

SHIRE OF KOJONUP



Council Minutes

20th March 2012

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 20th March 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 3.00pm and alerted 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 & LEAVE OF ABSENCE

Cr Jane Trethowan	Shire President
Cr John Benn	Deputy Shire President
Cr Ian Pedler	
Cr Frank Pritchard	
Cr Greg Marsh	
Cr Rosemary Hewson	
Cr Michael Baulch	
Cr Jill Mathwin	
Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mrs Heather Marland	Senior Finance Officer

APOLOGIES**3 PUBLIC QUESTION TIME**

Nil

4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

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

12/12 MOVED Cr Hewson seconded Cr Mathwin that Cr Marsh be granted Leave of Absence for the Council meeting to be held on 17th April 2012.

CARRIED 8/0

6 CONFIRMATION OF MINUTESORDINARY MEETING 21st February 2012

Corrections:

COUNCIL DECISION

13/12 MOVED Cr Benn seconded Cr Hewson that the Minutes of the Ordinary Meeting of Council held on 21st February 2012 be confirmed as a true record.

CARRIED 8/0

7 ANNOUNCEMENTS by the Presiding Member without discussion

The Shire President highlighted that the Great Southern Regional Youth Festival 'The Gathering' Event was to be held in Kojonup on the 23rd March 2012 and hoped that the event would be well supported. Encouraged anyone involved in community organisations/groups to be involved by contacting the Shire.

The Shire President advised that she had attended the Regional Recreation Committee Meeting in early March. Representatives from the Shire of Jerramungup gave an overview on discussions they had been engaging with community/sporting groups with respect to Capital Funding with a particular focus on forward planning. The Shire President advised the meeting that their method of approach was something that was likely to work well in Kojonup.

8 PETITIONS, DEPUTATIONS & PRESENTATIONS

Nil

9 DECLARATIONS OF INTEREST

Cr Benn declared a Financial Interest in Item 10.2 in so much that he is an Agent for The Cott Family Trust T/A Oil Tech Fuel.

10 FINANCE REPORTS**10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY**

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Wednesday, 14 March 2012
 FILE NO: FM.FNR.2
 ATTACHMENT: 10.1 Monthly Statement of Financial Activity 1st July 2011 to 29th February 2012

DECLARATION OF INTEREST

Nil

SUMMARY

To accept the Monthly Statement's of Financial Activity for the periods of 1st July 2011 to 29th February 2012.

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.

COMMENTS

The attached Statements of Financial Activity for the period of 1st July 2011 to 29th February 2012 show a solid position with 92.07% of rates collected and a total amount of cash holdings of \$2,674,490 of which \$1,774,682 is held in fully cash backed Reserves as at to 29th February 2012. Of these cash holdings \$500,000 of Municipal funds and \$1,730,681 of Reserve funds have been reinvested in short term deposits, both due to mature 20th March 2012.

As previously advised, Officers continue to closely monitor Councils' cash flow position bearing in mind the requirement of loan funds for the Sporting Complex Upgrade/Renewal project. As previously noted the amount of loan funds required for funding of the project would be presented to Council once final costs are available at completion of the project. I am happy to advise that item 10.3, contained within this agenda, presents the funding requirements and options for this project.

CONSULTATION

None necessary.

STATUTORY ENVIRONMENT

Financial Management Regulation 34 sets out the basic information which must now be included in the monthly reports to Council.

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 not being sought from Council in this report.

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

That the Monthly Statement's of Financial Activity for the periods of 1st July 2011 to 29th February 2012, as attached, be accepted.

3:08pm Chief Executive Officer left the Chamber.

COUNCIL DECISION

14/12 MOVED Cr Marsh seconded Cr Pritchard that the Monthly Statement's of Financial Activity for the periods of 1st July 2011 to 29th February 2012, as attached, be accepted.

CARRIED 8/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Friday, 16 March 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 February 2012 to 29th February 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

3:13pm Chief Executive Officer returned to the Chamber.

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 1/02/2012 to 29/02/2012 comprising of Municipal Cheques 12102 to 12141, EFT's 8278 to 8396 and Internal Payment Vouchers 2977 to 3013 totalling \$601,139.78 and as attached to this agenda, be received.

3:17pm Chief Executive Officer left the Chamber.

3:18pm Chief Executive Officer returned to the Chamber.

COUNCIL DECISION

15/12 MOVED Cr Mathwin seconded Cr Baulch that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 1/02/2012 to 29/02/2012 comprising of Municipal Cheques 12102 to 12141, EFT's 8278 to 8396 and Internal Payment Vouchers 2977 to 3013 totalling \$601,139.78 and as attached to this agenda, be received.

CARRIED

8/0

The Manager of Corporate Services noted the following correction to Item 10.3 “Financial Implications” contained within the Agenda.:

That the words “Medical Centre Loan will be required this year” should read “Medical Centre Loan will not be required this year”

10.3 LOAN – KOJONUP SPORTING COMPLEX REFURBISHMENT/UPGRADE PROJECT

AUTHOR: Kim Dolzadelli – Manager Corporate Services
 DATE: Thursday, March 15, 2012
 FILE NO: FM.BUD.4
 ATTACHMENT: 10.3.1 Option 1 – Indicative Loan Repayment Schedule - WATC
 10.3.2 Option 2 – Indicative Loan Repayment Schedule - WATC

DECLARATION OF INTEREST

Nil

SUMMARY

To consider funding options and Budget Amendments with respect to the Kojonup Sports Complex Refurbishment/Refurbishment project.

BACKGROUND

The Kojonup Sports Complex Refurbishment/Refurbishment project commenced in 2009/2010 with its completion scheduled in 2011/12. In its Annual Budget for 2011/12 Council approved a Loan of \$260,000 to partially fund the completion of the project.

Council received a full briefing with respect to project progress and expected final costs at its briefing session of 18th October 2011, by Mr M Prandi.

COMMENT

The project was delivered in stages, with the original sewer, power, and water upgrades being delivered in the prior budget, however these have been added to the building works to show the total cost of the sporting precinct development.

These works had significant over-run due to factors such as:

- Replacing the sewer line from the Bowling Club to the Corner of Benn Parade and Pensioner Rd.
- Upgrading the water main infrastructure around the pool and the addition of hydrant infrastructure.
- Upgrading of the electrical and additional distribution boards.
- New verandah at the pool.
- Addition of reverse cycle air conditioning.
- The nature of addressing hidden issues when doing refurbishments.

The cost also includes an allowance for \$40,000 in final fit out including tables, fridges, card access system, window treatments and storage cabinets.

Council is being asked to consider the funding shortfall for the project and officers have prepared the following two (2) options; which includes the increase to the loan amount and the utilisation of the proceeds from sale of budgeted sale of 39 Elverd Street (Doctors Old House).

Sports Complex Refurbishment/Upgrade - Funding Options

<u>Project Costs Actual YTD</u>	Option 1	Option 2
2009/10	\$ 262,936.83	\$ 262,936.83
2010/11	\$ 679,236.96	\$ 679,236.96
2011/12	\$ 842,546.10	\$ 842,546.10
Total	\$1,784,719.89	\$1,784,719.89
Estimated Outstanding Cost	\$ 57,453.90	\$ 57,453.90
Estimated Total Project Cost	\$1,842,173.79	\$1,842,173.79

Current Budgeted Project Funding

Budget 2009/10	\$ 262,936.83	\$ 262,936.83
Budget 2010/11	\$ 679,236.96	\$ 679,236.96
Budget 2011/12	\$ 600,000.00	\$ 600,000.00
	\$1,542,173.79	\$1,542,173.79

Project Funding Shortfall

-\$ 300,000.00	-\$ 300,000.00
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Proposed Additional Funding Sources

Sale of Proceeds Old Doctors House	\$ 200,000.00	\$ 100,000.00
Increase in required loan funds	\$ 100,000.00	\$ 200,000.00
	\$ 300,000.00	\$ 300,000.00

Current Loan Budgeted

\$ 260,000.00	\$ 260,000.00
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New Proposed Loan Amount

\$ 360,000.00	\$ 460,000.00
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Note all cost are exclusive of GST

Should Council approve one of the above options it will also be necessary for the following Budget Amendments to also be approved:

Required Budget Amendments			
		Option 1	Option 2
Transfers to Reserve (Staff Housing) (Proceeds from sale 39 Elverd Street)	Reduction	\$100,000.00	\$95,000.00
Staff Housing Capital (Timing)	Reduction	\$95,000.00	\$ -
Decrease to Principal & interest Repayments	Reduction	\$5,000.00	\$5,000.00
Increase to Loan Funding	Increase	\$100,000.00	\$200,000.00
Net Funding Made Available		\$300,000.00	\$300,000.00

Council is advised that whilst a full budget review will be presented to its April 2012 meeting, the above amendments are necessary now to enable for the above funding option to proceed immediately. As noted in previous "Statement of Financial Activity" reports to Council, this is particularly important from a Cash Flow perspective.

Whilst Council approved a Loan of \$260,000 in its 2011/12 Annual Budget it is considered necessary and transparent for Council, should it approve any increase to the loan amount, to give one months local public notice of Councils intention to borrow, as the new amount of the loan is a major variance from the provision that was made in the Annual Budget per section 6.20(2) LGA 1995.

It is recommended that the loan be undertaken for a 20 year period and that the loan be sourced from the WA Treasury Corporation. An indicative repayment schedule provided by WA Treasury Corporation for each of the different proposed loan amounts is attached to this agenda.

CONSULTATION

One month Local Public Notice will be required to be given in accordance with section 6.20(2) of the Local Government Act 1995.

STATUTORY ENVIRONMENT

Section 6.20 of the Local Government Act 1995 – “Power to Borrow”

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Councils Financial Ratios will be affected by the increase in the level of the Loan; however this is likely to be offset by the fact that the proposed Medical Centre Loan will not be required this year. If adopted this proposal will have no impact on Councils “Closing Balance” Surplus position.

STRATEGIC IMPLICATIONS

There are no strategic implications.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council resolves:

1. to borrow the increased amount of \$360,000 from the WA Treasury Corporation over a term of twenty (20) years for funding of the Sport Complex Refurbishment/Upgrade project,
2. that One month Local Public Notice will be required to be given in accordance with section 6.20(2) of the Local Government Act 1995.
3. to approve the following Budget Amendments to effect to this proposal:
 - a. the use of proceeds from sale of 39 Elverd Street - \$200,000,
 - b. Reduction in Transfers to Staff Housing Reserve - \$100,000,
 - c. Reduction in Staff Housing Capital Budget - \$95,000, and
 - d. Reduction in Loan Principal & Interest Budget - \$5,000.

COUNCIL DECISION

16/12 MOVED Cr Benn seconded Cr Mathwin that Council resolves:

1. to borrow the increased amount of \$360,000 from the WA Treasury Corporation over a term of twenty (20) years for funding of the Sport Complex Refurbishment/Upgrade project,
2. that One month Local Public Notice will be required to be given in accordance with section 6.20(2) of the Local Government Act 1995.
3. to approve the following Budget Amendments to effect to this proposal:
 - a. the use of proceeds from sale of 39 Elverd Street - \$200,000,
 - b. Reduction in Transfers to Staff Housing Reserve - \$100,000,
 - c. Reduction in Staff Housing Capital Budget - \$95,000, and
 - d. Reduction in Loan Principal & Interest Budget - \$5,000.

CARRIED

8/0

11 ENGINEERING & WORKS REPORTS

Nil

12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS

Nil

3:35pm Mrs Heather Marland left the Chamber.

13 CORPORATE & COMMUNITY SERVICES REPORTS**13.1 2011 STATUTORY COMPLIANCE AUDIT RETURN**

AUTHOR: Stephen Gash - Chief Executive Officer
 DATE: Wednesday, 14 March 2012
 FILE NO: CM.REP.1
 ATTACHMENT: 13.1 2011 Statutory Compliance Report (Compliance Audit Return 2011)

DECLARATION OF INTEREST

Nil

SUMMARY

The adoption of the 2011 Statutory Compliance Report.

BACKGROUND

The Department of Local Government has prepared and circulated to each local government an annual return covering various statutory compliance matters under the Local Government Act and associated Regulations. A copy is attached to the agenda.

COMMENT

The completion of the return is mandatory for each local government. The return has been completed following a review of processes and documentation for each activity / area in which compliance is being assessed against the Local Government Act 1995 (as amended) and associated regulations.

Amendments to regulation 13 of the Local Government (Audit) Regulations 1996 have been gazetted, resulting in the following changes.

These changes address issues raised in a number of reports that proposed a review of the Department's Compliance Audit Program, including the Public Accounts Committee Report No. 4 into Local Government Accountability (2006), the Department of Treasury and Finance's Red Tape Reduction Group Report (2010) and the Local Government Reform Steering Committee (2010). These reports raised issues regarding the compliance reporting burden placed on local governments resulting from the requirement to complete a comprehensive CAR and submit it to the Department by 31 March each year.

A further change to regulation 14 requires that the local government's Audit Committee now reviews the CAR and reports the results of that review to the Council prior to adoption by Council and the March submission to the Department.

The Audit Committee's review will be tabled at the meeting.

The attached CAR documents that there was full compliance with the 2011 return.

CONSULTATION

Nil required

STATUTORY REQUIREMENTS/ENVIRONMENT

The Local Government Audit Regulations 1996, Regulation 14 states:

- “(1) a local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

- (3A) the local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —
- (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.”

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no financial implications

STRATEGIC IMPLICATIONS

There are no strategic implications

VOTING REQUIREMENTS - SIMPLE MAJORITY**OFFICER RECOMMENDATION**

1. That the Audit Committee's review of the Compliance Audit Return for 2011 as tabled be received, and
2. That the circularised Statutory Compliance Audit Return for 2011 attached be adopted.

COUNCIL DECISION**17/12 MOVED Cr Mathwin seconded Cr Hewson**

1. That the Audit Committee's review of the Compliance Audit Return for 2011 as tabled be received,
2. That the circularised Statutory Compliance Audit Return for 2011 attached be adopted, and
3. That the Nil Report from Audit Committee be noted.

CARRIED

8/0

REASON FOR CHANGE: It was appropriate for Council to note the Nil report from the Audit Committee.

13.2 **COMMUNITY SPORT & RECREATION FACILITY FUND APPLICATION (CSRFF)**

AUTHOR: Stephen Gash – Chief Executive Officer
 DATE: 15 March 2012
 FILE NO: GS.PRG.16
 ATTACHMENTS: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To consider and rank applications for the CSRFF small grants round.

BACKGROUND

Council has appreciated the support of the Department of Sport and Recreation, through their Community Sport and Recreation Facilities Fund, which has contributed funds to significant sporting infrastructure in the district.

The Chief Executive Officer met with Department of Sport and Recreation staff on 13 February 2012 to discuss the eligibility of projects for the small grants round, with the replacement of the squash courts flooring, resurfacing of two netball courts, and pool blankets being discussed.

Based on the feedback from the meeting officers have progressed the squash courts floor replacement and pool blankets to application, and the netball court options will be considered within Councils own budget for 2012/13.

COMMENTS

The condition of the squash court floors was able to be assessed during the sporting complex refurbishment. This found the timber boards had been sanded down to the tongue due to cupping or wear, but the structural elements were in good condition.

It is proposed to place a 19mm treated ply on top of existing joists to prevent rot, termites, and moisture and over the top lay 112 x 13mm select grade tongue and groove flooring. Cost estimate is \$30,000 excl GST.

The pool temperature is historically cold and usually in the order of 17 degrees. This is the subject of many complaints, especially from children, and pool blankets will hopefully raise the water temperature a couple of degrees, if used effectively.

The cost estimate is \$32,000 excl GST which includes blankets, rollers, winch and wind skirts.

CONSULTATION

Consultation has been conducted with Department of Sport and Recreation on eligibility, and the various sporting clubs, as required.

STATUTORY ENVIRONMENT

The budget commitment will be in the 2012/2013 financial year and Council will need to adopt the expenditure at that time.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The grant application is for 1/3 funding from the CSRFF small grant program. Traditionally Council's commit 1/3 and the relevant club 1/3 if they can afford it, with the Shire making up the balance.

Based on the finances of the relevant groups Council will be asked to budget on a 2/3 contribution for both projects but based on approaches from community members regarding donations to pool blankets this will reduce.

STRATEGIC IMPLICATIONS

The proposal is consistent with local and regional recreation plans, and the Shire of Kojonup asset management strategies.

VOTING REQUIREMENTS

Simple Majority

3:51pm Chief Executive Officer left the Chamber.

3:57pm Chief Executive Officer returned to the Chamber.

OFFICER RECOMMENDATION

That:

1. Council authorise the Chief Executive Officer to submit a Community Sport and Recreation Facilities Fund grant applications for the squash court floors and pool blankets.

2. Council authorise the Chief Executive Officer to pursue addition contribution to this project, from the community.
3. Provision be made in the 2012/13 budget for expenditure if the CSRFF grant is approved.
4. Council rank the priorities for this grant round as:
 - a. Squash Court Floors
 - b. Pool Blankets

COUNCIL DECISION

18/12 MOVED Cr Hewson seconded Cr Pedler

That:

1. Council authorise the Chief Executive Officer to submit a Community Sport and Recreation Facilities Fund grant applications for the squash court floors and pool blankets.
2. Council authorise the Chief Executive Officer to pursue addition contribution to this project, from the community.
3. Provision be made in the 2012/13 budget for expenditure if the CSRFF grant is approved.
4. Council rank the priorities for this grant round as:
 - a. Squash Court Floors
 - b. Pool Blankets

CARRIED 8/0

14 COMMITTEES OF COUNCIL

Nil

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

Nil

18 NEXT MEETING

Tuesday, 17th April 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 4:57pm.

20 APPENDICES AND TABLED DOCUMENTS

21 **ATTACHMENTS**

- | | |
|-------------|---|
| Item 10.1 | Monthly Statement of Financial Activity 1 st July 2011 to 29 th February 2012 |
| Item 10.2 | Monthly Payment Listing |
| Item 10.3.1 | Option 1 – Indicative Loan Repayment Schedule - WATC |
| Item 10.3.2 | Option 2 – Indicative Loan Repayment Schedule - WATC |
| Item 13.1 | 2011 Statutory Compliance Report (Compliance Audit Return 2011) |

Presiding Member

Date