

SHIRE OF KOJONUP



Council Minutes

17th April 2012

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 17th April 2012****TABLE OF CONTENTS**

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SHIRE OF KOJONUP**MINUTES****1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President declared the meeting opened at 3:02pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and read aloud 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 & LEAVE OF ABSENCE

Cr Jane Trethowan	Shire President
Cr John Benn	Deputy Shire President
Cr Ian Pedler	
Cr Frank Pritchard	
Cr Rosemary Hewson	
Cr Jill Mathwin	
Cr Greg Marsh	(Note: Leave of Absence was approved at the 20 March 2012 Council Meeting, however Cr Marsh was present at the meeting).

Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mrs Heather Marland	Senior Finance Officer

Ms Glenys Russell	Public Gallery
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APOLOGIES

Cr Michael Baulch applying for a Leave of Absence for the Council meeting.

3 PUBLIC QUESTION TIME

Nil

4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL DECISION**

19/12 MOVED Cr Marsh seconded Cr Benn that Cr Baulch be granted Leave of Absence for the Council meeting held 17th April 2012.

CARRIED 7/0

COUNCIL DECISION

20/12 MOVED Cr Hewson seconded Cr Benn that Cr Mathwin be granted Leave of Absence for the Council meeting to be held on 15th May 2012.

CARRIED 7/0

6 CONFIRMATION OF MINUTES

ORDINARY MEETING 20th March 2012

Corrections:

COUNCIL DECISION

21/12 MOVED Cr Benn seconded Cr Pritchard that the Minutes of the Ordinary Meeting of Council held on 20th March 2012 be confirmed as a true record.

CARRIED 7/0

7 ANNOUNCEMENTS by the Presiding Member without discussion

The Great Southern Youth Festival “Gathering” Event was very well received by young & old alike. Members of the local Police and Ambulance services did an excellent job in presenting their mock disaster exercise. The Justice Crew performance was extremely well received.

The Youth Festival was opened by the Hon Terry Waldron and the Justice Crew Performance was opened Hon Robyn McSweeney MLC, Minister for Child Protection; Community Services; Seniors & Volunteering; Women’s Interests; Youth.

The Shire President attended the Anzac service at the Kojonup District High School and was very impressed with the level of thought and effort put in by the students.

The Shire President thanked the Chief Executive Officer, staff and all Councillors for their efforts in regard to Senator Judith Adams Funeral. The President also passed on the thanks of Stuart and Robert Adams.

Regional Road Group – All 3 projects approved for next year.

8 PETITIONS, DEPUTATIONS & PRESENTATIONS

Ms Glenys Russell of Kojonup Tourist Association (KTA) addressed the meeting wanting to outline a number of issues that had recently arisen.

Ms Russell stated that the KTA Report was received last Thursday at the Shire

The Chief Executive Officer clarified that the issue had been previously raised that an email had been sent, however only a hard copy had been delivered and no email received.

Ms Russell stated that no KTA volunteers had issued any tickets to the Gathering/Justice Crew performance until 2 days prior to event. She further stated that only small number of tickets were handed out by volunteers and that volunteers did not evaluate ticket requirements.

The Shire President stated during discussions with respect to minor ticketing issue were the efforts of volunteers not brought into question and indeed they had done a fantastic job in assisting with the event.

Ms Russell stated that Historical Society funding to KTA was for cross promotional funding for the Walk Trail partnership between the two (2) organisations.

The President thanked Ms Russell for the clarification as that had not been identified on the Historical Society Budget.

The Shire President thanked Ms Russell for her attendance.

Ms Glenys Russell left the Chamber

9 DECLARATIONS OF INTEREST

Cr Trethowan, Shire President declared association in respect to Item 12.1.

10 FINANCE REPORTS

10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (Incorporating Budget Review)

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Thursday, 12 April 2012
 FILE NO: FM.FNR.2
 ATTACHMENT: 10.1 Monthly Statement of Financial Activity 1st July 2011 to 31st March 2012
 10.1 – Appendix A - Budget Review

DECLARATION OF INTEREST

Nil

SUMMARY

To accept the Monthly Statement's of Financial Activity for the periods of 1st July 2011 to 31st March 2012; and following a review of Budget Projections as at 31st March 2012 Council is being asked to consider the adoption of Budget Amendments contained within Appendix A (Budget Review) of the Statement of Financial Activity.

BACKGROUND

Preparation and presentation to Council of monthly reports are a statutory requirement, with these to be presented to the next ordinary meeting following the close of a month, or it may be presented to the ordinary meeting in the following month after that.

The reporting requirements, as per Financial Management Regulation 34, for the Statement of Financial Activity came into force from 1st July 2005.

The Review of Budget is covered by Financial Management Regulation 33A which states:

1. *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
2. *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
3. *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*** Absolute majority required.**

4. *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

COMMENTS

The attached Statements of Financial Activity for the period of 1st July 2011 to 31st March 2012 show a solid position with 95% of rates collected and a total amount of cash holdings of \$2,626,519 of which \$1,824,904 is held in fully cash backed Reserves as at to 31st March 2012. Of these cash holdings \$500,000 of Municipal funds and \$1,745,134 of Reserve funds have been reinvested in short term deposits, due to mature 19th April and 19th May 2012 respectively.

Following a review of Budget Projections by senior staff as at 31st March 2012 Council is being asked to consider the adoption of Budget Amendments contained within Appendix A of March's Monthly Statement of Financial Activity

The review also looks at changes to the current schedule of Plant disposals and replacement which considers the current position of plant replacement and any adjustments required. The review is also proposing changes to Reserve transfers; these can be seen in page 1 of Appendix A "Summary of Proposed Amendments".

The Original Budget projected a Surplus Closing Balance for the 2011/12 financial year of -\$3,476 with a minor adjustment of -\$5,373 made at time of audit resulting in a current budgeted Surplus Closing Balance of -\$8,849.

The attached Budget Review is requesting net amendments to budget of -\$4,936, if adopted this will result in a **projected surplus Closing Balance of -\$13,785.**

Appendix A "Budget Review" to the Statement of Financial Activity contains the following reports which detail the proposed amendments:

1. Summary of Proposed Budget Amendments
2. Detailed Review of Operations – Income Statement
3. Detailed Review of Capital Expenditure Program
4. Plant Replacement Report and Review

The review was conducted consistent with the "Material" Variance figure of either \$1000 or 8% as previously adopted by Council and also considered issues relating to timing of projects.

CONSULTATION

Consultation has occurred with Senior Staff.

STATUTORY ENVIRONMENT

Financial Management Regulation 34 sets out the basic information which must now be included in the monthly reports to Council. Financial Management Regulation 33A sets out the requirements with respect to the Review of Budget.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate Senior Officer Reports, but those proposed variations will be taken into account in the monthly Statements of Financial Activity when a full budget review is put before Council. Amendments **are** being sought in Appendix A – Budget Review.

STRATEGIC IMPLICATIONS

This will only occur where it involves variations to the multiple year proposals previously put forward. Impacts to the "Closing Balance" position will also occur or where a Budget Review highlights the requirement for amendments to occur.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION 1

That the Monthly Statement's of Financial Activity for the periods of 1st July 2011 to 31st March 2012, as attached, be accepted.

COUNCIL DECISION

22/12 MOVED Cr Benn seconded Cr Marsh that the Monthly Statement's of Financial Activity for the periods of 1st July 2011 to 31st March 2012, as attached, be accepted.

CARRIED 7/0

VOTING REQUIREMENTS – ABSOLUTE MAJORITY**OFFICER RECOMMENDATION 2**

1. That the Proposed Budget Amendments contained within Appendix A, Shire of Kojonup Budget Review, of the Statement of Financial Activity Totaling -\$4,936 be approved, and
2. That the Proposed changes to the schedule of Plant disposals and replacements contained within Appendix A of the Statement of Financial Activity be approved.

COUNCIL DECISION

23/12 MOVED Cr Marsh seconded Cr Pritchard

- 1. That the Proposed Budget Amendments contained within Appendix A, Shire of Kojonup Budget Review, of the Statement of Financial Activity Totaling -\$4,936 be approved, and**
- 2. That the Proposed changes to the schedule of Plant disposals and replacements contained within Appendix A of the Statement of Financial Activity be approved.**

CARRIED BY ABSOLUTE MAJORITY 7/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Friday, 13 April 2012
 FILE NO: FM.AUT.1
 ATTACHMENT: 10.2 Monthly Payment Listing

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments that were made from 1st March 2012 to 31st March 2012.

BACKGROUND

Not applicable.

COMMENT

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

CONSULTATION

No consultation was required.

STATUTORY ENVIRONMENT

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 F3 provides authorities and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made are for items where Council has provided a budget authority.

STRATEGIC IMPLICATIONS

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

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 made under delegated authority from 1/03/2012 to 31/03/2012 comprising of Municipal Cheques 12142 to 12186, EFT's 8397 to 8564 and Internal Payment Vouchers 3014 to 3051 totalling \$740,005.19 and as attached to this agenda, be received.

COUNCIL DECISION

24/12 MOVED Cr Mathwin seconded Cr Hewson that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/03/2012 to 31/03/2012 comprising of Municipal Cheques 12142 to 12186, EFT's 8397 to 8564 and Internal Payment Vouchers 3014 to 3051 totalling \$740,005.19 and as attached to this agenda, be received.

CARRIED

7/0

5:20pm Mrs Heather Marland left the Chamber.

11 ENGINEERING & WORKS REPORTS

Nil

12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS

Shire President, Cr Trethowan declared association to the applicant in so much the person is a neighbour, however Cr Trethowan does not have any proximity to the land effected by the application. Cr Trethowan Read declaration.

12.1 AMALGAMATION & RESUBDIVISION – LOCATIONS 1234, 955, 956 & 2511 ALBANY HIGHWAY, LUMEAH.

AUTHOR: Phil Shephard – Town Planner
 DATE: 21 March 2012
 FILE NO: LP.SUB.1
 APPLICANT: RAS Machin Licensed Surveyor
 OWNER: JB & KJ Carrington-Jones
 ATTACHMENT: 12.1 Boundary Realignment Plan

DECLARATION OF INTEREST

Nil.

SUMMARY

To consider a proposal to amalgamate and resubdivide the above 4 lots as shown on the attached plan.

It is recommended that the application be supported subject to conditions/advice.

BACKGROUND

The subdivision proposal has been referred by the Western Australian Planning Commission (WAPC) to Council with a request for any information, comment or recommended conditions that Council seek to have the Commission consider in assessing the application.

Council is reminded that all applications for subdivision/amalgamation are submitted to, and determined by, the WAPC in consultation with relevant stakeholders (State Government bodies and local government). The WAPC provides forty-two (42) days for comments to be received from stakeholders (closing on 17 April 2012). It is the WAPC's decision to act on any advice or recommendation received from Council.

COMMENT

The applicants have advised that the purpose of the amalgamation and resubdivision is for agriculture purposes. The amalgamation will create 4 lots of approximately 158.0, 65.0, 45.0 and 46.0 hectares in area as shown on the plan. The lots have frontage to Albany Highway and Yarranup Road.

Under Council's adopted Town Planning Scheme Policy No. 11 'Applications for Subdivision' the requirements for subdivisions in rural areas are:

- Lot size is no smaller than prevailing in the vicinity (and greater than 2ha), and
- That each lot has a well made developed road access to it.

The proposed lot sizes are consistent with existing rural lot sizes in the area and the proposed subdivision is considered consistent with the requirements of the WAPC and the Shire for rural subdivisions.

There are conditions recommended to be placed on approval if granted by the WAPC.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

The land is zoned Rural under Town Planning Scheme No. 3.

The objectives for the Rural zone are as follows:

- (a) The zone shall consist of predominantly rural uses.
- (b) To protect land from urban uses that may jeopardise the future use of that land for other planned purposes which are compatible with the zoning.
- (c) To protect the land from closer development which would detract from the rural character and amenity of the area.
- (d) To prevent any development which may affect the viability of a holding.
- (e) To provide for limited commercial accommodation opportunities in a rural environment consistent with the Council's Policy for 'Farmstay', 'Bed and Breakfast Accommodation' and 'Chalet' facilities.

The proposed subdivision is considered consistent with these objectives.

POLICY IMPLICATIONS

The Shire's adopted Town Planning Scheme Policy No. 11 'Applications for Subdivision' sets the following requirements for subdivisions in rural areas:

- Block size is no smaller than the prevailing lot sizes in the vicinity; and
- Greater than 2 hectares in area; and
- That each block subdivided has a well made developed road access to it.

The proposal complies with Town Planning Scheme Policy No. 11.

FINANCIAL IMPLICATIONS

Nil. All costs in completing the amalgamation and resubdivision conditions are to be met by the subdivider.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to the proposal.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council advise the Western Australian Planning Commission that it supports the proposed amalgamation and resubdivision of Locations 1234, 955, 956 & 2511 Albany Highway, Lumeah as proposed on WAPC File 145715 and request the following conditions/advice be placed upon the approval:

- 1) The proposed 20m wide accessway and crossover off Yarranup Road to be designed, located, drained and constructed to the satisfaction of the Shire of Kojonup.

Advice Notes:

- 1) Any new or altered vehicle crossovers onto properties required as a result of this subdivision/amalgamation shall be located, designed and constructed to the satisfaction of the Shire of Kojonup at the subdividers cost.

COUNCIL DECISION

25/12 MOVED Cr Hewson seconded Cr Benn that Council advise the Western Australian Planning Commission that it supports the proposed amalgamation and resubdivision of Locations 1234, 955, 956 & 2511 Albany Highway, Lumeah as proposed on WAPC File 145715 and request the following conditions/advice be placed upon the approval:

- 1) The proposed 20m wide accessway and crossover off Yarranup Road to be designed, located, drained and constructed to the satisfaction of the Shire of Kojonup.**

Advice Notes:

- 1) Any new or altered vehicle crossovers onto properties required as a result of this subdivision/amalgamation shall be located, designed and constructed to the satisfaction of the Shire of Kojonup at the subdividers cost.**

CARRIED 7/0

13 CORPORATE & COMMUNITY SERVICES REPORTS

Nil

14 COMMITTEES OF COUNCIL**14.1 AUDIT COMMITTEE****OFFICER RECOMMENDATION**

That the attached unconfirmed minutes of the Audit Committee held Tuesday 20th March 2012 be received by Council.

COUNCIL DECISION

26/12 MOVED Cr Mathwin seconded Cr Marsh that the attached unconfirmed minutes of the Audit Committee held Tuesday 20th March 2012 be received by Council.

CARRIED 7/0

OFFICER RECOMMENDATION

That the attached confirmed minutes of the Audit Committee held Tuesday 7th February 2012 be received by Council.

COUNCIL DECISION

27/12 MOVED Cr Hewson seconded Cr Pritchard that the attached confirmed minutes of the Audit Committee held Tuesday 7th February 2012 be received by Council.

CARRIED 7/0

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS

of an urgent nature, introduced by a decision of the meeting

Nil

17 CONFIDENTIAL REPORTS

5:24pm Mr Kim Dolzadelli left the Chamber.

COUNCIL DECISION

28/12 MOVED Cr Marsh seconded Cr Mathwin that the meeting be closed to the Public in accordance with section 5.23 (2) (a) of the Local Government Act 1995 as it relates to an employee.

CARRIED 7/0

COUNCIL DECISION

29/12 MOVED Cr Hewson seconded Cr Mathwin that the meeting be opened to the Public.

CARRIED 7/0

18 NEXT MEETING

Tuesday, 15th May 2012 commencing at 3:00pm.

19 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 6:10pm.

20 APPENDICES AND TABLED DOCUMENTS

21 ATTACHMENTS

- Item 10.1 Monthly Statement of Financial Activity 1st July 2011 to 31st March 2012
Incorporating Budget Review – Appendix A
- Item 10.2 Monthly Payment Listing
- Item 12.1 Boundary Realignment Plan
- Item 14.1.1 Unconfirmed Audit Committee Minutes – Tuesday 20th March 2012
- Item 14.1.2 Confirmed Audit Committee Minutes – Tuesday 7th February 2012

Presiding Member

Date