

SHIRE OF KOJONUP



AGENDA

Ordinary Council Meeting 19 April 2016

TO: THE SHIRE PRESIDENT AND COUNCILLORS

NOTICE is given that a meeting of the Council will be held in Council Chambers, Administration Building, Albany Highway, Kojonup on Tuesday, 19 April 2016 commencing at 3:00pm.

Qualified Persons Advice, etc.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Your attendance is respectfully requested.

A handwritten signature in blue ink, appearing to read 'Rick Mitchell-Collins', written over a horizontal dotted line.

RICK MITCHELL-COLLINS
CHIEF EXECUTIVE OFFICER

12 April 2016

SHIRE OF KOJONUP**AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 19 APRIL 2016****TABLE OF CONTENTS**

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS	3
2	ATTENDANCE & APOLOGIES	3
3	SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
4	PUBLIC QUESTION TIME	4
5	PETITIONS, DEPUTATIONS & PRESENTATIONS	4
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	CONFIRMATION OF MINUTES	4
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	4
9	DECLARATIONS OF INTEREST	5
10	CORPORATE SERVICES REPORTS	6
10.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (MARCH 2016)	6
10.2	MONTHLY PAYMENTS LISTING	8
10.3	AUDITOR – QUOTATIONS FOR THREE (3) YEAR CONTRACT	10
10.4	PROPOSED SALE OF PROPERTY DUE TO UNPAID RATES – 8 MCBRIDE PLACE, KOJONUP	15
10.5	REVIEW OF COMMITTEES – GREAT SOUTHERN ZONE OF WALGA	18
10.6	BUDGET AMENDMENT – NETBALL COURT RESURFACING	20
11	WORKS & SERVICES REPORTS	22
12	REGULATORY SERVICES REPORTS	22
13	EXECUTIVE & GOVERNANCE REPORTS	22
14	AGED CARE SERVICES REPORTS	22
15	COMMUNITY DEVELOPMENT & TOURISM REPORTS	22
16	COMMITTEES OF COUNCIL	23
16.1	COMMITTEES OF COUNCIL UNCONFIRMED MINUTES	23
17	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	24
18	NEW BUSINESS	24
19	CONFIDENTIAL REPORTS	25
19.1	REQUEST FOR TENDER 01/2016 – SUPPLY OF PLANT, EQUIPMENT & LABOUR HIRE – STORM DAMAGE RELATED REINSTATEMENT & BUDGET AMENDMENT	25
20	NEXT MEETING	27
21	CLOSURE	27
22	ATTACHMENTS (SEPARATE)	27

A G E N D A

1 **DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President shall declare the meeting open and alert the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meetings attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

2 **ATTENDANCE & APOLOGIES**

Cr Ronnie Fleay	Shire President
Cr Robert Sexton	Deputy Shire President
Cr Frank Pritchard	
Cr Ned Radford	
Cr Ian Pedler	
Cr Jill Mathwin	
Cr Graeme Hobbs	
Cr Judith Warland	

Mr Rick Mitchell-Collins	Chief Executive Officer
Mr Anthony Middleton	Manager Corporate Services
Mr Mort Wignall	Manager Regulatory Services
Miss Miranda Wallace	Executive Assistant

APOLOGIES

Nil

8 ANNOUNCEMENTS by the Presiding Member without discussion

9 DECLARATIONS OF INTEREST

10 CORPORATE SERVICES REPORTS**10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (MARCH 2016)**

AUTHOR: Anthony Middleton – Manager Corporate Services
 DATE: Monday, 11 April 2016
 FILE NO: FM.FNR.2
 ATTACHMENT: 10.1 Monthly Statement of Financial Activity

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 March 2016.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2015 to 31 March 2016 represent nine (9) months, or 75% of the year. The following items are worthy of noting:

- Surplus position of \$1.58m;
- Operating results:
 - 73% of budgeted operating revenue received; and
 - 72% of budgeted operating expenditure spent;
- Capital expenditure achieved 39% of budgeted projects;
- The value of outstanding rates equates to 6.5% of 2015/2016 rates raised, which includes previous years arrears but excludes deferred rates (refer to page 17 of the statements);
- Cash holdings of \$4.62m of which \$3.14m is held in cash backed reserve accounts;
- Page 7 & 8 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

The following capital expenditure projects have exceeded their authorised budgets:

COA	Description	Resp. Officer	Budget	YTD Actual	% of Annual Budget
C139	Bagg St - Convert Doctors Surgery	MRS	\$30,000	\$30,569	102%
C147	Springhaven - Furniture	MACS	\$3,000	\$3,477	116%

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period 1 July 2015 to 31 March 2016, as attached, be noted.

COUNCIL DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Christine Coldwell - Finance Officer
DATE: Monday, 11 April 2016
FILE NO: FM.AUT.1
ATTACHMENT: 10.2 Monthly Payment Listing 01/03/2016 – 31/03/2016

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of March 2016.

BACKGROUND

Not applicable.

COMMENT

The attached list of payments is submitted for receipt by the Council.

In accordance with the previous Briefing Session, any comments or queries regarding the list of payments is to be directed to the Manager of Corporate Services via email prior to the meeting.

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

POLICY IMPLICATIONS

Council's Policy 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

There are no strategic/corporate implications involved with presentation of the list of payments.

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with Regulation 13 (1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments as attached made under delegated authority:

	FROM	TO	TOTAL
Date	1 March 2016	31 March 2016	
Municipal Cheques	13647	13669	\$60,963.35
EFT's	15790	15969	\$443,294.04
Direct Debits			\$318,358.92
			\$822,616.31

be received.

COUNCIL DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.3 AUDITOR – QUOTATIONS FOR THREE (3) YEAR CONTRACT

AUTHOR: Anthony Middleton – Manager of Corporate Services
 DATE: Thursday, 7 April 2016
 FILE NO: CM.TND.1
 ATTACHMENT: 10.3.1 Quotation – Lincolns
 10.3.2 Quotation – Moore Stephens
 10.3.3 - Ministerial Circular - Auditing of Local Government by the Auditor General

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider quotations for the provision of audit services for the financial year 2015/2016 to 2017/2018.

BACKGROUND

The current contract with Russell Harrison (Lincolns Accountants and Business Advisors, Albany) expires at the conclusion of the 2014/2015 financial year audit.

At its meeting held on 16 February 2016, the Council resolved:

'that quotations be obtained from two (2) suitable auditing firms for the conduct of the Shire of Kojonup's Audit for a period of three (3) Financial Years in accordance with the Local Government Act 1995 and other relevant legislation.'

COMMENT

Quotations were sought from Lincolns Accountants and Business Advisors and Moore Stephens (formerly UHY Haines Norton).

The following fees proposals have been submitted (excluding GST), which include travel where applicable and assume CPI increases across the three year period at 2%:

	Year 1 (2015/2016)	Year 2 (2016/2017)	Year 3 (2017/2018)
Moore Stephens	\$17,600.00	\$18,150.00	\$18,700.00
Lincolns	\$17,500.00	+ Perth CPI	+ Perth CPI

The Moore Stephens quotation will also incur accommodation and incidental expenses.

The following hourly charges apply for additional audit work, acquittals, special advice and projects:

	Moore Stephens	Lincolns
Partner	\$450.00 - \$600.00	\$350.00
Associate Director	\$350.00 - \$400.00	N/A
Manager	\$250.00 - \$300.00	N/A
Senior	\$180.00 - \$200.00	\$170.00
Intermediate	\$140.00 - \$180.00	\$130.00
Graduate	\$120.00	N/A

The bulk of audit and acquittal work is done at Intermediate Level. Lincolns have also quoted specific additional work as follows:

- Roads to Recovery \$750;
- Springhaven Lodge Compliance Return \$2,000
- Other Grants \$500 to \$1,000 depending on required work.

Moore Stephens

Moore Stephens is situated in Perth and is very experienced in local government, currently with 43 local government clients. David Tomasi is the registered auditor for that firm, along with Chai Wen-Shien and Greg Godwin. Moore Stephens has previously provided audit services to the Shire of Kojonup, along with completing our financial management review and long term financial plan. Moore Stephens is a leader in WA auditing, conducting annual workshops in financial management and providing budgeting and financial reporting templates to the industry.

Moore Stephens has a detailed compliance component and provides a ratio analysis statistics service to all audit clients as a means of comparing their statutory ratios to those of their peers. This has been enhanced in 2015 and includes detailed comparison/analysis of all reported local government statutory ratios for the 2013 and 2014 years.

Moore Stephens has WALGA preferred supplier status and is able to offer an audit team with considerable depth of experience, expertise and knowledge of the local government industry in Western Australia.

Moore Stephens' understanding, knowledge and commitment to the industry is supported by the findings of the Public Accounts Committee (PAC) report entitled 'Improving Local Government Accountability' as tabled in Parliament (November 2015). Audits are based on 42 man hours for the interim audit and 62 man hours for the final audit.

Lincolns Accountants

Lincolns Accountants and Business Advisors is situated in Albany and has many years' experience with local governments in the Great Southern Region, currently with 8 local government clients. Russell Harrison is the registered auditor for that firm. Lincolns is the current auditor for the Shire of Kojonup and has provided an excellent service. Lincolns can provide a service to the Shire that is unique in a regionally based firm. Audits are based on 30 man hours for the interim audit and 45 man hours for the final audit.

Summary

The audit methodology proposed by the two proponents is acceptable and there is no doubt that either firm could undertake the Shire's audit function satisfactorily. The standard audit fees charged are almost identical, with Moore Stephens incurring accommodation costs in addition to the fees. The hourly rates charged by Moore Stephens are more than Lincolns and such rates would apply to additional audit work, acquittals, special advice and projects. Having said that, the Moore Stephens quote for the audit is based on 104 hours compared to Lincolns 75, therefore assuming that a more thorough task will be completed.

The Audit Committee considered this item at its meeting held 5 April 2016 and resolved:

"That Mr Russell Harrison (Registered Company Auditor Number 14152) of Lincolns be appointed as the Council's auditor for a three (3) year period commencing with the 2015/2016 financial year, in accordance with the 'Quotation for the Provision of Audit Services' document dated 10 March 2016."

The Department of Local Government and Communities are proposing to make changes to the audit process for local governments in WA, to make the Office of the Auditor General responsible. Attached is a request from the Minister for Local Government that audit contract renewals not proceed past the 2016/2017 financial year. This request was received after the Audit Committee had made its recommendation to the Council and therefore it is not included in its recommendation.

CONSULTATION

Audit Committee

STATUTORY REQUIREMENTS

The Local Government Act 1995 and Audit Regulations provide that –

1. on the recommendation of the audit committee a local government is to from time to time appoint, by absolute majority, a person to be its auditor;
2. the local government may appoint one or more persons as its auditor;
3. the local government's auditor is to be a person who is –
 - a. a registered company auditor; or
 - b. an auditor approved by the Minister;
4. a person may not be appointed as a local government auditor if that person is –
 - a. a councillor or employee of the local government;
 - b. in debt to the local government for more than \$5,000;
 - c. a councillor or employee of a regional local government in which the local government is a participant;
 - d. a member of an incorporated association formed by the local government; or
 - e. a class of persons as prescribed in the Regulations;
5. an auditor is not to be appointed for more than five years; and
6. the appointment of a person as an auditor is to be made by agreement in writing and is to include –
 - a. the objectives of the audit;
 - b. the scope of the audit;
 - c. a plan for the audit;
 - d. details of the remuneration and expenses to be paid to the auditor; and
 - e. the method to be used by the local government to communicate with, and supply information to, the auditor.

The Committee should undertake a proper selection and appointment process as part of appointing or reappointing an auditor. If reappointment is being considered, the process should include the review of key issues as in Point a. to e. above.

It is important to realise that the Act specifies that it is a named person(s) that is appointed as auditor, not the company or 'the partners' of the company which employs the person. Therefore, when the audit report is received it must be signed by the person(s) appointed as the auditor; it cannot be the generic signature identifying the firm.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

Both of the quotations received are less than is currently incurred for the provision of audit services (\$21,087 in 2014/2015). Audit services are budgeted for each year.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.2 – Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

The audit process is a primary risk minimization tool to assist with legislative compliance, accountability and standardisation amongst the industry. The choice of the right auditor and a suitable working relationship with the auditor is paramount.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Absolute Majority

AUDIT COMMITTEE RECOMMENDATION

That Mr Russell Harrison (Registered Company Auditor Number 14152) of Lincolns be appointed as the Council's auditor for a three (3) year period commencing with the 2015/2016 financial year, in accordance with the 'Quotation for the Provision of Audit Services' document dated 10 March 2016.

COUNCIL DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST

/

Attachment 10.3.3



**The Hon Tony Simpson MLA
Minister for Local Government; Community Services;
Seniors and Volunteering; Youth**

Our Ref: 49-10888

TO ALL LOCAL GOVERNMENTS

CIRCULAR N^o 03-2016

**AUDITING OF LOCAL GOVERNMENT BY THE AUDITOR GENERAL – RENEWAL OF
AUDIT CONTRACTS**

The State Government is committed to strengthening local government accountability, performance and transparency and providing for independent oversight of the sector.

As part of this important initiative, it is intended to amend the *Local Government Act 1995* to allow for the Auditor General and the Office of the Auditor General (OAG) to take responsibility for local government financial audits from 1 July 2017.

Under the proposed changes, the Auditor General may contract out some of the financial audits, but all financial audits will be done under the supervision of the Auditor General and the OAG.

I thank all local governments that have provided details of their audit contract expiry date to the Department of Local Government and Communities. This information will assist the OAG to manage the transition to the new auditing arrangements over a proposed two-year period.

The data provided indicates that a number of local governments are currently out of contract and are in the midst of renewing or entering into new audit contracts. I strongly encourage local governments that are in this position to renew their audit contracts up to but not past the 2016/17 audit. If, to secure an auditor, the audit contract has to be renewed beyond the 2016/17 audit, you should renew it for no more than one extra year.

I would appreciate local governments having regard to these matters when considering the renewal of audit contracts.

A handwritten signature in blue ink, appearing to read 'Tony Simpson'.

**HON TONY SIMPSON MLA
MINISTER FOR LOCAL GOVERNMENT; COMMUNITY SERVICES;
SENIORS AND VOLUNTEERING; YOUTH**

10.4 PROPOSED SALE OF PROPERTY DUE TO UNPAID RATES – 8 MCBRIDE PLACE, KOJONUP

AUTHOR: Heather Marland – Senior Finance Officer
DATE: Monday, 21 March 2016
FILE NO: A9696
ATTACHMENT: 10.4 Map of the Block

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider transferring ownership of 8 McBride Place Kojonup to the Shire or the Crown for non-payment of rates.

BACKGROUND

The property in question is a vacant block surrounded by other vacant blocks. The block was given to the current owner by his father in August 2003. Numerous attempts had been made to contact the owner over the nonpayment of rates. At 19 May 2014 Ordinary Council Meeting, Council Decision 59/14 was:

‘that in accordance with section 6.64 of the Local Government Act that the Council approves administrative action via AMPAC to recover unpaid rates and charges by the sale of the land.’

COMMENT

After due process the auction to sell the land was held on site by PL Bolto & Co on 27 November 2015. There were no attendees other than staff present at the auction.

CONSULTATION

Ampac Debt Recovery
Price Sierakowski Corporate (Solicitors)
Manager of Corporate Services

STATUTORY REQUIREMENTS

Section 6.64 of the *Local Government Act 1995* provides that, if any rates or service charges due to a local government have been unpaid for at least three years, the local government may take possession of the land and/or proceed to sell the land. Section 6.68 (1) of the *Local Government Act 1995* prevents the local government from exercising the power of sale unless the local government has at least once attempted to recover money due to it under 6.56 of the *Local Government Act 1995*.

In order to take possession of the property and proceed with its sale, Council must cause notice requiring the payment of rates under Schedule 6.3 of the *Local Government Act 1995*. Such notice is also to be served on any party with an interest in the land.

Schedule 6.3 of the *Local Government Act 1995* states that at the expiration of three months from the date of issue of this notice the rates remain unpaid, the Shire of Kojonup may proceed with selling the land by public auction.

The Landgate Practice Manual states that a Memorial of Advertisement remains in force for 12 months. A Transfer of Land can only be executed by the Shire in the registered period that the Memorial remains in force on the title.

Section 6.71 of the *Local Government Act 1995* allows for the transfer of the land to the Shire or the Crown. This can only occur once 12 months has passed from the date on which the land has been offered for sale by public auction.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is currently an outstanding amount of \$21,091.50. This figure will increase as rates are raised in July and as interest is accrued. There would also be extra legal fees.

There would be an expected sum of approximately \$25,000-\$30,000 that the shire would need to absorb/write off.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- E2 – Building Prosperity

Corporate Business Plan 2013 – 2017

Objectives:

- E2.1.5 – Support the creation of additional residential lots.

RISK MANAGEMENT IMPLICATIONS

Should no action be taken it will expose the Shire to an even greater loss.

ASSET MANAGEMENT PLAN IMPLICATIONS

Will potentially increase the Shires assets by having an additional residential block. This would be available for future development by the Shire or to be sold to a third party. It would not be expected that the block will sell in the immediate future, rather a long term investment.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the Council support the transfer of ownership of A9696, being 8 McBride Place, Kojonup, to the Shire of Kojonup in lieu of payment of rates in the legislated timeframe after 28 November 2016 as per Section 6.71 of the *Local Government Act 1995*.

COUNCIL DECISION

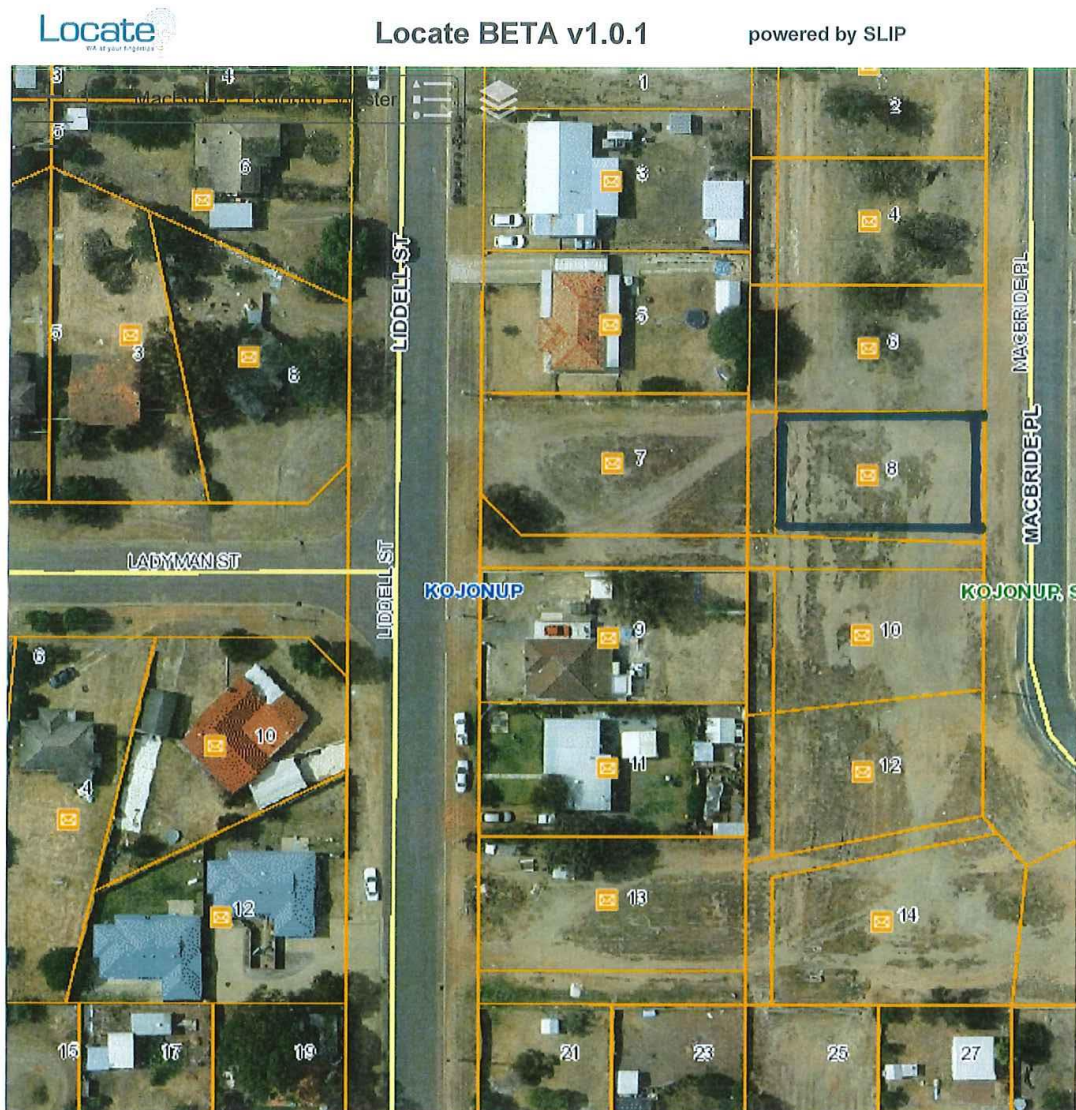
/16 Moved Cr , seconded Cr

CARRIED/LOST /

Attachment 10.4

Locate BETA v1.0.1

Page 1 of 1



30m

-33.829 117.164 Degrees

10.5 REVIEW OF COMMITTEES – GREAT SOUTHERN ZONE OF WALGA

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Monday, 11 April 2016
FILE NO: FM.FNR.2
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider an alternate Council representation on the Great Southern Zone of WALGA.

BACKGROUND

At its meeting held on 22 October 2015 while setting all Committee delegates following the local government elections, the Council resolved as follows:

‘...The Council endorse the following appointments of Councillors as delegates to local and regional organisations:

(a) *GREAT SOUTHERN ZONE OF THE WA LOCAL GOVERNMENT ASSOCIATION*

Members Cr Fleay and Cr Mathwin

Deputies Cr Pritchard and Cr Pedler...

COMMENT

Cr Fleay has indicated that due to her representing the Council on other organisations such as the Great Southern Development Commission and the WA Planning Commission she is often required to declare an interest and feels that another Councillor may be able to represent the Shire with more effect.

CONSULTATION

Chief Executive Officer.

STATUTORY REQUIREMENTS

The Great Southern Zone of WALGA is not a formal committee of the Council and therefore there are no legislative requirements.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC/CORPORATE IMPLICATIONS

Community Strategic Plan 2013 – 2023

Outcomes:

- G1 - Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.4 – Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

Representing the Shire at regional organisations ensures that we are aware of emerging trends and political developments and therefore better placed to manage risks.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Council's representation on the Great Southern Zone of the Western Australian Local Government Association be amended to:

Members	Cr	and Cr Mathwin
Deputies	Cr Pritchard	and Cr Pedler

COUNCIL DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

10.6 BUDGET AMENDMENT – NETBALL COURT RESURFACING

AUTHOR: Anthony Middleton – Manager Corporate Services
DATE: Tuesday, 12 April 2016
FILE NO: FM.FNR.2
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to amend the budget to fund the resurfacing of the netball courts.

BACKGROUND

At its meeting held on 15 March 2016, the Council resolved:

'That Council:

- 1) Requires additional time to ensure all engineering, surface types and infrastructure options are fully known, costed and discussed with User Groups and the Community during the 2016/2017 financial year before committing to a long term development plan for the Sports Complex;*
- 2) In the short term hot mix Netball Court No. 3 at a cost of \$35,000.00; and*
- 3) Make provision in the 2016/2017 Budget to provide new Vehicular/Pedestrian access via site 18 of the Sports Precinct Master Plan with associated drainage improvements and improved car parking as outlined in the Chief Executive Officer's report.'*

No details were prescribed in the above motion as to how the \$35,000 to resurface the third netball court will be funded and therefore this item will address this point.

COMMENT

An additional \$37,000 grant funding will be received by the Shire of Kojonup over and above the amount budgeted for the Stormwater Harvesting project. This funding is to cover previous significant over-expenditure incurred on the stormwater project which has been covered through general Shire of Kojonup funds. It is now recommended that this additional funding be reallocated and used to resurface the number three netball court.

CONSULTATION

Chief Executive Officer.

STATUTORY REQUIREMENTS

An amendment to the adopted budget requires an absolute majority decision of the Council.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

Any change to an adopted budget will change the projects and scope of works previously authorised by the Council. Whilst individual projects have varying financial implications, the recommendation maintains a balanced budget.

STRATEGIC/CORPORATE IMPLICATIONSCommunity Strategic Plan 2013 – 2023

Outcomes:

- G1 – Being Well Governed

Corporate Business Plan 2013 – 2017

Objectives:

- G1.1.2 Maintain a structured forward planning process in accordance with legislation and community aspirations
- G1.1.4 Maintain robust systems and controls

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the following changes be made to the current 2015/2016 Adopted Budget figures:

- Account C274 (Tennis Court Resurfacing) – add \$35,000
- Account 1385 (Grant – Royalties for Regions – Regional) – add \$35,000

COUNCIL DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

11 WORKS & SERVICES REPORTS

Nil

12 REGULATORY SERVICES REPORTS

Nil

13 EXECUTIVE & GOVERNANCE REPORTS

Nil

14 AGED CARE SERVICES REPORTS

Nil

15 COMMUNITY DEVELOPMENT & TOURISM REPORTS

Nil

17 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18 NEW BUSINESS

Nil

19 CONFIDENTIAL REPORTS**19.1 REQUEST FOR TENDER 01/2016 – SUPPLY OF PLANT, EQUIPMENT & LABOUR HIRE – STORM DAMAGE RELATED REINSTATEMENT & BUDGET AMENDMENT**

AUTHOR: Craig McVee – Manager Works & Services
DATE: Monday, 11 April 2016
FILE NO: PS.ACQ.3/FM.BUD.4
ATTACHMENT: 19.1 Confidential Report and Attachments

DECLARATION OF INTEREST

Nil

SUMMARY

To seek Council's consideration of tenders received for the supply of plant, equipment & labour hire for Storm Damage Related Reinstatement.

STATUTORY REQUIREMENTS

Section 5.23(2) of the Local Government Act 1995 permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting, and the reason for the decision to be recorded in the minutes.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the meeting be closed to the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* to discuss:

- (c) A contract entered into, or which may be entered into, by the Local Government which relates to a matter to be discussed at the meeting.**

COUNCIL DECISION

/16 Moved Cr , seconded Cr

CARRIED/LOST /

20 NEXT MEETING

Tuesday, 17 May 2016 commencing at 3:00pm.

21 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at pm.

22 ATTACHMENTS (SEPARATE)

- Item 10.1 Monthly Statement of Financial Activity – March 2016
- Item 10.2 Monthly Payment Listing 01/03/2016 – 31/03/2016
- Item 10.3.1 Quotation – Lincolns
- Item 10.3.2 Quotation – Stephen Moores
- Item 19.1 Confidential Item & Report