

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 August 2018
 - 5.2 Kulin Child Care Management Committee Meeting – 21 August 2018 Attachment 1
- 6 MATTERS REQUIRING DECISION**
 - 6.1 List of Accounts – August 2018 Attachment 2
 - 6.2 Financial Reports – August 2018 Attachment 3
 - 6.3 Bitumen & Aggregate Tenders Attachment 4
 - 6.4 Kulin Retirement Homes Inc. Request to Write Off Rates 2018/19
- 7 COMPLIANCE**
 - 7.1 Compliance Reporting - General & Financial Compliance August 2018 Attachment 5
 - 7.2 Compliance Reporting – Delegations Exercised August 2018 Attachment 6
- 8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
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- 10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 10 DATE AND TIME OF NEXT MEETING**
- 12 CLOSURE OF MEETING**

6 MATTERS REQUIRING COUNCIL DECISION

6.1 List of Accounts – August 2018

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

SUMMARY:

Attached is the list of accounts paid during the month of August 2018 for Council's consideration.

BACKGROUND & COMMENT:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That August payments being cheque No.391 - 392 (Trust Fund), 245 (Trip Fund) 37014 – 37028 (Municipal), EFT No's 14325 - 14433, DD6439.1 – DD6641.2 (Municipal), credit card payments, creditor payments, payroll and other vouchers from the Municipal Fund totalling \$757,280.61 be received.

VOTING REQUIREMENTS:

Simple majority required.

Attachment 2

6.2 Financial Reports – August 2018

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

SUMMARY:

Attached are the financial reports for the period ending 31 August 2018.

BACKGROUND & COMMENT:

Our ratios (as displayed in the financial report) are a quick and easy way to illustrate our financial position at any particular point in time. I will take the time over the next couple of months to go in to more detail with each of the ratios to help Council to understand what they mean. This month I have provided explanation of the Current and Outstanding Rates Ratios.

Current Ratio:

The current ratio is a liquidity ratio that measures Council's ability to pay their short-term and long-term obligations. To gauge this ability, the current ratio considers Council's current total assets relative to that Council's current total liabilities. Assets included are total cash at bank, rates and debtors outstanding as well as stock on hand such as fuel and FRC stock. The liabilities included in the ratio are our creditors owing, our GST and tax payable accounts as well as employee provisions such as annual leave and current long service leave. When calculating this ratio we reduce the liabilities by the amount held in the leave reserve.

The higher this ratio is, the better, with an acceptable ratio being anything above 1.0. In August our current ratio is 12.53 which means we have more than 12 times the assets than are required to pay down our current debts.

Outstanding Rates Ratio

This ratio shows us the proportion of our rates raised which remain unpaid. In the previous month this ratio showed as very concerning. This was because rates had not yet been raised and all rates owing were outstanding. Even though the value of the balance outstanding was low compared to the value of rates we raise, as they were all from the 2017/2018 year the ratio was very high. We have since raised rates and the ratio has improved. Before the end of the year we would expect this ratio to be below 0.05 meaning that 5% of the value of the rates raised in 2018/19 remain unpaid.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

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

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council endorse the monthly financial statement for the period ending 31 August 2018.

VOTING REQUIREMENTS:

Simple majority required.

Attachment 3

6.3 Bitumen & Aggregate Tenders

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 23.05 Plant tenders
AUTHOR: CEO, Works Manager
STRATEGIC REFERENCE/S: CSP 1.2.1 Transport network
DISCLOSURE OF INTEREST: Nil

SUMMARY:

In accordance with the adopted budget in terms of plant replacement and annual tenders for the supply of bitumen, aggregate and cartage tenders were called for;

Annual Tenders

- Item 4 – Bitumen supply 2018/19.
- Item 5 - Aggregate requirements and cartage for 2018/19.

BACKGROUND & COMMENT:

Tenders closed 4pm Friday 24 August 2018. Tenders were opened by staff after this time.

A table detailing tenders received has been prepared for the Council meeting.

FINANCIAL IMPLICATIONS:

Tenders meet expectations and apply to road construction jobs where the exact quantities can only be determined later and pricing in that sense is based more on unit cost.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

The Shire policy A10 – Regional Price Preference policy would apply to these tenders received from local supplier businesses based in the Shire area. The Shire policy allows for an “up to 10% allowance/advantage for local suppliers.

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATIONS:

Bitumen- That the Shire of Kulin accept the tender price from Bitutek to supply the Shire bitumen requirements for 2018/19, at a unit litre rate of 1.00 dollar per litre, spreader hire \$125 hr and precoat at \$7.25 per tonne.

Aggregate - That the Shire of Kulin accept the tender from BGC for the supply of aggregate and the tender from Kulin Transport for cartage at a total cost of \$57,062.80 based on tender quantity estimates.

VOTING REQUIREMENTS:

Simple majority required.

Attachment 4

6.4 Kulin Retirement Homes Inc. – Request to Write Off Rates 2018/19

NAME OF APPLICANT: Kulin Retirement Homes Inc.
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 25.02
AUTHOR: DCEO
DISCLOSURE OF INTEREST: Nil

SUMMARY:

In past years the Kulin Retirement Homes has requested a refund of rates for their property in Gordon Street and Price St, Kulin. All service charges applicable for the property are to be paid by the committee.

BACKGROUND & COMMENT:

This year the committee has written to Council requesting that Council waive rates for both Kulinda Estate and the Workman Estate.

FINANCIAL IMPLICATIONS

The write off is allowed for in annual budget.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

RECOMMENDATION:

That Council rates levied to Kulin Retirement Homes totalling \$2,785.4527 for assessment number A1422, charged against Kulinda Village and \$6,808.88 for assessment number A95, charged against Workman Estate, be donated back to the organisation as they continue to operate as a not for profit community organisation.

VOTING REQUIREMENTS:

Simple majority required.

6.5 Water Corporation – Purchase of Easement – Town Dams

NAME OF APPLICANT: CEO
RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 32.02 Water – Irrigation Schemes
AUTHOR: CEO
DISCLOSURE OF INTEREST: Nil

SUMMARY: The Water Corporation seeking to purchase the pipeline easement (marked A on Deposited Plan 406807) for the underground sewer scheme which sits on Shire land for the Kulin town dams, being Part of Lot 20.

The easement was granted in 2005 by the Shire and now that the subdivision and ownership of town dam lots and sewer pond have been resolved, Water Corp wishes to take ownership of the easement.

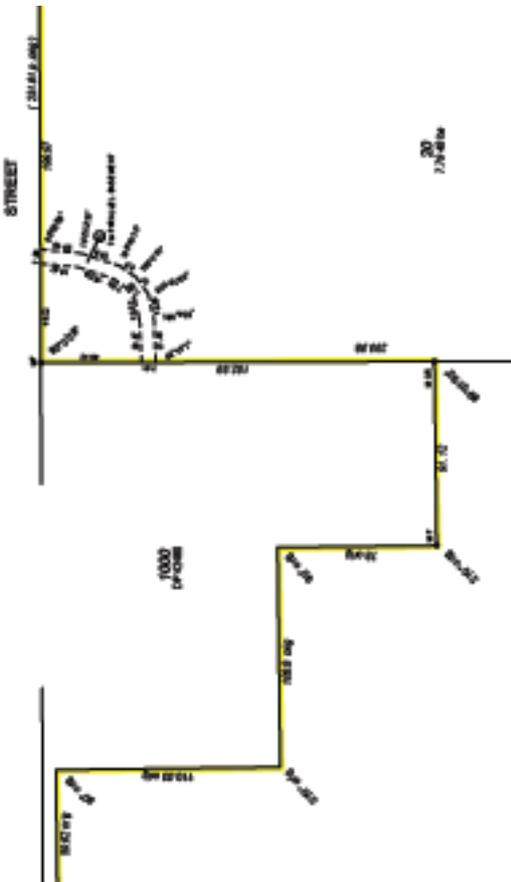
The Water Corporation offer \$1500 for the land and have presented all paperwork to affect the sale.

BACKGROUND & COMMENT: The Water Corporation seeking to purchase the pipeline easement (marked A on DP 406807) for the underground sewer scheme which sits on Shire land for the Kulin town dams, being Part of Lot 20.

The easement was granted in 2005 by the Shire and now that the subdivision and ownership of town dam lots and sewer pond have been resolved, Water Corp wishes to take ownership of the easement. The Water Corporation are making an offer of \$1500 for the easement.

Whilst the Water Corporation ownership will split Lot 20 into two pieces their main intent is to secure ownership over the sewer pipeline. The use of the land by the Shire will not be interrupted as that portion of the land is adjacent to the drain that fills the town dams and Jilakin Street, which at this point in time does not impact on the operations of both the Shire and Water Corporation.

The Shire is exempt from advertising the proposed sale or from sale by tender of the land under the Local Government Act, Section 3.58, as the Sale of land will be to a department or agency of the Crown or State; refer LG Act Administrative regulation 30 (2)(c)(ii).



FINANCIAL IMPLICATIONS: The Subdivision cost to the Shire was in the vicinity of \$6000; the sale of the easement will assist to recoup some of that cost.

STATUTORY AND TOWN PLANNING IMPLICATIONS:

The Shire went through a subdivision process to secure ownership from the Wilson farm throughout 2016 and 2017 and incurred all costs as part of the agreements with the Wilson's. The sale of the easement resolves the last remaining land ownership issue. The Wilson's have an agreement with the Shire to allow access to stock water in Lot 21.

The Shire is exempt from the disposition of property requirements (advertising the sale or sale by tender) of the Local Government Act, Section 3.58, as the Sale of land will be to a department or agency of the Crown or State; Administrative regulation 30 (2)(c)(ii).

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION

That the Shire of Kulin sell Part Lot 20, Deposited Plan 406807 to the Water Corporation (Easement A) for consideration of \$1500 and sign all associated documentation to affect sale.

VOTING REQUIREMENTS:

Absolute majority required.

Attachment 5

7 COMPLIANCE

7.1 Compliance Reporting – General & Financial Compliance August 2018

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

SUMMARY:

This report addresses General and Financial Compliance matters for August 2018. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations.

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

BACKGROUND & COMMENT:

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

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

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

Water Licenses – Renew Water Reuse Licenses –Original Water reuse Agreement has a 5 year life as of when the water is used. Written in 2010 for a 5 year period, the water reuse was not commenced until 2014, therefore Water Corp argue that the licence does not expire until Nov 2019. As this would prevent use for the 2019 summer, the Water Corp have agreed to commence the process of renewing the licence now, and will bring a draft to our next meeting. The reporting for the Reuse Scheme has been completed and acknowledged by Water Corp and the WA Public Health Department. – Completed

Outstanding Items May 2018

Council Photo June Bi-annual - photo of current Council – Sept meeting 2018

Outstanding Items July 2018

Annual Report Preparation/Adoption – Annual Report in production

Financial Interests Annual Returns – Completed

Rate Exemptions - write-offs required for Annual Report – this Agenda - Annual Report in production

Diaries for Councillors – Diaries issued - Completed

RRG Direct Grant Payments Certificate of Completion - No – still to be finished and claimed

R2R Quarterly Report due - Due Sept, not yet completed.

Related Party Declarations - Councillor and CEO – Completed

Rates Newsletter - Completed

Community Cropping Land Annual Levy – Completed

Spray clover Child care & residences - Commenced

AACR Landfill Report 2018 - Annual Return underway

Outstanding August

FRAC & Sporting Council AGM - Scheduled for 22 October 2018

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 August 2018 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

Attachment 6 – General Compliance Checklist Table for Aug 2018

7.2 Compliance Reporting – Delegations Exercised – August 2018

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

SUMMARY:

To report back to Council actions performed under delegated authority for the period ending 31 August 2018.

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

BACKGROUND & COMMENT:

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

ADMINISTRATION

Policy	Delegation	Officers
A1	Acting Chief Executive Officer	(CEO)
A2	Agreements for Payments of Debts to Council	(CEO/DCEO)
A3	Casual Hirer's Liability	(CEO)
A4	Complaint Handling	(CEO)
A5	Fees & Charges – Discounts	(CEO/DCEO/MW/MLS/CRC)
A6	Investment of Surplus Funds	(CEO/DCEO)
A7	IT & Social Media – Use Of	(CEO)
A8	Legal Advice, Representation & Cost Reimbursement	(CEO)
A9	Payments from Municipal and Trust Funds	(CEO-to numerous staff – purchase orders)
A10	Use of Common Seal	(CEO)
A11	Writing Off Debts	(CEO)
A12	Housing	(CEO)
A13	Procedure for Unpaid Rates Finance	(CEO)

GOVERNANCE

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

HUMAN RESOURCES

H1	Grievance Procedures	(CEO)
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COMMUNITY SERVICES

CS1	Bushfire Control – Shire Plant for Use of	(CEO)
CS2	Bushfire Control – Plant Use for Adjoining Shires	(CEO)
CS3	Bushfire Prohibited / Restricted Burning Periods – Changes	(Shire President/CEO)
CS4	Bushfire Training Administration	(CEO)
CS5	Cat Ownership Limit – Cat Control	(CEO)
CS6	Dog Control – Attacks	(CEO)
CS7	Dog Ownership Limit – Dog Control	(CEO)
CS8	Sea Containers Use of – Town Planning	(CEO)
CS9	Second Hand Dwellings	(CEO)
CS10	Temporary Accommodation	(CEO)
CS11	Unauthorised Structures – Building Control	(CEO)
CS12	Kulin Bush Races	(Kulin Bush Races Committee)
CS13	Freebairn Recreation Club Committee	(FRC Club Committee)
CS14	Kulin Child Care Centre Management Committee	(KCCC Mgmt. Committee)
CS15	General – Community Services Practices	(CEO)
CS20	Seed Collection	(CEO)

WORKS

W1	Gravel Supplies	(MW)
W2	Roads – Clearing	(CEO)
W3	Roads – Damage to	(MW)
W4	Roads – Roadside Markers – Management of	(MW)
W5	Stormwater Drainage	(MW)
W6	Street Trees	(CEO)
W7	Streetscape – Improvements	(CEO)
W8	Roadside Burning	(MW)
W9	Temporary Road Closures	(MW)
W10	General – Works Practices Approvals	

COMMENT:

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

A11 Write Off Debts A217 Brandis (Tractor Wreckers)

Write of \$5.65 interest applied to the rates debt by Shire – Land having been handed back to Landgate.

G2 Building Licences

21/8/18 Lot 8955 No. 362 Bowey Road Kulin, BOWEY, Robert & Roberta Builder- Wilkon Building Services BA1, House / Dwelling

23/8/18 Lot 2480 Varley Road North, Holt Rock 6365 - Global Ag Properties (Varley Farm) Supplier - Cavalier Portables & Farm Homes - BA2 2 New Transportable Workers Accommodation Dongas + New Kitchen to replace old one

CS20 Seed Collection

Issued 12 month Licence to Rod House, 2/7 The Avenue, Crawley 6009 for: seed collection and nectar sampling for DHA levels. The process involves washing out the bowl of ten individual flowers per plant with 10 micro litres of distilled water, which is then collected in a vial for analysis.

CS 20 Seed Collection

Issued a 12 month Licence for Mr Graeme Stockfeld of Rijk Zwaan Australia Pty. Ltd, PO Box 284, Daylesford 3460 VIC for seed collection. Normally collect only a very small amount of seed. In order to have sufficient seed for disease testing then usually multiply that seed in own greenhouses. Can either provide a proportion of the seed collected.

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 August 2018.

VOTING REQUIREMENTS:

Simple majority required.

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