

# ORDER OF BUSINESS

- 1 ELECTION OF PRESIDENT AND DEPUTY PRESIDENT**
- 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**  
Cr Lucia Varone has provided a written apology for the November meeting.
- 3 PUBLIC QUESTION TIME**
- 4 APPLICATIONS FOR LEAVE OF ABSENCE**
- 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
  - 5.1 Shire of Kulin Ordinary Meeting – 18 October 2017
  - 5.2 Shire of Kulin Audit Committee Meeting – 15 November 2017
  - 5.3 Kulin Child Care Management Committee Meeting – 24 October 2017
  - 5.4 Kulin Bush Races Meetings – 4 & 19 October & 1 November 2017
- 6 MATTERS REQUIRING DECISION**
  - 6.1 List of Accounts – October 2017
  - 6.2 Financial Reports – October 2017
  - 6.3 Councillor Portfolios and Representation
- 7 COMPLIANCE**
  - 7.1 Compliance Reporting - General & Financial Compliance October 2017
  - 7.2 Compliance Reporting – Delegations Exercised October 2017
- 8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 9 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**
- 11 DATE AND TIME OF NEXT MEETING**
- 12 CLOSURE OF MEETING**

# Minutes of an Ordinary Meeting of Council held in the Council Chambers on Wednesday 15 November 2017 commencing at 4:01pm

## Election of President

The President Cr West vacated the chair. The CEO declared the position of President vacant and called for nominations. A written nomination has been received from Cr Barry West. The CEO called for other nominations. As no further nominations were received, Cr West was declared elected unopposed to the position of President for a 2 year term expiring in October 2019.

Cr West made and signed the Elected Members Declaration, Form 7, witnessed by Noel Mason.

*Cr West thanked everyone for their support over the past 2 years and commented that it was a privilege to be President of the Kulin Shire.*

## Election of Deputy President

The President, Cr West took the chair and called for nominations for the position of Deputy President. A written nomination has been received from Cr Rodney Duckworth. The President called for other nominations. As no further nominations were received, Cr Duckworth was declared elected unopposed to the position of Deputy President for a 2 year term expiring in October 2019.

Cr Duckworth made and signed the Elected Members Declaration, Form 7, witnessed by Noel Mason.

*Cr West expressed thanks to Cr Duckworth for the hours of work he has put in, and the many meetings he makes the effort to attend.*

## 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
G Robins	Councillor	Town Ward
B Smoker	Councillor	West Ward
R Bowey	Councillor	Town Ward
BP Taylor	Councillor	Central Ward
M Lucchesi	Councillor	Central Ward
N Mason	Chief Executive Officer	
C Vandenberg	Deputy CEO	
J Hobson	Manager of Works	
N Thompson	ESO / Minutes	

### Apologies

L Varone	Councillor	East 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 – 18 October 2017

**01/1117**

**Moved Cr Robins Seconded Cr Taylor that the minutes of the Ordinary Council Meeting held on 18 October 2017 be confirmed as a true and correct record.**

**Carried 8/0**

Shire of Kulin Audit Committee Meeting - 15 November 2017

**02/1117**

**Moved Cr Duckworth Seconded Cr Smoker that the minutes of the Shire of Kulin Audit Committee Meeting held 15 November 2017 be received.**

**Carried 8/0**

Kulin Child Care Management Committee Meeting – 24 October 2017

**03/1117**

**Moved Cr Bowey Seconded Cr McInnes that the minutes of the Kulin Child Care Management Meeting held 24 October 2017 be received.**

**Carried 8/0**

The President recorded his thanks to Taryn & KCCC staff on the assessment results.

Kulin Bush Races Committee Meetings – 4 & 19 October & 1 November 2017

**04/1117**

**Moved Cr Smoker Seconded Cr Bowey that the minutes of the Kulin Bush Races Committee Meetings held 4 & 19 October & 1 November 2017 be received.**

**Carried 8/0**

## 6 MATTERS REQUIRING COUNCIL DECISION

### 6.1 List of Accounts – October 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 October 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 October payments being cheque No's 238 (Trip Fund), 374 - 375 (Trust Fund) 2026 – 2097 (Bush Races), 36865 - 36877 (Municipal), EFT No's 13317 - 13401, DD6298.1 -DD6311.8 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$1,083,075.81 be received.

**VOTING REQUIREMENTS:**

Simple majority required.

05/1117

Moved Cr Lucchesi Seconded Cr Robins that October payments being cheque No's 238 (Trip Fund), 374 - 375 (Trust Fund) 2026 – 2097 (Bush Races), 36865 - 36877 (Municipal), EFT No's 13317 - 13401, DD6298.1 -DD6311.8 (Municipal), credit card payments, creditor payments, and other vouchers from the Municipal Fund totalling \$1,083,075.81 be received.

Carried 8/0

## 6.2 Financial Reports – October 2017

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**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 31 October 2017.

**BACKGROUND & COMMENT:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STATUTORY AND PLANNING IMPLICATIONS:**

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

**POLICY IMPLICATIONS:**

Nil

**COMMUNITY CONSULTATION:**

Nil

**WORKFORCE IMPLICATIONS:**

Nil

**OFFICER'S RECOMMENDATION:**

That Council endorse the monthly financial statement for the period ending 31 October 2017.

**VOTING REQUIREMENTS:**

Simple majority required.

06/1117

Moved Cr McInnes Seconded Cr Taylor that Council endorse the monthly financial statement for the period ending 31 October 2017.

Carried 8/0

## 6.3 Councillor Portfolios and Representation

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 13.03 Council  
**STRATEGIC REFERENCE/S:**  
**AUTHOR:** CEO  
**DISCLOSURE OF INTEREST:** Nil

**SUMMARY:**

Council portfolios and committee representation are currently as follows:

**BACKGROUND & COMMENT:**

Whilst we have not had to use the system of portfolios often; it is an effective way to draw in more Council resources when needed. Would recommend continuation of the system.

#### Portfolios

- **Roads & Transport (RRG, Transport issues, MRD):** - Crs Sullivan, West, Ledwith (vacant) & Robins
- **Sport & Recreation (Freebairn Management Committee, Sporting Groups):** - Cr West
- **Health (Hospital, Doctor, Nursing issues etc.):** - Crs O'Brien (vacant) & Bowey
- **Tourism (Kulin Bush Races, Roe Tourism etc.):** - Crs Bowey & Duckworth (& CRC Manager)
- **Agriculture (APB Zone, Skeleton Weed, Dogger etc.):** - Cr Taylor
- **Business Development (Small Business Centre, Business Development, Resource Centre):** - Crs McInnes & Ledwith (vacant) (& CRC Manager)
- **Emergency Services (Bush Fire, Ambulance, LEMAC, SES, Emergency Building etc.):** - Crs Duckworth, McInnes & Ledwith (vacant)
- **Townscape, Town Planning, Tidy Towns:** - Crs McInnes & Robins
- **WALGA Central Country Zone** – Cr West & Cr Duckworth

#### Committee Representatives

- **Freebairn Recreation Centre** – Cr West
- **Kulin Retirement Homes** – CEO
- **Kulin Child Care Centre** – Cr Bowey
- **Kulin Bush Races** – Cr Bowey
- **Camp Kulin Working Party BBRF Application** – Crs West, O'Brien & Ledwith (vacant x 2)
- **Kulin CRC** – DCEO & Cr Ledwith (vacant) – may no longer be required
- **Eastern Wheatbelt SBC** – Cr McInnes
- **Audit Committee** – Full Council
- **WALGA Central Country Zone** – Cr West & Cr Duckworth
- **Eastern Wheatbelt Primary Health Care** – Crs West & Duckworth
- **EWB Committee** – Cr Taylor & Cr Ledwith (vacant)
- **RoeROC** – Cr West & Cr Duckworth
- **Lakes District Sub-Group Regional Road Group** – Cr Robins (proxy Cr Duckworth)
- **Regional Road Group** – Cr Robins (if selected)
- **Central Ag Care** – Cr McInnes
- **DAP Nominated Representatives** – Cr West & Cr Duckworth
- **Local Government Week** – Crs West & Duckworth plus one other delegate
- **National Roads Transport Forum** – Cr Robins

#### **FINANCIAL IMPLICATIONS:**

Nil

#### **STATUTORY AND TOWN PLANNING IMPLICATIONS:**

Nil

#### **POLICY IMPLICATIONS:**

Nil

#### **COMMUNITY CONSULTATION:**

Nil

#### **WORKFORCE IMPLICATIONS:**

Nil

#### **RECOMMENDATION:**

That the portfolios and committee representatives be discussed and determined.

#### **VOTING REQUIREMENTS:**

Simple majority required.

07/1117

Moved Cr Duckworth Seconded Cr Robins that the following Portfolio's and Representations apply:

#### Portfolios

- **Roads & Transport (RRG, Transport issues, MRD):** - Crs West, Lucchesi & Robins
- **Sport & Recreation (Freebairn Management Committee, Sporting Groups):** - Cr West
- **Health (Hospital, Doctor, Nursing issues etc.):** - Crs Bowey & Varone
- **Tourism (Kulin Bush Races, Roe Tourism etc.):** - Crs Bowey & Duckworth (& CRC Manager)
- **Agriculture (APB Zone, Skeleton Weed, Dogger etc.):** - Cr Taylor
- **Business Development (Small Business Centre, Business Development, Resource Centre):** - Crs McInnes & Smoker (& CRC Manager)
- **Emergency Services (Bush Fire, Ambulance, LEMAC, SES, Emergency Building etc.):** - Crs Duckworth & McInnes
- **Townscape, Town Planning, Tidy Towns:** - Crs McInnes & Robins
- **WALGA Central Country Zone** – Cr West & Cr Duckworth

### Committee Representatives

- Australia Day Committee – Cr Duckworth & Cr Bowey
- Freebairn Recreation Centre – Cr West
- Kulin Retirement Homes – CEO
- Kulin Child Care Centre – Cr Lucchesi (proxy Cr Bowey)
- Kulin Bush Races – Cr Bowey
- Camp Kulin Working Party BBRF Application – Crs West & Smoker
- Audit Committee – Full Council
- RoeROC – Cr West & Cr Duckworth
- Lakes District Sub-Group Regional Road Group – Cr Robins (proxy Cr Lucchesi)
- Regional Road Group – Cr Robins & Cr Lucchesi
- Central Ag Care – Cr McInnes
- DAP Nominated Representatives – Cr West & Cr Duckworth
- Local Government Week – Crs West & Duckworth plus one other delegate
- National Roads Transport Forum – Cr Robins

Carried 8/0

## **7 COMPLIANCE**

### **7.1 Compliance Reporting – General & Financial Compliance – October 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 October 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. (*Refer to Table attached*)

Items still outstanding from September 2017;

<i>FOI Statement</i>	<i>– to be finalised for Nov Meeting with Annual Report</i>
<i>Record Keeping Plan Compliance</i>	<i>– to be finalised for Nov Meeting with Annual Report</i>
<i>Bushfire Firebreak Inspections</i>	<i>- commenced on 9<sup>th</sup> November 2017</i>
<i>Firebreak Reminders</i>	<i>- will be completed after Inspections</i>
<i>Bushfire Protective Clothing</i>	<i>- orders completed – awaiting supply and delivery</i>
<i>Transport R2R Annual</i>	<i>- after Annual Accounts and Audit have been completed</i>
<i>Audit Committee with Auditor</i>	<i>- Nov meeting day</i>
<i>ABS return</i>	<i>- to be completed after Annuals confirmed</i>
<i>Cat Dog registration renewals</i>	<i>- by 15<sup>th</sup> Oct</i>

Items still outstanding from October 2017;

<i>Electors Meeting</i>	- planned for 20 <sup>th</sup> December 2017
<i>Annual report and Financials to Dept.</i>	- after acceptance by Council at Nov meeting
<i>Election of President &amp; Deputy President</i>	- Nov meeting
<i>Appointment of Committees &amp; Delegates</i>	- Nov meeting
<i>Photo of new Council</i>	- planned for December meeting
<i>Bushfire Firebreak Inspections</i>	- commenced on 9 <sup>th</sup> November 2017
<i>Firebreak Reminders</i>	- will be completed after Inspections
<i>Broadcasting Apparatus Licence</i>	- check to see if still requirement
<i>Clean filters in air conditioners</i>	- contractor quote being obtained
<i>Audit Report to DRD</i>	- can be finalised after acceptance of Audit and Annual Report
<i>Quarterly Stats to DRD</i>	- not completed
<i>Swimming Pool Water Sampling</i>	- not ready – 2-3 weeks away
<i>Waste Water Recycling Scheme water samples</i>	- in conjunction with Swimming Pool water testing

**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 October 2017 and note the matters of non-compliance.

**VOTING REQUIREMENTS:**

Simple majority required.

08/1117

**Moved Cr Robins Seconded Cr Lucchesi that Council receive the General & Financial Compliance Reports for October 2017 and note the matters of non-compliance.**

**Carried 8/0**

**7.2 Compliance Reporting – Delegations Exercised – October 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 1 October 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**

	<b>Officers</b>
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)

## **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)

### **A2 Agreements for Payments of Debts to Council**

**(CEO/DCEO)**

CEO Approved a payment plan for J Nichols -73 Johnston Street - Rates



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

Municipal funds

Type	Rate	Deposit/(Withdrawal)
At Call	1.5%	(300,000)
Term Deposit	1.65%	250,000.00
Term Deposit	2.00%	400,000.00
Term Deposit	2.25%	250,000.00
Term Deposit	2.30%	400,000.00

Reserves:

Type	Rate	Deposit/(Withdrawal)
Term Deposit	2.45%	14,206.22

**G1 Applications for Planning Consent**

Approved Development Application for Carly Bradford, 19 Price St, Kulin for Gable Roof Entertaining Area, verandah and patio - estimated value \$8000.

Approved Development Application for Brenton Mullan, 75 Johnston St, Kulin for ablution block – estimated value \$8500.

**G2 Building Licences (CEO)**

Approved Building Application for William Herwig, 25 Day St, Kulin for Pine Deck and Roof cover - estimated value \$8,000.

Approved Building Application for Carly Bradford, 19 Price St, Kulin for Gable Roof Entertaining Area, verandah and patio - estimated value \$15,000.

Approved Building Application for Brenton Mullan, 75 Johnston St, Kulin for ablution block – estimated value \$8,500.

Approved Building Application for Michael Wilson, Kulin Lake Grace Rd, Kulin for farm vehicle storage shed – estimated value \$35,000.

**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 October 2017.

**VOTING REQUIREMENTS:**

Simple majority required.

09/1117

Moved Cr Taylor Seconded Cr Duckworth that Council receive the Delegation Exercised Report for October 2017.

Carried 8/0

**8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Cr West requested that the following be noted in Council Minutes:-

- Congratulations to staff on the excellent Audit Report for 2016/17. Well done Cassi, Noel, Nick & Annette.
- Thank you to Simone Lockyer for her efforts managing the FRC and pool, good luck for the future.

**10 MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**

Nil

There being no further business the meeting was declared closed at 7.09pm.