

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 – 15 June 2017
 - 5.2 Kulin Retirement Homes Inc. - 22 June 2017
 - 5.3 Kulin Child Care Centre Management Committee – 26 June 2017
 - 5.4 Kulin Bush Races – 5 July 2017
 - 5.5 RoeROC Council Meeting – 22 June 2017
- 6 MATTERS REQUIRING DECISION**
 - 6.1 List of Accounts – June 2017
 - 6.2 Financial Reports – June 2017
 - 6.3 Jean Sloan – Request Permission for Collection of Native Seed 2018
 - 6.4 Bushfire Administration – Dual Fire Control Officers Corrigin
 - 6.5 Amalgamation of Bushfire Brigades – Advertising
 - 6.6 Roe Regional Environmental Health Services Scheme – Renewal of MOU
 - 6.7 Dot Point Report and Plan – Staff Accommodation & Associated Themes
 - 6.8 Review of Procedure APOG – Housing and Sale of Housing
- 7 COMPLIANCE**
 - 7.1 Compliance Reporting - General & Financial Compliance June 2017
 - 7.2 Compliance Reporting – Delegations Exercised June 2017
- 8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 9 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
 - 9.1 Equal Employment Opportunity Management Plan
 - 9.2 Record of Condolence – Harold Proud
- 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 19 July 2017 commencing at 3.43pm

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
R Bowey	Councillor	Town Ward
BP Taylor	Councillor	Central Ward
R O'Brien	Councillor	Central Ward
L Varone	Councillor	East Ward
N Mason	Chief Executive Officer	
C Vandenberg	Deputy CEO	
N Thompson	ESO/Minutes	
J Hobson	Manager of Works	

Apologies

G Robins	Councillor	Town Ward
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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 – 15 June 2017

01/0717

Moved Cr O'Brien Seconded Cr Taylor that the minutes of the Ordinary Council Meeting held on 15 June 2017 be confirmed as a true and correct record.

Carried 8/0

Kulin Retirement Homes Inc. – 22 June 2017

02/0717

Moved Cr Bowey Seconded Cr Varone that the minutes of Kulin Retirement Homes Inc. Meeting held on 22 June 2017 received.

Carried 8/0

Kulin Child Care Centre Management Committee – 26 June 2017

03/0717

Moved Cr Bowey Seconded Cr Varone that the minutes of the Kulin Child Care Centre Management Committee Meeting held 26 June 2017 be received.

Carried 8/0

Kulin Bush Races – 5 July 2017

04/0717

Moved Cr O'Brien Seconded Cr Taylor that the minutes of the Kulin Bush Races General Meeting held 5 July 2017 received.

Carried 8/0

05/0717

Moved Cr Bowey Seconded Cr Varone that the minutes of the RoeROC Council Meeting held 22 June 2017 be received.

Carried 8/0

6 MATTERS REQUIRING COUNCIL DECISION

6.1 List of Accounts – June 2017

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 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 June payments being cheque No's 365 (Trust Fund) 1996 - 1999 (Bush Races), 36808 - 36824 (Municipal), EFT No's 12718 - 12802, DD6181.1 - DD6190.11 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$593,175.46 be received.

VOTING REQUIREMENTS:

Simple majority required.

06/0717

Moved Cr McInnes Seconded Cr Ledwith that June payments being cheque No's 365 (Trust Fund) 1996 - 1999 (Bush Races), 36808 - 36824 (Municipal), EFT No's 12718 - 12802, DD6181.1 - DD6190.11 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$593,175.46 be received.

Carried 8/0

6.2 Financial Reports – June 2017

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

SUMMARY:

Attached is the financial report for the period ending 30 June 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 receive the monthly financial statement for the periods ending 30 June 2017.

VOTING REQUIREMENTS:

Simple majority required.

07/0717

Moved Cr Duckworth Seconded Cr Taylor that Council receive the monthly financial statement for the period ending 30 June 2017.

Carried 8/0

6.3 Jean Sloan – Request Permission for Collection of Native Seed 2018

NAME OF APPLICANT: Jean Sloan
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 11.04
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Jean Sloan (DPAW License CP015502) has written to Council seeking permission to collect native seed from reserves vested in the Shire of Kulin for the period to June 2018.

BACKGROUND & COMMENT:

Council issued an approval (Resolutions 11/1216) to Ms. Jean Sloan to collect native seeds in the Shire of Kulin which expired on the 30th June 2017.

In accordance with the approval conditions, Ms Sloan has provided the Shire with approx. 500grams of seeds collected in 2016. Seeds will be used to revegetate the Davies Road closure.

When completing the APOG Manual, a procedure and delegation allowing the Chief Executive Officer to consider and determine seed collecting applications was overlooked. Council had previously in August 2016 agreed to develop a procedure for the seed collecting applications. The following procedure is recommended to be added to the Community Services section of the APOG.

Native Seed Collection in the Shire of Kulin

The Chief Executive Officer is authorised to consider applications for approval to collect native seeds in the Shire of Kulin subject to compliance with the following terms and conditions;

- *Approvals will only last for the balance of the financial year in which they are issued and will expire on the 30 June each year;*
- *All persons collecting native seed are to be licensed according to the Wildlife Conservation Act 1950 and will abide by conditions of the license;*
- *A copy of the License is to be sent to the Shire on receipt of the Shire approval;*
- *Collection is only to be undertaken by the applicant or approved staff of the applicant;*
- *Appropriate hygiene measures will be followed at all times to prevent the spread of disease and weeds;*
- *All care will be taken to avoid the disturbance of fauna habitat;*
- *All care will be taken to avoid any disturbance that will lead to soil degradation; and*

- *The fee for collection is to be 10% of seed collected within the Shire, to be returned to the Shire of Kulin for replanting native flora areas in our region.*
Upon an applicant agreeing to the terms and conditions, the Chief Executive Officer will issue approval by letter.

On this occasion, the application can be determined by Council resolution.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

As indicated with Procedure to be adopted in the APOG.

Note: Shire of Kulin Administrative Procedures and Operational Guidelines Manual (APOG)

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council permit the issue of a seed collection licence to Jean Sloan for the period ending 30 June 2018, under the following conditions;

- All persons collecting native seed are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of this licence,
- A copy of the License is to be sent to the Shire on receipt of the Shire approval;
- Collection is to only be undertaken by the applicant or the applicant's staff,
- Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds,
- All care to be taken to avoid the disturbance of fauna habitat, and
- All care to be taken to avoid any disturbance that may lead to soil degradation.
- 10 % of seed collected within the Shire of Kulin is to be returned to the Shire of Kulin for replanting of native flora areas in our region; and

That the detailed procedure to consider applications to collect native seeds in the Shire of Kulin be added to the Community Services section of the APOG.

VOTING REQUIREMENTS:

Simple majority required.

08/0717

Moved Cr McInnes Seconded Cr Duckworth that Council permit the issue of a seed collection licence to Jean Sloan for the period ending 30 June 2018, under the following conditions;

- **All persons collecting native seed are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of this licence,**
- **A copy of the License is to be sent to the Shire on receipt of the Shire approval;**
- **Collection is to only be undertaken by the applicant or the applicant's staff,**
- **Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds,**
- **All care to be taken to avoid the disturbance of fauna habitat, and**
- **All care to be taken to avoid any disturbance that may lead to soil degradation.**
- **10 % of seed collected within the Shire of Kulin is to be returned to the Shire of Kulin for replanting of native flora areas in our region; and**

That the detailed procedure to consider applications to collect native seeds in the Shire of Kulin be added to the Community Services section of the APOG.

Note: Shire of Kulin Administrative Procedures and Operational Guidelines Manual (APOG)

Carried 8/0

6.4 Bushfire Administration – Dual Fire Control Officers Corrigin

NAME OF APPLICANT: Shire of Corrigin; Shire of Kulin
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 09.02 Bushfire Administration
AUTHOR: CEO
STRATEGIC REFERENCE/S: SCP 2013-2017 - 4.8 Human Resource Excellence
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The Shire of Corrigin requesting the Shire of Kulin approval for the appointment of Dual Fire Control Officers covering both Shires for the 2017/18 fire season.

Recommending amendment to the Administrative Procedures and Operational Guidelines (APOG) Manual, CS1 – Bush Fire Administration, to allow the Chief Executive Officer under delegation to confirm the appointment of Dual Fire Control Officers from neighbouring Shires.

BACKGROUND & COMMENT:

The Shire of Corrigin requesting the Shire of Kulin approval for the appointment of;

Greg Doyle and Bryce Nicholls as Dual Fire Control Officers covering both Shires for the 2017/18 fire season.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

In accordance with the Bush Fires Act 1954, Section 48 (1) the Shire of Kulin delegate to the Chief Executive Officer (CEO) the authority to appoint dual fire control officers through amendment to CS1 Bush Fire Administration by inserting the following;

Insert in CS1 – After “**Confirmation Appointment – Bush Fire Control Officers**” at paragraph 5;

Confirmation Appointment – Dual Fire Control Officers

Following receipt of correspondence or a written email request from a neighbouring Shire, the Chief Executive Officer under delegation made possible by the Bush Fires Act 1954, S.48 (1) is granted the authority to confirm the appointment of Dual Fire Control Officer applications from neighbouring Shires without reference to Council.

Note: Shire of Kulin Administrative Procedures and Operational Guidelines Manual (APOG)

COMMUNITY/CONSULTATION:

N/A

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That the Shire of Kulin appoint Greg Doyle and Bryce Nicholls as Dual Fire Control Officers covering both Shires for the 2017/18 fire season, and that;

In accordance with the Bush Fires Act 1954, Section 48 (1) the Shire of Kulin delegate to the Chief Executive Officer (CEO) the authority to appoint dual fire control officers through amendment to APOG CS1 Bush Fire Administration by inserting;

Confirmation Appointment – Dual Fire Control Officers

Following receipt of correspondence or a written email request from a neighbouring Shire, the Chief Executive Officer under delegation made possible by the Bush Fires Act 1954, S.48 (1) is granted the authority to confirm the appointment of Dual Fire Control Officer applications from neighbouring Shires without reference to Council.

VOTING REQUIREMENTS:

Simple majority required.

09/0717

Moved Cr Duckworth Seconded Cr Taylor that the Shire of Kulin appoint Greg Doyle and Bryce Nicholls as Dual Fire Control Officers covering both Shires for the 2017/18 fire season, and that;

In accordance with the Bush Fires Act 1954, Section 48 (1) the Shire of Kulin delegate to the Chief Executive Officer (CEO) the authority to appoint dual fire control officers through amendment to APOG CS1 Bush Fire Administration by inserting;

Confirmation Appointment – Dual Fire Control Officers

Following receipt of correspondence or a written email request from a neighbouring Shire, the Chief Executive Officer under delegation made possible by the Bush Fires Act 1954, S.48 (1) is granted the authority to confirm the appointment of Dual Fire Control Officer applications from neighbouring Shires without reference to Council.

Note: Shire of Kulin Administrative Procedures and Operational Guidelines Manual (APOG)

Carried 8/0

6.5 Amalgamation of Bushfire Brigades – Advertising

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 09.02 Bushfire Administration
AUTHOR: CEO
STRATEGIC REFERENCE/S: 4.8 Human Resource Excellence
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Shire resolution 10/0417 adopting changes to the Shire of Kulin Brigade boundaries has been advertised for public comment and the public advertising period closed on the 26 June 2017.

No public comment was received.

Council is now in a position to formally adopt the proposal to amalgamate brigades and enact the changes.

BACKGROUND & COMMENT:

The Shire's position in advertising was that unless there were significant changes to the proposal that required the proposal to be reconsidered then following the close of the advertising period the Council would adopt and enact the proposal.

Amalgamation of Brigades in accordance with the attached Shire of Kulin Brigade Boundaries plan now be enacted and the Department of Fire and Emergency Services be advised that the new arrangements can be implemented.

Shire staff will now progress the change at a Brigade level and seek each to nominate contact persons etc., so that an update of 2017/18 season data can occur. It is expected that changes may take 6 months to flow through the DFES and Shire systems.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY/CONSULTATION:

Brigade Amalgamation recommendation - Brigades were written to in 2016 outlining Councils view that a review of the Brigade boundaries was required – no responses were received from Brigades to the issue of a review.

Brigade amalgamation was considered by the Bush Fire Brigades meeting and adopted by Fire Control Officers and Brigade representatives.

Having adopted the recommendation the Shire then advertising for 2 months and public comment was sought. No public comment was received.

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That the Shire of Kulin adopt changes to the boundaries of the Shire of Kulin Bushfire Brigades in accordance with the attached report map and DFES be advised of the boundary changes, so that staff may implement new arrangements for 2018/19 bushfire season.

VOTING REQUIREMENTS:

Simple majority required.

10/0717

Moved Cr Taylor Seconded Cr Ledwith that the Shire of Kulin adopt changes to the boundaries of the Shire of Kulin Bushfire Brigades in accordance with the attached report map and DFES be advised of the boundary changes, so that staff may implement new arrangements for 2018/19 bushfire season.

Carried 8/0

6.6 Roe Regional Environmental Health Services Scheme – Renewal of MOU

NAME OF APPLICANT: RoeROC
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 24.07 Regional Health General
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

At the last RoeROC meeting held on 22 June 2017 in Narembeen (Minutes attached this meeting) the following resolution was passed:-

“That the Roe Regional Environmental Health Services Scheme MOU be extended subject to the removal of Bruce Rock from the cost schedule.

BACKGROUND & COMMENT:

RoeROC was established in October 2006 to facilitate voluntary cooperation and resource sharing between the Shires of Corrigin, Kondinin, Kulin and Narembeen. Since its establishment RoeROC was worked to deliver a number of shared services to its members Councils.

The Roe Regional Environmental Health Services Scheme provides and environmental health service that also includes the Shire of Lake Grace. The Scheme operations under a Memorandum of Understanding (MOU) between the Councils commencing 1 July 2014 and expiring on the 30 June 2017. The MOU can be extended by the Member Councils in writing.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY/CONSULTATION:

N/A

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council:-

1. Agree to extend the Roe Regional Environmental Health Services Scheme Memorandum of Understanding (MOU) subject to the removal of Bruce Rock from the cost schedule.
2. That the CEO be authorised to prepare and sign the necessary documentation on behalf of the Shire to undertake the extension of the Roe Regional Environmental Health Services Scheme MOU as per item 1 above.

VOTING REQUIREMENTS:

Simple majority required.

11/0717

Moved Cr Duckworth Seconded Cr O'Brien that Council:-

1. Agree to extend the Roe Regional Environmental Health Services Scheme Memorandum of Understanding (MOU) subject to the removal of Bruce Rock from the cost schedule.
2. That the CEO be authorised to prepare and sign the necessary documentation on behalf of the Shire to undertake the extension of the Roe Regional Environmental Health Services Scheme MOU as per item 1 above.

Carried 8/0

6.7 Dot Point Report and Plan (DPR&P) – Staff Accommodation and Associated Themes

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 05.11 Shire of Kulin – Staff Housing
AUTHOR: CEO
STRATEGIC REFERENCE/S: Strategic Community Plan (SCP), Corporate Business Plan (CBP) 2013-2017, Workforce Plan (WP), Long Term Financial Plan (LTFP), & Asset Management Plan 2013 (AMP2013)
DISCLOSURE OF INTEREST: Nil

SUMMARY:

The question of accommodation for staff housing has been reassessed and the old Dot Point Report and Plan has been updated;

- themes and approaches,
- staff trends and future housing needs,
- current accommodation units,
- financial implications,

with a view to selecting a strategy that the Shire can adopt now to meet future needs.

BACKGROUND & COMMENT:

The report discusses options to meet current and future housing needs.

FINANCIAL IMPLICATIONS:

The financial implications of developing more accommodation units or trending to a higher percentage of Shire ownership are significant with each option; but evidence would suggest that the approach the Shire of Kulin takes is far more cost effective than neighbouring Shires.

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Shire Procedures in relation to accommodation, benefits and developing incentives for staff to purchase own housing has also been reviewed. Changes address multiple points discussed at the June 2017 Forum meeting and are consistent with Council's aim. The procedure now describes accommodation rentals and benefits in terms of percentage targets at the different employment levels and appears consistent across all staff and quality of accommodation.

COMMUNITY/CONSULTATION:

N/A

WORKFORCE IMPLICATIONS:

Expansion of the Camp Kulin workforce would have implications if accommodation not addressed in any expansion plans. This appears the most logical time to tackle the issue of adding single unit accommodation to the existing stock mix.

RECOMMENDATION:

That the Shire of Kulin Dot Point Report and Plan be received and the recommendations be noted and actioned.

CEO Note: Additional Councillor comment and opinion be written as an addendum to the Staff Accommodation Dot Point Report and Plan so that when the accommodation question is next considered these opinions and background can be drawn into the report assessment.

VOTING REQUIREMENTS:

Simple majority required.

12/0717

**Moved Cr Bowey Seconded Cr Taylor that the Shire of Kulin Dot Point Report and Plan be received and the recommendations be noted and actioned with the following a change;
Recommendation: Dot point 1 Change from 2 x2bed2bath to 2 x3bed2bath.**

Carried 8/0

Note: Reason for Change to Recommendation:

Council was of the view that as a minimum standard, 3 bedroom residences should be the standard adopted for staff housing.

6.8 Review of Procedure APOG – Housing and Sale of Housing

Note: Shire of Kulin Administrative Procedures and Operational Guidelines Manual (APOG)

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.04 Policy and Procedures
AUTHOR: CEO
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council requested the CEO address ideas relating to the development of additional staff housing which includes the Sale of housing and options for staff to purchase or build and purchase housing.

Address the rental structure in terms of what staff pay for the various quality of residences.

BACKGROUND & COMMENT:

Housing rental

The aim was to further develop the theme that Council adopted in November 2016 with the last staff accommodation DPR/P where rents are aligned to the Kulin market rentals for housing. With the creation of 4 Levels of housing and a rent applicable to each. If Council would like to proceed in this framework, the Shire of Kulin Fees and Charges to 30th June 2018 would need to be changed.

Extract of Procedure A10

The Shire housing rental rates are set under the following principles:
Executive Homes – 10% of Kulin Market rentals
Standard Homes – 40% of housing equivalents in Kulin market rentals

The Shire has identified 4 levels of accommodation and charges accordingly.

Level 1 – Executive Homes – 17 Mc Innes (CEO), 9 Rankin (DCEO) and 3 Hodgson (WM)
Rate: \$84 f/n after tax (FBT purposes) being approx. 10% of the Kulin market rental for a similar standard residence i.e. \$420 week.

Level 2 – Senior Quality Homes – 6 Bowey (Building Mtce) and 12 Bowey Way (SFO)

Rate: \$200f/n being approx. 40% of the Kulin market rental for a similar standard residence i.e. \$270 week.

Level 3 – Standard Quality Homes/Units – 1 Stewart, 25 Johnston Units, 3 Bull, 81 Johnston.

Rate: \$140f/n being approx. 40% of the Kulin market rental for a similar standard of residence or unit i.e. \$175 week.

Level 4 – Low Quality Homes – 8 Wright, 23 Bull, 21 Bull.

Rate: \$120f/n being approx. 40% of the Kulin market rental for a similar standard of residence i.e. \$150 week

Sale of Land and Housing

The idea relating to the sale of land for owner occupied housing has been encapsulated in a procedure titled, Sale of Land and Housing. Effectively stating that Council would place a reserve price of land and housing (in a report from the CEO) and then offer sale by tender or private treaty. This procedure proposes a reserve price close to the current valuation price, and when combined with a private works contribution to site preparations of \$10k should make a very attractive incentive to purchase land.

The Shire is prepared to consider a number of options to encourage home ownership;

Outright Purchase. Negotiated purchase price, deposit and repayment schedule. Maximum term subject to valuation of asset and condition report and projected life stage of employee. Can include housing incentive allowance usually paid fortnightly. Shire may support finance by offer of a guarantee with lender.

Lease to buy – to encourage deposit saving.

Negotiated purchase price, deposit and repayment schedule incorporating a savings plan period at the commencement of the lease so that the tenant may save the deposit.

Maximum term subject to valuation of asset and condition report and projected life stage of employee. Can include housing incentive allowance usually paid fortnightly. Shire may support finance by offer of a guarantee with lender.

In all cases, the Shire as owner of the land will be included as a lien on the mortgage to ensure interests are preserved until the residence is substantially paid off.

Any decision to offer an end to the individual arrangements rests with the Council and is subject to local demand. The Shires aim is to develop packages that financially secures housing accommodation for staff and provides asset value at a reasonably discounted price.

FINANCIAL IMPLICATIONS:

In the creation of the Housing procedure - nil. In relation to the application of the procedure many and varied but decision make in relation to this procedure rests with Council and reporting processes. Financial implications will be presented then.

Council must consider if existing landowners will be adversely affected by a move to release land at extremely low prices. Legitimate argument may be plausible that this impacts on the value of their residences.

STATUTORY AND PLANNING IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil, unless changes are proposed by Council.

Note: Shire of Kulin Administrative Procedures and Operational Guidelines Manual (APOG)

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That;

1. The Administrative Procedures and Operational Guidelines – A14 Housing and A14A Sale of Land and Housing be adopted and incorporated into existing APOG Manual.
2. Shire of Kulin Fees and Charges 2018 be amended to incorporate the 4 Level framework for the calculation of staff accommodation housing rent. The Chief Executive Officer introduce the newer rate

increases following serving notice to the occupiers (as required in Tenancy Agreements) and reduce rents paid by Level four staff effective as of the 1st July 2018.

VOTING REQUIREMENTS:

Simple Majority required if only item 1.

Absolute majority required to adopt fees and charges.

13/0717

Moved Cr Bowey Seconded Cr Duckworth that The Administrative Procedures and Operational Guidelines – A14 Housing and A14A Sale of Land and Housing be adopted and incorporated into existing APOG Manual.

Carried 7/1

14/0717

Moved Cr Duckworth Seconded Cr Bowey that Shire of Kulin Fees and Charges 2018 be amended to incorporate the 4 Level framework for the calculation of staff accommodation housing rent. The Chief Executive Officer introduce the newer rate increases following serving notice to the occupiers (as required in Tenancy Agreements) and reduce rents paid by Level four staff effective as of the 1st July 2018.

Carried by Absolute Majority

7 COMPLIANCE

7.1 Compliance Reporting – General & Financial Compliance – June 2017

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

SUMMARY:

This report addresses General and Financial Compliance matters for June 2017. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations.

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

BACKGROUND & COMMENT:

The Compliance Team and works staff commence the monthly compliance effort immediately after the Shire meeting each month. At that time, the executive support officer will email the assigned staff member their compliance requirements for the coming month.

As the month progresses, staff in conjunction with their manager, the CEO or DCEO will determine the extent of work/action needed to complete items. During Agenda week, the Compliance Team again meets to ensure the monthly report/list is reviewed and that compliance items are completed. In preparing the Agenda report, the CEO or DCEO will sign off on completed items.

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

MATTERS OF NON COMPLIANCE APRIL 2017 – GENERAL COMPLIANCE

1. **Airconditioner filters clean** – all properties. *Staff memo sent - Organised for completion by building maintenance staff – still to be done.*
2. **Reticulation Controller batteries** – normally completed by D Thomas who is on leave at present – *Gardening staff will complete – still to be done.*

3. **Smoke Detector Batteries** - check - *Staff memo sent - Organised for completion of building maintenance staff when available - still to be done. Awaiting visit by electrician to assist with RCD's at same time.*

MATTERS OF NON COMPLIANCE MAY 2017 – GENERAL COMPLIANCE

1. **Equal Employment Management Plan review**
Last review done 2011, have now listed for June 2017 work.

MATTERS OF NON COMPLIANCE JUNE 2017 – GENERAL COMPLIANCE

1. Adjust KRA's for Senior staff and Manager's. – *CEO awaiting Budget resolution to include major projects etc. into KRA's*

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 & Financial Compliance Reports for June 2017 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

15/0717

Moved Cr O'Brien Seconded Cr Taylor that Council receive the General & Financial Compliance Reports for June 2017 and note the matters of non-compliance.

Carried 8/0

7.2 Compliance Reporting – Delegations Exercised – June 2017

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 14 July 2017.

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

BACKGROUND & COMMENT:

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

ADMINISTRATION

Policy Delegation

A1	Acting Chief Executive Officer	(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 Mgr.)
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 for Orders)
A10	Use of Common Seal	(CEO)
A11	Writing Off Debts	(CEO)
A12	Housing	(CEO)
A13	Procedure for Unpaid Rates Finance	(CEO)

Officers**GOVERNANCE**

G1	Applications for Planning Consent	(CEO)
G2	Building Licences and Swimming Pools	(EHO/Building Surveyor)
G3	Cemeteries Act 1986	(CEO)
G4	Health Act 1911 Provisions	(EHO)

HUMAN RESOURCES

H1	Grievance Procedures	(CEO)
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COMMUNITY SERVICES

C1	Bushfire Control – Shire Plant for Use of	(CEO)
C2	Bushfire Control – Plant Use for Adjoining Shires	(CEO)
C3	Bushfire Prohibited / Restricted Burning Periods – Changes	(Shire President/CEO)
C4	Bushfire Training Administration	(CEO)
C5	Cat Ownership Limit – Cat Control	(CEO)
C6	Dog Control – Attacks	(CEO)
C7	Dog Ownership Limit – Dog Control	(CEO)
C8	Sea Containers Use of – Town Planning	(CEO)
C9	Second Hand Dwellings	(CEO)
C10	Temporary Accommodation	(CEO)
C11	Unauthorised Structures – Building Control	(CEO)
C12	Kulin Bush Races	(Kulin Bush Races Committee)
C13	Freebairn Recreation Club Committee	(FRC Club Committee)
C14	Kulin Child Care Centre Management Committee	(Kulin CCC Management Committee)
C15	General – Community Services Practices	(CEO)

WORKS

W1	Gravel Supplies	(MW)
W2	Roads – Clearing	(CEO)
W3	Roads – Damage to	(MW)
W4	Roads – Roadside Markers – Management of	(MW)
W5	Stormwater Drainage	(MW)
W6	Street Trees	(CEO)
W7	Streetscape – Improvements	(CEO)
W8	Roadside Burning	(MW)
W9	Temporary Road Closures	(MW)

W10 General – Works Practices Approvals

COMMENT:

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

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

Delegation exercised for June 2017.

Municipal funds

At Call	1.5%	-250,000
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At Call	1.5%	-150,000
At Call	1.5%	1,000,000

A10 Use of Common Seal (CEO)

President and CEO affixed Common Seal to TPS2 on request from WA Planning Commission (WAPC) as final process set before Gazettal. Approval to affix seal was issued in December 2016; but actual act of doing so had to be dated after WAPC had ensured that all changes had been incorporated into the text. Documents sent 3rd July 2017.

G2 Approvals - Building Licenses

Building Licenses issued (Building Officer) - Building Act 2011, for Steve Davis Builder for 13 Johnston Street, Kulin for Patio, Deck and recladding – value approx. \$8500

Building Licenses issued (Building Officer) - Building Act 2011, for WBS Group P/L for Mr Trundle Loc 1581, Henderer Rd - Steel farm Shed 21mx26m – value approx. \$58,000.

G1 Development Applications (DA's) issued (CEO) – Shire of Kulin TPS2

Development Application request received by Cameron Mudge, Holt Rock, for the construction of a Class 10 Shed. Applicant indicated that he wanted to build inside normal boundary setback and as close as 2m from boundary, placing the shed approx. 8-10m from road. For this reason, asked applicant to complete DA providing detail, then approved of build inside setback.

At this point, until TPS2 is Gazetted, requirement for Class 10 DA's not enforceable.

C7 Dog Ownership Limit – Dog Control (CEO)

Mr W Herwig – for a 3rd Dog at 142 Day Street, Kulin. After confirmation report from Rangers that terms and conditions could be met – approval issued by correspondence 4th July 2017.

STATUTORY ENVIRONMENT:

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

FINANCIAL IMPLICATIONS:

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

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

There are no known policy implications relating to this report.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council receive the Delegation Exercised Report for June 2017.

VOTING REQUIREMENTS:

Simple majority required.

8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Note: The review of Compliance Checklist in June 2017 identified that the Equal Employment Opportunity Management Plan (EEOMP) had not been updated since 2014. It is a requirement that the Shire maintains a current EEOMP. For this reason the adoption of a new EEOMP is urgent.

The Shire President with the consent of all Councillors present agreed that the matter be dealt with as an item of an Urgent Nature.

9.1 Equal Employment Opportunity Management Plan 2017 - 2019

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 22.01 Code of Conduct
AUTHOR: CEO
STRATEGIC REFERENCE/S: 4.1 Civic
DISCLOSURE OF INTEREST: Nil

SUMMARY:

All local government authorities are required to have a compliant Equal Employment Opportunity (EEO) Management Plan in place, as per Section 145 of the *Equal Opportunity Act 1984*.

BACKGROUND & COMMENT:

Council's existing EEO Management Plan has expired. The updated plan needs to be endorsed by Council and submitted to the Director of Equal Opportunity in Public Employment (DEOPE).

A copy of the Shire of Kulin's Equal Employment Opportunity Management Plan 2017 – 2019 is attached.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY/CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council endorse the Shire of Kulin's Equal Employment Opportunity Management Plan for the period 2017 - 2019.

VOTING REQUIREMENTS:

Simple majority required.

17/0717

Moved Cr Duckworth Seconded Cr O'Brien that Council endorse the Shire of Kulin's Equal Employment Opportunity Management Plan for the period 2017 – 2019.

Carried 8/0

9.2 Record of Condolence – Harold Proud

18/0717

Moved Cr Duckworth Seconded Cr McInnes that Council record its condolences to the Proud family on the passing of Mrs Laura Proud, wife to past Councillor Harold Proud. The Shire on behalf of the community acknowledges that both Laura and Harold over the decades have extended considerable generosity to the people of Kulin for which we shall remain ever grateful.

Staff authorised to place a death notice in the West Australian Newspaper.

Carried 8/0

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 16 August 1:00pm.

12 CLOSURE OF MEETING

There being no further business the meeting closed at 5.38pm.