
 - 6.5 Nomination of Council Representative for Camp Kulin Inc.
- 7 COMPLIANCE**
 - 7.1 Compliance Reporting - General Compliance July 2019
 - 7.2 Compliance Reporting – Delegations Exercised July 2019
- 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 21 August 2019 commencing at 4.23pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance

RD Duckworth	Deputy President	West Ward
HT McInnes	Councillor	Town Ward
B Smoker	Councillor	West Ward
R Bowey	Councillor	Town Ward
BP Taylor	Councillor	Central Ward
MS Lucchesi	Councillor	Central Ward
G Robins	Councillor	Town Ward
G Yandle	Chief Executive Officer	
C Vandenberg	Deputy Chief Executive Officer	
J Hobson	Manager of Works	

APOLOGIES

BD West	President	West Ward
---------	-----------	-----------

LEAVE OF ABSENCE

L Varone	Councillor	East Ward
----------	------------	-----------

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 July 2019

01/0819

Moved Cr Smoker Seconded Cr Robins that the minutes of the Ordinary Council Meeting held on 17 July 2019 be confirmed as a true and correct record.

Carried 7/0

Kulin Local Emergency Management Committee Meeting – Minutes 31 July 2019

02/0819

Moved Cr Lucchesi Seconded Cr Smoker that the minutes of the Kulin Local Emergency Management Committee Meeting held on 31 July 2019 be confirmed as a true and correct record.

Carried 7/0

Kulin Retirement Homes Meeting – Minutes 4 July 2019

03/0819

Moved Cr Taylor Seconded Cr McInnes that the minutes of the Kulin Retirement Homes Meeting held on 4 July 2019 be confirmed as a true and correct record.

Carried 7/0

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – July 2019

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

SUMMARY:

Attached is the list of accounts paid during the month of July 2019 for Council's consideration.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

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

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That July payments being cheque no.'s 249 (Trip), 411 (Trust), 37132 - 37146; EFT No's 15454 - 15562, DD6986.1 - DD7001.10 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$698,535.94 be received.

VOTING REQUIREMENTS:

Simple majority required.

04/0819

Moved Cr Taylor Seconded Cr McInnes that July payments being cheque no.'s 249 (Trip), 411 (Trust), 37132 - 37146; EFT No's 15454 - 15562, DD6986.1 - DD7001.10 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$698,535.94 be received.

Carried 7/0

6.2 Financial Reports – July 2019

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

SUMMARY:

Attached are the financial reports for the period ending 31 July 2019.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

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

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council endorse the monthly financial statements for the period ending 31 July 2019.

VOTING REQUIREMENTS:

Simple majority required.

05/0819

Moved Cr Taylor Seconded Cr Lucchesi that Council endorse the monthly financial statements for the period ending 31 July 2019.

Carried 7/0

6.3 Letter from Norm Scadding – Commonwealth Road

RESPONSIBLE OFFICER: CEO / Works Manager

FILE REFERENCE: 28.11 Roads General

AUTHOR: CEO

STRATEGIC REFERENCE/S: 1.2 Connected communities through a safe and efficient transport network throughout the Shire.

DISCLOSURE OF INTEREST: Nil

SUMMARY:

Norm and Margaret Scadding have written to Kulin Shire Council asking that their letter regarding Commonwealth Road be tabled at the next available Council Meeting.

BACKGROUND & COMMENT:

On 25th July 2019 Kulin Shire Council received a letter from Norm and Margaret Scadding regarding Commonwealth Road following a recent fatal accident on the road on Tuesday 16th July 2019.

In the letter Norm has requested council put some warning signage on the "bad piece of road" where the accident occurred as he had also seen another accident in the same vicinity along Commonwealth Road.

The location has two sharp bends that potentially contribute towards a safety hazard along Commonwealth Road near Dandagin Road. The bends wind around lake country and it would be difficult to straighten this section of road, hence additional signage is proposed.

It is proposed that the CEO and Works Manager inspect the site to investigate key issues raised and identify appropriate rectification measures for this section of Commonwealth Road and provide a written report back to Council.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

- Appropriate rectification measures to be undertaken within the maintenance budget by Council staff.
- Should significant Capital Works be required these will be fully scoped and costed by Works Manager in conjunction with CEO and brought back to Council for consideration as a Budget Amendment.
- Council could also investigate the option of seeking Blackspot funding should major works be identified.

COMMUNITY CONSULTATION:

Written response to be provided to Norma and Margaret Scadding.

WORKFORCE IMPLICATIONS:

CEO and Works Manager to inspect and investigate site.

Works Crew to undertake appropriate rectification measures within the maintenance budget.

OFFICER'S RECOMMENDATION:

That Council:

1. Receive the letter table by Norm and Margaret Scadding.
2. Request the CEO to inspect the site with appropriate staff to investigate key issues raised and identify appropriate rectification measures for this section of Commonwealth Road and provide a written report back to Council.
3. Request the CEO provide a written response to Norm and Margaret Scadding thanking them for their correspondence and outlining how Council propose to address their queries.

VOTING REQUIREMENTS:

Simple Majority required.

06/0819

Moved Cr Bowey Seconded Cr Taylor that Council:

1. **Receive the letter table by Norm and Margaret Scadding;**
2. **Request the CEO to inspect the site with appropriate staff to investigate key issues raised and identify appropriate rectification measures for this section of Commonwealth Road and provide a written report back to Council, and;**
3. **Request the CEO provide a written response to Norm and Margaret Scadding thanking them for their correspondence and outlining how Council propose to address their queries.**

Carried 7/0

6.4 Nomination of Council Representative for Cultivating Kulin Committee

RESPONSIBLE OFFICER: CEO / CDO

FILE REFERENCE: 02.07

AUTHOR: CEO

STRATEGIC REFERENCE/S:

DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Cultivating Kulin Committee (CKC) is seeking a formal representative from Kulin Shire Council.

BACKGROUND & COMMENT:

In the early stages of 2019 the CKC reformed after a recent hiatus. As part of the reform process the CKC was required to develop a new constitution in line with updated WA State government guidelines. The CKC is a community driven group with representatives from the following local Kulin community organisations:

- Kulin Community Financial Services
- Kulin Bush Races Inc.
- Kulin Shire Council
- Wider Kulin community members

The following provides an overview of the proposed Cultivating Kulin Committee structure as per the CKC Constitution adopted at its June 2019 AGM:

- (1) *The committee will consist of nine (9) persons made up of six (6) community representatives and three (3) appointed committee representatives consisting of —*
 - (a) *Six (6) community representatives*
 - i. *Office Holders of the Association*
 1. *chairperson*
 2. *deputy chairperson*
 3. *secretary*
 4. *treasurer*
 - ii. *two (2) Kulin community members*
 - (b) *Three (3) appointed committee representatives*
 - i. *one member to be appointed by Kulin Community Financial Services*
 - ii. *one member to be appointed by Kulin Bush Races Inc.*
 - iii. *one member to be appointed by Kulin Shire Council*

During the initial meetings held by CKC during 2019 Kulin Shire Council has been informally represented by President Barry West or CEO Garrick Yandle. This item provides the mechanism for Council to formally nominate a representative from Kulin Shire Council to CKC.

STATUTORY ENVIRONMENT:

Associations Incorporations Act 2015

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Cultivating Kulin Committee

WORKFORCE IMPLICATIONS:

Currently the Secretary position on CKC is being undertaken by Taryn Scadding as the Shire's Community Development Officer (CDO). It is proposed that this role be renamed Executive Officer for CKC and that the Shire would undertake this responsibility through the CDO.

Council's CEO will continue to work closely with CKC members to provide a conduit with Council's operations and provide clarity on Council's roles and responsibility within CKC and the wider Local Government Act.

OFFICER'S RECOMMENDATION:

That Council nominate Cr West as the Kulin Shire Council representative on the Cultivating Kulin Committee, with this position to be reviewed after each 2 year Council election cycle.

VOTING REQUIREMENTS:

Simple Majority

07/0819

Moved Cr Robins Seconded Cr Taylor that Council nominate Cr West as the Kulin Shire Council representative on the Cultivating Kulin Committee, with this position to be reviewed after each 2 year Council election cycle.

Carried 7/0

6.5 Nomination of Council Representative for Camp Kulin Inc.

RESPONSIBLE OFFICER: CEO / CDO

FILE REFERENCE: 05.20

AUTHOR: CEO

STRATEGIC REFERENCE/S:

DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Camp Kulin Inc. (CK Inc.) is seeking a formal representative from Kulin Shire Council.

BACKGROUND & COMMENT:

In the early stages of 2019 the CK Inc. has developed a formal board process as required in becoming a registered charity. As part of the development process CK Inc. was required to develop a constitution in line with updated WA State government guidelines.

CK Inc. was established to be a charity organisation with its main purpose to advance social and public welfare by undertaking activities including:

- The provision of enjoyable day programs and residential camping experiences for children and young people, in Kulin, WA
- The provision of individual support, mentoring and informal therapy to children and young people as components of an early intervention approach to support positive mental health
- The engagement of Government, business and community to facilitate funding and sponsorship opportunities for disadvantaged children and young people
- Engagement with tertiary education and research organisations to provide research opportunities and student placements

The following provides an overview of the proposed CK Inc. committee structure as per the CKC Constitution adopted at its June 2019 AGM:

- (a) *The Committee is to consist of:*
 - (i) *the office holders of the Association; and*
 - (ii) *not less than one other Member.*

- (b) *The maximum number of other Members of the Committee is to be determined by the Committee.*

- (c) *The office holders of the Association are:*
 - (i) *the Chairperson;*
 - (ii) *the Deputy-Chairperson;*
 - (iii) *the Secretary; and*
 - (iv) *the Treasurer.*

During the initial meetings held by CK Inc. during 2019, Kulin Shire Council has been informally represented by CEO Garrick Yandle, CK Manager Tanya Dupagne and Community Development Officer Taryn Scadding. This item provides the mechanism for Council to formally nominate a representative from Kulin Shire Council to CK Inc.

STATUTORY ENVIRONMENT:

Associations Incorporations Act 2015
Charitable Collections Act 1946

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Camp Kulin Inc. Committee
Camp Kulin Manager

WORKFORCE IMPLICATIONS:

Currently the Secretary position on Camp Kulin Inc. is being undertaken by Taryn Scadding as the Shire's Community Development Officer (CDO). It is proposed that this role be renamed Executive Officer for CK Inc. and that the Shire would undertake this responsibility through the CDO.

Council's CEO will continue to work closely with Camp Kulin Inc. committee members to provide a conduit with Council's operations and provide clarity on Council's roles and responsibility within Camp Kulin Inc. and the wider Local Government Act.

The Council representative will be a co-opted member of the Camp Kulin Inc Committee until the structure is changed at the next AGM.

OFFICER'S RECOMMENDATION:

That Council nominate _____ (person / position) to be a co-opted committee member on the Camp Kulin Inc. Committee, with this position to be reviewed after each 2 year Council election cycle.

VOTING REQUIREMENTS:

Simple Majority

08/0819

Moved Cr Smoker Seconded Cr Taylor that this item be deferred until after Local Government Elections have taken place.

Carried 7/0

7 COMPLIANCE

7.1 Compliance Reporting – General Compliance July 2019

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

SUMMARY:

This report addresses General and Financial Compliance matters for July 2019. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations. The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

BACKGROUND & COMMENT:

The Compliance team and works staff commence the monthly compliance effort immediately after the Shire meeting each month. At that time, the Executive Support Officer will email the assigned staff member their compliance requirements for the coming month. As the month progresses, staff in conjunction with their manager, the CEO or DCEO will determine the extent of work/action needed to complete items. During Agenda week, the Compliance Team again meets to ensure the monthly report/list is reviewed and that compliance items are completed. In preparing the Agenda report, the CEO or DCEO will sign off on completed items. Prior month items not completed previously will be reported in the following month so Council remains aware.

Outstanding April 2019

Records Management Disaster Plan

Outstanding May 2019

Review of Equal Opportunity Employment Plan

Outstanding June 2019

Staff Performance Reviews & KRA's – commenced

CRC Staff Performance Reviews – N/A

FINANCIAL IMPLICATIONS:

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

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Identified as necessary – this report Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council receive the General & Financial Compliance Report for July 2019 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

09/0819

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

Carried 7/0

7.2 Compliance Reporting – Delegations Exercised – July 2019

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

SUMMARY:

To report back to Council actions performed under delegated authority for the period ending 30 June 2019.

To provide a comprehensive report listing of the delegations able to be exercised following adoption of a more substantial array of delegations in June 2017.

BACKGROUND & COMMENT:

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

ADMINISTRATION

Policy Delegation

	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)
-------------------------	-------

COMMUNITY SERVICES

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

WORKS

W1 Gravel Supplies	(MW)
W2 Roads – Clearing	(CEO)
W3 Roads – Damage to	(MW)

W4	Roads – Roadside Markers – Management of	(MW)
W5	Stormwater Drainage	(MW)
W6	Street Trees	(CEO)
W7	Streetscape – Improvements	(CEO)
W8	Roadside Burning	(MW)
W9	Temporary Road Closures	(MW)
W10	General – Works Practices Approvals	

COMMENT:

The following details the delegations exercised within the Shire relative to the delegated authority for the month of September 2018 and are submitted to Council for information (excluding delegations under A9, Payments – refer to individual order and payment listed in Accounts paid).

C16 Bushfire Control – Confirmation Appointment of Dual FCO’s

Appoint Greg Doyle and Bryce Nicholls Shire of Corrigin

G2 Building Licences and Swimming Pools

Building Permit -New House 10 Ellson Street Kulin

Building Permit – Shed 90 Johnston Street Kulin

STATUTORY ENVIRONMENT:

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

FINANCIAL IMPLICATIONS:

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

STATUTORY AND PLANNING IMPLICATIONS:

Sections 5.18 and 5.46 of the Local Government Act 1995

POLICY IMPLICATIONS:

There are no known policy implications relating to this report.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER’S RECOMMENDATION:

That Council receive the Delegation Exercised Report for July 2019.

VOTING REQUIREMENTS:

Simple majority required.

10/0819

Moved Cr Robins Seconded Cr Taylor that Council receive the Delegation Exercised Report for July 2019.

Carried 7/0

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

Wednesday 18 September 2019 at 1.00pm

12 CLOSURE OF MEETING

There being no further business the President declared the meeting closed at 4.48pm