

ORDER OF BUSINESS

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS - COUNCIL CHAMBERS**
- 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 – 19 June 2019
 - 5.2 Freebairn Recreation Centre Club Committee Meeting –25 June 2019
 - 5.3 RoeROC Council Meeting – 20 June 2019
- 6 MATTERS REQUIRING DECISION**
 - 6.1 List of Accounts – June 2019
 - 6.2 Financial Reports – June 2019
 - 6.3 2109/20 Budget Adoption
- 7 COMPLIANCE**
 - 7.1 Compliance Reporting - General Compliance June 2019
 - 7.2 Compliance Reporting – Delegations Exercised June 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**
 - 10.1 Staff Matter - CEO Probationary Period Review Decision
- 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 17 July 2019 commencing at 5.57pm

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

APOLOGIES

Nil

3. **PUBLIC QUESTION TIME**

Nil

4. **APPLICATIONS FOR LEAVE OF ABSENCE**

Agreed that Cr Varone be granted a Leave of Absence for the August meeting.

5. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Shire of Kulin Ordinary Meeting – 19 June 2019

01/0719

Moved Cr Smoker Seconded Cr Robins that the minutes of the Ordinary Council Meeting held on 19 June 2019 be confirmed as a true and correct record.

Carried 9/0

Freebairn Recreation Centre Club Committee Meeting – Minutes 25 June 2019

02/0719

Moved Cr Taylor Seconded Cr Lucchesi that the minutes of the Freebairn Recreation Centre Club Committee Meeting held on 25 June 2019 be confirmed as a true and correct record.

Carried 9/0

RoeROC Council Meeting – Minutes 20 April 2019

03/0719

Moved Cr Robins Seconded Cr Varone that the minutes of the RoeROC Council Meeting held on 20 June 2019 be confirmed as a true and correct record.

Carried 9/0

6 MATTERS REQUIRING DECISION

6.1 List of Accounts – June 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 June 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 June payments being cheque no.'s 410 (Trust), 37124 – 37131; EFT No's 15344 - 15453, DD6933.1 - DD6957.14 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$876,738.03 be received.

VOTING REQUIREMENTS:

Simple majority required.

04/0719

Moved Cr McInnes Seconded Cr Smoker that June payments being cheque no.'s 410 (Trust), 37124 – 37131; EFT No's 15344 - 15453, DD6933.1 - DD6957.14 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$876,738.03 be received.

Carried 9/0

6.2 Financial Reports – June 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 30 June 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 30 June 2019.

VOTING REQUIREMENTS:

Simple majority required.

05/0719

Moved Cr Taylor Seconded Varone Cr that Council endorse the monthly financial statements for the period ending 30 June 2019.

Carried 9/0

6.3 2019/2020 Budget Adoption

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

SUMMARY:

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

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

- Rate in the \$ for GRV and UV properties (based on 2.7% increase)
- Minimum values for GRV and UV properties
- Discount on early payment of rates
- Interest on late payment of rates and administration charge for instalment options
- Payment options and instalment dates

COMMENT:

We have budgeted for a loss of \$2,574,291 for the 2019/20 financial year compared to a budgeted loss of \$2,159,261 in the previous financial year. This loss figure can be largely attributed to our depreciation which, following the revaluation of our infrastructure assets in 2017/18, has increased from \$2.9m to \$3.8m. We have engaged consultants to prepare our asset management plan and revalue all categories of assets during the 2019/20 financial year, we hope to do some analysis on the rates of depreciation of our roads to ensure this depreciation figure is accurate.

Comparison to 2017/2018 Annual Budget**Income**

Rates levied has yielded Council an increase of \$57,305 (2.77%). The early payment discount has been budgeted at 5% and will come at an estimated cost of \$90,000.

Budgeted operating grants have increased by \$346,193 (22.41%) due to an increase in the Financial Assistance Grants and the Main Roads Direct Grant.

Budgeted fees & charges have decreased by \$266,313 (16.7%). In 2018/19 we had a private works budget of \$221,000. In the past we have contracted our services to assist with the completion of major road works jobs for other Local Governments. In this financial year we have not budgeted to complete any major private works jobs.

Expenditure

Employee expenses (including superannuation) have increased by \$91,319 (3.1%) from a budget of \$2,921,855 in 2018/29 to \$3,013,174 in 2019/20. This increase is attributed to the minimum wage increase of 3%. There is an allowance of \$69,000 for labour contingencies however these are rarely utilised. Below is a table showing the wages costs (excluding depreciation) for each department.

Department	Total Salaries	Percentage of Budget
Administration	542,616	20%
Resource Centre	95,463	4%
Freebairn Recreation Centre	105,961	4%
Swimming Pool	86,052	3%
Camp Kulin	201,903	8%
Outdoor Staff & Management	1,336,182	50%
Cleaning	64,849	3%
Childcare	157,199	6%

Capital Expenditure

A table has been attached which describes each capital expenditure project in the budget. This table also highlights the changes made and the priority listing made at the budget workshop

Capital expenditure in 2019/2020 has increased by \$740,000 compared to our 2018/2019 capital expenditure budget of \$2,722,458. This is mostly due to the increase in asset grants which will be received this financial year. In the last financial year Council funded much of the road work projects from their own resources, with funding back to its long term average Council are able to commit their resources to capital projects other than roads.

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

STATUTORY ENVIRONMENT:

As per the Recommendation

FINANCIAL IMPLICATIONS:

The budget sets the Council approved expenditure for the 2019/2020 financial year.

RECOMMENDATION:

That Council adopt the 2019/2020 Budget in accordance with the following items:

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

Valuation	Rate (cents per dollar)	Minimum Rate
Residential Zoning – GRV	10.187	\$ 443.89
Industrial Zoning – GRV	10.187	\$ 443.89
Commercial Zoning – GRV	10.187	\$ 443.89
Rural Zoning – UV	1.049	\$ 443.89
Mining Zoning – UV	1.049	\$ 443.89
Rural Zoning - GRV	10.187	\$ 443.89

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

Two Instalment Option:

- 1st Instalment not due before 27th September 2019
- 2nd Instalment not due before 27th January 2020

Four Instalment Option

- 1st Instalment not due before 27th September 2019
- 2nd Instalment not due before 27th November 2019
- 3rd Instalment not due before 27th January 2020
- 4th Instalment not due before 27th March 2020

VOTING REQUIREMENTS:

Absolute majority required.

06/0719

Moved Cr Duckworth Seconded Cr Smoker that Council adopt the 2109/2020 Budget in accordance with the following items:

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

Valuation	Rate (cents per dollar)	Minimum Rate
Residential Zoning – GRV	10.187	\$ 443.89
Industrial Zoning – GRV	10.187	\$ 443.89
Commercial Zoning – GRV	10.187	\$ 443.89
Rural Zoning – UV	1.049	\$ 443.89
Mining Zoning – UV	1.049	\$ 443.89
Rural Zoning - GRV	10.187	\$ 443.89

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

Two Instalment Option:

- 1st Instalment not due before 27th September 2019
- 2nd Instalment not due before 27th January 2020

Four Instalment Option

- 1st Instalment not due before 27th September 2019
- 2nd Instalment not due before 27th November 2019
- 3rd Instalment not due before 27th January 2020
- 4th Instalment not due before 27th March 2020

Carried by Absolute Majority

7 COMPLIANCE

7.1 Compliance Reporting – General Compliance June 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 June 2019. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations.

The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

BACKGROUND & COMMENT:

The Compliance team and works staff commence the monthly compliance effort immediately after the Shire meeting each month. At that time, the Executive Support Officer will email the assigned staff member their compliance requirements for the coming month. As the month progresses, staff in conjunction with their manager, the CEO or DCEO will determine the extent of work/action needed to complete items. During Agenda week, the Compliance Team again meets to ensure the monthly report/list is reviewed and that compliance items are completed. In preparing the Agenda report, the CEO or DCEO will sign off on completed items.

Prior month items not completed previously will be reported in the following month so Council remains aware.

Outstanding January 2019

LEMC & Shire Emergency Management Plans – Review – commenced, LEMC meeting scheduled for 31 July

Outstanding March 2019

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

Outstanding April 2019

Freedom of Information Statement - *completed*

Records Management Disaster Plan

Take Down Shade Sails at Pool - *completed*

Outstanding May 2019

Review of Equal Opportunity Employment Plan

Outstanding June 2019

Staff Performance Reviews & KRA's – rescheduled July/August

Occupational Health & Safety Meeting – rescheduled to later date

CRC Staff Performance Reviews – rescheduled July/August

FINANCIAL IMPLICATIONS:

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

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Identified as necessary – this report Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

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

VOTING REQUIREMENTS:

Simple majority required.

07/0719

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

Carried 9/0

7.2 Compliance Reporting – Delegations Exercised – June 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)
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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)
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).

A10 Use of Common Seal

Apply Common Seal to housing contract Modular WA

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 June 2019.

VOTING REQUIREMENTS:

Simple majority required.

08/0619

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

Carried 9/0

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

09/0719

Moved Cr Robins Seconded Cr Taylor that the meeting be 'closed to the public' to discuss a matter affecting an employee.

Carried 9/0

Cassi-Dee Vandenberg, Judd Hobson & Nicole Thompson left the Council Chambers at 6.36pm

10.1 Staff Matter - CEO Probationary Period Review Decision

10/0719

Moved Cr Duckworth Seconded Cr Robins that Council on the basis of the evidence provided in this report and other verbal Councillor and staff reports before Council confirm the successful completion of the probationary period of Shire of Kulin CEO Garrick Yandle as of the 15 July 2019.

Carried 9/0

11/0719

Moved Cr McInnes Seconded Cr Varone that Council open the meeting to the public and resume the ordinary meeting.

Carried 9/0

11 DATE AND TIME OF NEXT MEETING

Wednesday 21 August 2019 at 1.00pm

12 CLOSURE OF MEETING

There being no further business the President declared the meeting closed at 7.15pm