

SHIRE OF KOJONUP



Council Minutes

15th July 2008

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING TO BE HELD ON 15th JULY 2008****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 open at 3.00pm, welcomed the members in the public gallery 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 Jill Mathwin	Shire President
Cr Michael Baulch	
Cr John Benn	
Cr Will Carrington-Jones	
Cr Ernie Graham	
Cr Rosie Hewson	
Cr Greg Marsh	
Cr Frank Pritchard	

Mr Stephen Gash	Chief Executive Officer
Mr Kim Dolzadelli	Manager of Corporate Services
Mr Craig McVee	Works Manager
Mrs Heather Marland	Senior Finance Officer
Miss Stephanie Lewis	Executive Support Officer

APOLOGIES

Cr Jane Trethowan	Deputy Shire President (applying for leave of absence)
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Three members of the public were present in the gallery.

3 PUBLIC QUESTION TIME

Nil

4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

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

209/08	MOVED Cr Benn seconded Cr Hewson that Leave of Absence be granted to Cr Trethowan for Ordinary Council Meeting of 15th July 2008.
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CARRIED

6/0

3.02pm Cr Greg Marsh entered the chamber

COUNCIL DECISION

210/08 MOVED Cr Benn seconded Cr Hewson that Leave of Absence be granted to Cr Marsh for Ordinary Council Meeting of 19th August 2008.

CARRIED 7/0

6 CONFIRMATION OF MINUTES

ORDINARY MEETING – 17th June 2008

Corrections: Nil

COUNCIL DECISION

211/08 MOVED Cr Hewson seconded Cr Baulch that the Minutes of the Ordinary Meeting of Council held on 17th June 2008 be confirmed as a true record.

CARRIED 7/0

7 ANNOUNCEMENTS by the Presiding Member without discussion
Nil

8 PETITIONS, DEPUTATIONS & PRESENTATIONS
Nil

9 DECLARATIONS OF INTEREST

Mr Stephen Gash the Chief Executive Officer declared a financial interest in Item 17.1
Cr Graham declared an Impartiality Interest in Item 13.1

3.05pm Cr Will Carrington-Jones entered the Chamber

10 FINANCE REPORTS

10.1 FINANCIAL MANAGEMENT – LAND UNDER ROADS

AUTHOR: Mr Kim Dolzadelli – Manager of Corporate Services
DATE: Wednesday, 9 July 2008
FILE NO: 01.09.14
ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

To consider to elect to recognise or not recognise land under roads.

BACKGROUND

The Australian Accounting Standards Board (AASB) standard AASB 1051 requires entities to make an election to recognise or not to recognise land under roads acquired before 1 July 2008. Land under roads is land under roadways, and road reserves, including land under footpaths, nature strips and medium strips.

The road constructed on the land is recognised and measured per AASB 116 *Property, Plant and Equipment*.

Transitional provisions in Australian Account Standards AAS 27, 29 and 31 allow Government entities the option not to recognise land under roads acquired prior to 30 June 2008. AASB 1051 requires Government entities to elect to extend the relief indefinitely for land under roads acquired before 1 July 2008.

The Australian Accounting Standards Board decided that a final election relating to the recognition of land under roads acquired before the end of the first reporting period ending on or after 31 December 2007 (30/06/2008) should be made effective as at the first day of the next reporting period. The final election can be made at any time prior to the completion of the financial statements for that next reporting period, but will be effective as at the first day of that period (01/07/2008).

Land under roads acquired after 1 July 2008, that satisfies the asset recognition criteria in the AASB framework, is required to be accounted for in accordance with AASB 116.2

Currently regulation 4 and 16 of the Local Government (Financial Management) Regulations 1996 negate the provisions of AASB 1051, however it has been proposed that these provisions be removed from the regulations which will see AASB 1051 have full effect.

COMMENT

Reliable measurement is an essential part of asset recognition. Land under Roads form an integral part of both the road and adjoining road reserve network.

The primary difficulty is establishing a reliable value for this land as it generally cannot produce a return on investment or be realised (sold). As such the fair value of the land under roads could not be reliably measured.

The other inherent problem is the fact that most if not all of land under roads within the Shire is actually crown land which in the instance where a road is closed the land reverts to the crown that have the right to sell said land.

If Council was to proceed to value land under roads, it would require the appointment of a Valuer to undertake this task. Due to the extent of the Shire's road network and unreliable methods with which to measure the value, this could be an expensive exercise with no real value being added to the Shire.

Discussions have been held with Councils Auditors, Lincolns Accountants & Business Advisers and UHY Haines Norton Chartered Accounts who have both advised that Councils should choose not to recognise land under roads acquired before 1st July 2008.

Whilst regulation 4 and 16 of the Local Government (Financial Management) Regulations 1996 currently negate the provisions of AASB 1051, it is seen an appropriate measure for Council to make an election not to recognise land under roads acquired before 1st July 2008. This will have effect when and if regulation 4 and 16 of the Local Government (Financial Management) Regulations 1996 are removed from the regulations.

CONSULTATION

Councils Auditors, Lincolns Accountants & Business Advisers and UHY Haines Norton Chartered Accounts have been consulted with respect to the final election relating to the recognition of land under roads acquired before 01/07/2008.

STATUTORY ENVIRONMENT

Australian Accounting Standards Board – Standard AASB 1051
Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Accepting the Officer recommendation will result in the requirement for the Shire's Significant Accounting Policies to be amended.

FINANCIAL IMPLICATIONS

There are no financial implications at this time however should regulation 4 and 6 of the Local Government (Financial Management) Regulations 1996 be removed and if then Council was to

proceed to value land under roads, it would require the appointment of a Valuer to undertake this task. Due to the extent of the Shire's road network and unreliable methods with which to measure the value, this could be an expensive exercise and quotes would need to be sought.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council elect not to recognise land under roads acquired before 1st July 2008 and Council's Significant Accounting Policies be amended to reflect this addition.

COUNCIL DECISION

213/08 MOVED Cr Marsh seconded Cr Graham that Council elect not to recognise land under roads acquired before 1st July 2008 and Council's Significant Accounting Policies be amended to reflect this addition.

CARRIED 8/0

10.2 FINANCIAL MANAGEMENT – DEPRECIATION OF INFRASTRUCTURE ROAD ASSETS

AUTHOR: Mr Kim Dolzadelli – Manager of Corporate Services

DATE: Wednesday, 9 July 2008

FILE NO: 06.02.01 & 01.09.14

DECLARATION OF INTEREST

Nil

SUMMARY

To consider changes to the terms of depreciation and use of residual values with respect to Infrastructure Road Assets.

BACKGROUND

The Australian Accounting Standards Board (AASB) standard AASB 108 considers the useful life of, or expected pattern of consumption of the future economic benefits embodied in, depreciable assets as an Accounting Estimate.

The Standard states the following with respect to Changes in Accounting Estimates:

“As a result of the uncertainties inherent in business activities, many items in a financial report cannot be measured with precision but can only be estimated. An estimate may need revision if changes occur in the circumstances on which the estimate was based or as a result of new information or more experience. By its nature, the revision of an estimate does not relate to prior periods and is not the correction of an error.

For example, estimates may be required for:

(a) bad debts;

(b) inventory obsolescence;

(c) the fair value of financial assets or financial liabilities; and

(d) the useful lives of, or expected pattern of consumption of the future economic benefits embodied in, depreciable assets.

Changes in accounting estimate are recognised prospectively, meaning that a change is applied to transactions, other events and conditions from the date of the change in estimate. A change in an accounting estimate may affect only the current period's operating result, or the operating result of both the current period and future periods.

For example, a change in the estimate of the amount of bad debts affects only the current period's operating result and therefore is recognised in the current period. However, a change in the

estimated useful life of, or the expected pattern of consumption of the future economic benefits embodied in, a depreciable asset affects depreciation expense for the current period and for each future period during the asset's remaining useful life. In both cases, the effect of the change relating to the current period is recognised as income or expense in the current period. The effect, if any, on future periods is recognised as income or expense in those future periods."

COMMENT

Depreciation is a measure of asset consumption over time. The depreciable amount of all non-current assets, excluding freehold land, need to be systematically depreciated over their useful lives which reflects the consumption of the service potential embodied in those assets.

In the past Local Government as an industry has not paid any large amount of attention to rates of depreciation or use of residual values as the general thought was that this was not a "Cash" consideration to Council operations. Since the Systemic Sustainability Study much debate has occurred in the Local Government sector with respect to appropriate rates of depreciation and use of residual values applied to Infrastructure Road Assets. The Systemic Sustainability Study (SSS) was created out of a request from the WA Local Government Association's member Councils in 2004 to investigate sustainability in the sector. Independent research carried out in 2006 found that 58% of Western Australian Councils were unsustainable given their current source revenue. The fact is that depreciation played a major part in determining whether or not a Council was sustainable.

The Department of Local Government and Regional Development are currently developing a Local Government Accounting Manual which I am advised will contain suggested rates of depreciation and residual values for the different components of infrastructure road assets. Whilst this manual will provide good guidance to the industry it can not mandate the compulsory adoption of accounting estimates, furthermore the completion and release of this manual is not expected in the short term future. The fact the department is developing this manual is a clear indication that some Council's have not been applying appropriate rates of depreciation in the past.

Consultation has been undertaken with Council's Auditor, Lincolns Accountants and Business Advisers, UHY Haines Norton Chartered Accounts, Main Roads WA, Local Government consultant Mr Ron Back and Shires of Broomehill, Cranbrook, Denmark, Dumbleyung, Gnowangerup, Jerramungup, Katanning, Kent, Plantagenet, Wagin, West Arthur and Woodanilling with respect to Accounting Estimates for depreciation and the setting of residual values on certain components of Infrastructure Road Assets. Through this consultation it has become somewhat apparent that the rates of depreciation currently used by the Shire of Kojonup are unrealistically high and that the use of residual values on construction/road base is a legitimate way of accounting for that portion of the asset which will not be fully consumed.

The following table shows rates of depreciation used in the past and proposed rates of depreciation and residual values that are intended to be used in the future. These intended rates and residual values are incorporated in the proposed 2008/09 Budget; changes can not be made with respect to prior accounting periods.

Asset Category	2007/08	2008/09	Residual Value
Sealed roads and streets			
clearing and earthworks	not depreciated	not depreciated	
construction/road base	10 to 50 years	50 to 75 years	20%
Original surfacing and major re-surfacing			
- bituminous seals	10 to 20 years	15 to 25 years	
- asphalt surfaces	25 years	25 to 35 years	
Gravel roads			
clearing and earthworks	not depreciated	not depreciated	
construction/road base	10 to 50 years	50 to 75 years	20%
gravel sheet	5 to 12	10 to 20 years	
Formed Roads (unsealed)			
clearing and earthworks	not depreciated	not depreciated	

construction/road base	10 to 50 years	50 to 75 years	20%
Other			
Footpaths - slab	20 to 40 years	20 to 40 years	
Water supply piping & drainage systems	20 to 40 years	20 to 40 years	
Airport Runway Surface	8 to 10 years	10 to 15 years	

CONSULTATION

Council's Auditor, Lincolns Accountants and Business Advisers, UHY Haines Norton Chartered Accounts, Main Roads WA, Local Government consultant Mr Ron Back and Shires of Broomehill, Cranbrook, Denmark, Dumbleyung, Gnowangerup, Jerramungup, Katanning, Kent, Plantagenet, Wagin, West Arthur and Woodanilling have been consulted with respect Accounting Estimates for the depreciation of Infrastructure Road Assets.

STATUTORY ENVIRONMENT

Australian Accounting Standards Board – Standard AASB 108

POLICY IMPLICATIONS

Accepting the Officer recommendation will result in the requirement for the Shire's Significant Accounting Policies to be amended.

FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council change its Significant Account Policies to reflect the following Accounting Estimates effective from 1st July 2008 for rates of depreciation and residual values with respect to the following Infrastructure Road Assets:

Asset Category	Depreciation Term	Residual Value
Sealed roads and streets		
clearing and earthworks	not depreciated	
construction/road base	50 to 75 years	20%
Original surfacing and major re-surfacing		
- bituminous seals	15 to 25 years	
- asphalt surfaces	25 to 35 years	
Gravel roads		
clearing and earthworks	not depreciated	
construction/road base	50 to 75 years	20%
gravel sheet	10 to 20 years	
Formed Roads (unsealed)		
clearing and earthworks	not depreciated	
construction/road base	50 to 75 years	20%
Other		
Footpaths - slab	20 to 40 years	
Water supply piping & drainage systems	20 to 40 years	
Airport Runway Surface	10 to 15 years	

COUNCIL DECISION**214/08 MOVED Cr Benn seconded Cr Hewson**

That Council change its Significant Account Policies to reflect the following Accounting Estimates effective from 1st July 2008 for rates of depreciation and residual values with respect to the following Infrastructure Road Assets:

Asset Category	Depreciation Term	Residual Value
Sealed roads and streets		
clearing and earthworks	not depreciated	
construction/road base	50 to 75 years	20%
Original surfacing and major re-surfacing		
- bituminous seals	15 to 25 years	
- asphalt surfaces	25 to 35 years	
Gravel roads		
clearing and earthworks	not depreciated	
construction/road base	50 to 75 years	20%
gravel sheet	10 to 20 years	
Formed Roads (unsealed)		
clearing and earthworks	not depreciated	
construction/road base	50 to 75 years	20%
Other		
Footpaths - slab	20 to 40 years	
Water supply piping & drainage systems	20 to 40 years	
Airport Runway Surface	10 to 15 years	

CARRIED 8/0

10.3 ACCOUNTING WORK – INTERIM AUDIT

AUTHOR: Kim Dolzadelli
 DATE: Thursday, 10 July 2008
 FILE NO: 06.04.01
 ATTACHMENT: Interim Audit Management Letter

DECLARATION OF INTEREST

Nil

SUMMARY

Council's Auditors recently completed the Interim Audit, and a copy of their report is an attachment to this report. The report is unsigned; however a signed copy will be tabled at the meeting.

BACKGROUND

Auditors carry out two (2) audits per year, the first, Interim Audit, being part of the way during the year. The final audit is completed following the closure of the financial year, when the accounts have been closed off and completed.

COMMENT

The report on the results of the Interim Audit for the 2007/08 raises no issues.

CONSULTATION

No consultation is required, however a copy of this report has been sent to all members of Council's Audit Committee.

STATUTORY ENVIRONMENT

There are no specific statutory requirements relating to Interim Audits.

POLICY IMPLICATIONS

There are no known policy implications by the adoption of this report. Council has previously adopted a policy that all of these types of reports and letters are to be reported to Council.

FINANCIAL IMPLICATIONS

There are no financial implications emanating from this report.

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from this report.

OFFICER RECOMMENDATION

That the Interim Audit Report be received and noted.

COUNCIL DECISION

215/08	MOVED Cr Carrington-Jones seconded Cr Hewson, that the Interim Audit Report be received and noted.	CARRIED	8/0
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10.4 **FINANCIAL MANAGEMENT – MATERIAL VARIANCES**

AUTHOR: Kim Dolzadelli
 DATE: Thursday, 10 July 2008
 FILE NO: 06.04.01
 ATTACHMENT: Nil

DECLARATION OF INTEREST

Nil

SUMMARY

Council is being asked to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances for the 2008/09 financial year.

BACKGROUND

Financial Management Regulation 34 (5) states:

“Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in Statements of Financial Activity for reporting material variances.”

The material variance is calculated by comparing budget estimates to the end of the month to actual amounts of expenditure, revenue and income to the end of the month to which the statement relates.

A further requirement is that a detailed budget review must be carried out at the close of the half - year.

At its meetings of 22nd August 2005, 20th June 2006 and 23rd October 2007 Council adopted a “Material” Variance figure of either \$500 or 8%, whichever is the greater, for each individual account. It is a requirement for Council to formally adopt its desired level of variance each year.

COMMENT

It is proposed that Council adopt the same levels as previously adopted for the 2005/06, 2006/07 and 2007/08 financial years.

CONSULTATION

None necessary.

STATUTORY ENVIRONMENT

Financial Management Regulation 34 contains provisions setting out the basic information, which must now be included in the monthly reports to Council.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS - SIMPLE MAJORITY**OFFICER RECOMMENDATION**

That Council set a level of above 8%, or a minimum of \$500, as its adopted level of variance to be used for its statements of financial activity for the 2008/09 financial year.

COUNCIL DECISION

216/08 MOVED Cr Pritchard seconded Cr Baulch, that Council set a level of above 8%, or a minimum of \$500, as its adopted level of variance to be used for its statements of financial activity for the 2008/09 financial year

CARRIED 8/0

10.5 FINANCIAL MANAGEMENT – 2008/2009 BUDGET ADOPTION

AUTHOR: Mr Kim Dolzadelli – Manager of Corporate Services
DATE: Tuesday, 8th July 2008
FILE NO: 01.09.14

DECLARATION OF INTEREST

Nil

SUMMARY

To consider and adopt Council's 2008/2009 Budget and to set the rates, minimums, discounts and fees and charges.

BACKGROUND

The Local Government Act, 1995, requires each Local Government to prepare a budget for its municipal fund for each financial year. The form, manner and content of the budget are prescribed in the Act and the Financial Management Regulations.

Council must adopt its budget by an Absolute Majority no later than 31st August in the budget year unless the Minister for Local Government has granted an extension.

COMMENT

Council met previously on the 3rd and 17th June 2008, and 2nd July 2008 in workshop forums to consider a draft budget, which has formed the basis of the final document. The draft annual budget for 2008/09 has been prepared in accordance with the Local Government Act 1995 and is attached for consideration and final adoption.

The proposed increase in 2008/09 rates is 4%. Shire of Kojonup rates revenue for 2008/09 has been based on total property values as at 30th June 2008 with an increase of 4% applied.

Unimproved Value based properties have been revalued with another significant increase (average 18%). Although the UV rate in the dollar has been reduced accordingly, the impact on individual properties will vary based on the degree to which the new value of the property moves against the average for the Shire.

CONSULTATION

Council has been consulted during three budget workshops to assess the priorities of proposed capital works, abnormal operating items, community grant process, reserve transfers and rate increase levels.

The community grant process is in its third year so that the conditions are known by all applicants. It was advertised and open to community groups to fund projects or programs of public benefit.

STATUTORY ENVIRONMENT

Section 6.2 Local Government Act 1995

Regulations 22-33 Local Government (Financial Management Regulations) 1996

Section 6.2(1) of the Local Government Act 1995 requires that prior to 31st August 2008, Council adopt a budget for its municipal fund for the year ending 30th June 2009.

The annual budget is to incorporate:

- a) particulars of the estimated expenditure proposed to be incurred by the local government;
- b) detailed information relating to the rates and service charges which will apply to land within the district including:
 - i. the amount it is estimated will be yielded by the general rate; and
 - ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges.
- c) the fees and charges proposed to be imposed by the local government;
- d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
- e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
- f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and such other matters as are prescribed.

POLICY IMPLICATIONS

Applicable policies have been considered in the preparation of the Budget.

FINANCIAL IMPLICATIONS

The Budget is the instrument by which Council sets the financial priorities and is the basis of all financial decisions made by Council and Officers during the budget year.

STRATEGIC IMPLICATIONS

The Budget is the key annual financial document that provides the resources for achieving Council objectives.

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

(Except where otherwise indicated)

OFFICER RECOMMENDATION

- 1 That the proposed budget (as amended, by Council where deemed appropriate) be adopted for the 2008/2009 year and the levels of income and expenditures be authorised.
- 2 That the following rate levels be adopted for the 2008/2009 year:
 - a) For all rateable properties where Gross Rental Valuations are applied a rate of 16.5936 cents in the dollar with a Minimum Rate of \$510 to apply.

- b) For all rateable properties where Unimproved Valuations are applied, a rate of 1.2109 cents in the dollar with a Minimum Rate of \$510 to apply.
- 3 That where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges.
- Pensioners who are registered in accordance with the Rates Rebates and Deferments Act 1993 are exempt from this provision.
- 4 That for those ratepayers who pay all their rates and charges and arrears in full within 14 days (1st August 2008) of the date of rate notice issue (18th July 2008) they be offered a discount of 2.5% on the amount of their current rate charge for the 2008/2009 year.
- 5 That the following Rates Instalment payment Options be adopted:
- Option 1 Payment in full
- Total amount of rates and charges included on the rate notice to be paid in full by 22nd August 2008.
- Full payments received on or before 1st August 2008 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2008/2009 year.
- Option 2 Payments to be made by two (2) instalments as will be detailed on the Rates Notices with the following dates:
- | | |
|-------------------|--------------------------------|
| First Instalment | 22 nd August 2008 |
| Second Instalment | 22 nd December 2008 |
- Option 3 Payments to be made by four (4) instalments, as will be detailed on the Rate Notices with the following dates:
- | | |
|-------------------|--------------------------------|
| First Instalment | 22 nd August 2008 |
| Second Instalment | 21 st October 2008 |
| Third Instalment | 22 nd December 2008 |
| Fourth Instalment | 20 th February 2009 |
- 6 That where payments are made by instalment, an administration charge of \$9 for each instalment after the first instalment shall apply. Interest on instalments shall be 5.5% pa calculated daily from the date the first instalment is due to the date of each subsequent instalment is due.
- 7 That the following Rubbish/Sanitation charges be imposed for the 2008/2009 year:
- a) For 240 litre bin collection a charge of \$260 per premises per annum. In the case that the ratepayer is a registered eligible Pensioner, as determined by the Rates Rebates and Deferments Act 1993, the charge will be \$208.
- b) That the transfers/movements to and from Reserve Accounts as detailed in Note 6 of the budget document and in accordance with Council's adopted policies, be authorised.
- c) That the Fees and Charges as listed in Appendix G of the budget document, be imposed for the 2008/2009 year.

COUNCIL DECISION**217/08 MOVED Cr Marsh seconded Cr Benn**

- 1 That the proposed budget (as amended, by Council where deemed appropriate) be adopted for the 2008/2009 year and the levels of income and expenditures be authorised.
- 2 That the following rate levels be adopted for the 2008/2009 year:
- a) For all rateable properties where Gross Rental Valuations are applied a rate of 16.5936 cents in the dollar with a Minimum Rate of \$510 to apply.
- b) For all rateable properties where Unimproved Valuations are applied, a rate of 1.2109 cents in the dollar with a Minimum Rate of \$510 to apply.
- 3 That where payments are received after the due date, penalty interest at a rate of eleven (11%) per centum per annum, to be calculated on a daily basis will be imposed on all outstanding Rates and Service Charges.
- Pensioners who are registered in accordance with the Rates Rebates and Deferments Act 1993 are exempt from this provision.
- 4 That for those ratepayers who pay all their rates and charges and arrears in full within 14 days (1st August 2008) of the date of rate notice issue (18th July 2008) they be offered a discount of 2.5% on the amount of their current rate charge for the 2008/2009 year.
- 5 That the following Rates Instalment payment Options be adopted:
- Option 1 Payment in full**
- Total amount of rates and charges included on the rate notice to be paid in full by 22nd August 2008.
- Full payments received on or before 1st August 2008 are eligible for a discount of 2.5% on the amount of their current rate charge for the 2008/2009 year.
- Option 2 Payments to be made by two (2) instalments as will be detailed on the Rates Notices with the following dates:**
- First Instalment 22nd August 2008
Second Instalment 22nd December 2008
- Option 3 Payments to be made by four (4) instalments, as will be detailed on the Rate Notices with the following dates:**
- First Instalment 22nd August 2008
Second Instalment 21st October 2008
Third Instalment 22nd December 2008
Fourth Instalment 20th February 2009
- 6 That where payments are made by instalment, an administration charge of \$9 for each instalment after the first instalment shall apply. Interest on instalments shall be 5.5% pa calculated daily from the date the first instalment is due to the date of each subsequent instalment is due.

- 7 That the following Rubbish/Sanitation charges be imposed for the 2008/2009 year:**
- a. For 240 litre bin collection a charge of \$260 per premises per annum. In the case that the ratepayer is a registered eligible Pensioner, as determined by the Rates Rebates and Deferments Act 1993, the charge will be \$208.**
 - b. That the transfers/movements to and from Reserve Accounts as detailed in Note 6 of the budget document and in accordance with Council's adopted policies, be authorised.**
 - c. That the Fees and Charges as listed in Appendix G of the budget document, be imposed for the 2008/2009 year.**

CARRIED BY AN ABSOLUTE MAJORITY 8/0

Cr Marsh thanked all staff for a very responsible budget and hoped that the community would also thank the Shire for the hard work that has been put in.

10.6 MONTHLY PAYMENTS LISTING

AUTHOR: Finance Officer
 DATE: 8th July 2008
 FILE NO: 06.15.01
 ATTACHMENT: Monthly Payment Listing

DECLARATION OF INTEREST

Nil

SUMMARY

To receive a list of payments made since the last similar list was received.

BACKGROUND

Not applicable.

COMMENT

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

CONSULTATION

No consultation was required.

STATUTORY ENVIRONMENT

Regulations 13 (2) of the Local Government (Financial Management Regulations) 1996 requires such a list to be "presented" whenever payments have been made under a delegated authority. (Reference Delegation #18).

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 the Payment Listing from 10/06/08 to 08/07/2008 comprising of Municipal Cheques 9742 to 9805, EFTs 3324 to 3447 and Internal Payment Vouchers 1461 to 1497 totalling \$958,961.70 and as attached to this agenda, be received.

COUNCIL DECISION

218/08 **MOVED** Cr Hewson seconded Cr Pritchard that the Payment Listing from 10/06/08 to 08/07/2008 comprising of Municipal Cheques 9742 to 9805, EFTs 3324 to 3447 and Internal Payment Vouchers 1461 to 1497 totalling \$958,961.70 and as attached to this agenda, be received.

CARRIED

8/0

11 ENGINEERING & WORKS REPORTS

12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS

3.35pm Cr Graham left the Chamber

13 CORPORATE & COMMUNITY SERVICES REPORTS

13.1 BUSH FIRE ASSOCIATION – APPOINTMENT OF OFFICER 2008/09

AUTHOR: Stephen Gash – Chief Executive Officer
DATE: 10 July 2008
FILE NO: 03.02.06
ATTACHMENT: Fire Break Order 2008/2009

DECLARATION OF INTEREST

Nil

SUMMARY

To endorse the appointment of statutory and representative positions for the Shire of Kojonup and Kojonup Bush Fire Association for 2008/09.

BACKGROUND

Each year the Shire of Kojonup appoints persons to undertake statutory and representative roles to perform the obligations under the Bush Fires Act 1954. Nominations are forwarded from the individual Brigades and Bush Fire Advisory Committee.

COMMENT

To allow the time to print the Fire Break Order the CEO exercised delegation number FIRE 004 which allows:

“The Chief Executive Officer is delegated authority to appoint persons to the position of Fire Control Officer, including dual Fire Control Officers with adjoining local governments as provided for under Section 38 of the Bush Fires Act 1954. “

The following people have been appointed under this delegation:

Mr B Cussons	FCO Boilup Brigade
Mr G Gale	FCO Boscabel Brigade
Mr G Marinoni	FCO Changerup Brigade
Mr N O’Halloran	FCO Cherry Tree Pool Brigade
Mr D Lee	FCO Jingalup Brigade
Mr N Jackson	FCO Kojonup Brigade
Mr L Thorn	FCO Lumeah Brigade
Mr S Loveland	FCO Mobrur Brigade
Mr S Zacher	FCO Muradup Brigade

Mr C Ednie-Brown	FCO Orchid Valley Brigade
Mr J Scolari	FCO Qualeup Brigade
Mr S Tohl	FCO Ryan's Brook Brigade
Mr B Francis	FCO Muradup Town site
Mr J Lewis	FCO Kojonup Town site

The appointments are subject to undertaking the appropriate FCO training. The next training session is scheduled for 12-13 August 2008. Any conditions, restrictions, or directions placed on FCOs who are standing again from last year will be continued. The Shire recognises and thanks the outgoing FCOs for their support of the community; Michael Baxter, Andrew Plowman, Kevin Keatley, Daniel Simpson, Jonson Clifton, Bill Payne, John Carrington-Jones.

The only new position or role within the Brigade structure or Shire approval is the creation of Cherry Tree 4. Mr Trevor Kowald has agreed to maintain a radio to assist the transition of two new Zulus following his retirement as Zulu 3. The Shire would like to acknowledge the contribution of Trevor and sincerely thank him for his support of the Kojonup Bush Fire Association over many years of service.

The Shire also thanks John Sexton for undertaking the role of Zulu 4 and supporting the succession planning of new Zulu appointees.

CONSULTATION

Consultation has occurred with the Brigades following call for nominations and consideration at individual Brigade AGMs. The Association AGM and Bush Fire Advisory Committee also endorsed the FCO appointments.

STATUTORY ENVIRONMENT

Section 33 of the Bushfires Act 1954 relates to Fire Break Orders
Section 38 of the Bushfires Act 1954 relates to FCO appointment

POLICY IMPLICATIONS

There are no known Shire of Kojonup policy implications.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – SIMPLE MAJORITY

OFFICER RECOMMENDATION

1. That Mr Tim Johnston be appointed as Chief Fire Control Officer for the Shire of Kojonup for 2008/09 financial year.
2. That Mr Ned Radford be appointed as Deputy Chief Fire Control Officer for the Shire of Kojonup for 2008/09 financial year.
3. That Mr Digby Stretch and Mr Michael Baxter be appointed as Senior Fire Control Officers for the Shire of Kojonup for 2008/09 financial year.
4. That the Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as Fire Weather Officer and Deputy Fire Weather Officer, respectively, for the Shire of Kojonup for 2008/09 financial year.
5. That the Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as the Officers authorised to impose Harvest and Movement of Vehicles Ban Officers for the Shire of Kojonup for 2008/09 financial year.
6. That the Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as authorised officers to issue permits to burn for the collection of Clover Burr in the Shire of Kojonup for 2008/09 financial year.

7. That Council endorses the appointed Fire Control Officers, as members of the Bush Fire Advisory Committee
8. That Council notes the appointment of Mr N O'Halloran as President of the Association and Presiding Member of the Bush Fire Advisory Committee.
9. That Council notes the appointment of Mrs D Berryman as Honorary Secretary for the Association.

COUNCIL DECISION

219/08 MOVED Cr Carrington-Jones seconded Cr Marsh

1. That Mr Tim Johnston be appointed as Chief Fire Control Officer for the Shire of Kojonup for 2008/09 financial year.
2. That Mr Ned Radford be appointed as Deputy Chief Fire Control Officer for the Shire of Kojonup for 2008/09 financial year.
3. That Mr Digby Stretch and Mr Michael Baxter be appointed as Senior Fire Control Officers for the Shire of Kojonup for 2008/09 financial year.
4. That the Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as Fire Weather Officer and Deputy Fire Weather Officer, respectively, for the Shire of Kojonup for 2008/09 financial year.
5. That Zulu 3 and Zulu 4 also be Fire Weather Control Officers.
6. That the Chief Fire Control Officer, the Deputy Chief Fire Control Officer and the two Senior Fire Control Officers be appointed as the Officers authorised to impose Harvest and Movement of Vehicles Ban Officers for the Shire of Kojonup for 2008/09 financial year.
7. That the Chief Fire Control Officer and the Deputy Chief Fire Control Officer be appointed as authorised officers to issue permits to burn for the collection of Clover Burr in the Shire of Kojonup for 2008/09 financial year.
8. That Council endorses the appointed Fire Control Officers, as members of the Bush Fire Advisory Committee
9. That Council notes the appointment of Mr N O'Halloran as President of the Association and Presiding Member of the Bush Fire Advisory Committee.
10. That Council notes the appointment of Mrs D Berryman as Honorary Secretary for the Association.

CARRIED 7/0

REASON FOR CHANGE: Cr Benn requested that Point 5 be added to authorise Zulu 3 and Zulu 4 to be called upon in the combined absence of Zulu 1 and Zulu 2 from the district. Cr Carrington-Jones and Cr Marsh accepted the change to the motion.

3.45 *Mrs Heather Marland and Mr Craig McVee left the Chamber
Cr Graham entered the Chamber*

13.2 FIREBREAK ORDER

AUTHOR: Stephen Gash – Chief Executive Officer
DATE: 10 July 2008
FILE NO: 03.02.06
ATTACHMENT: Fire Break Order 2008/2009

DECLARATION OF INTEREST

Nil

SUMMARY

To consider the Firebreak order for 2008/2009.

BACKGROUND

Council issue a Firebreak order each year, under section 33 of the Bushfires Act 1954. The order requires certain things to be done with respect to fire hazard reduction/ fire prevention on land. The order is distributed with the rates notice and any other publication conducted as required by the Act.

COMMENT

The format of the Fire Break Order has changed, as per the request from the Bush Fire Advisory Committee, to allow a format that can be kept on the fridge for easy reference. This format has been introduced successfully by other surrounding Shires and the attached document will only show content, with the format to be demonstrated at the Council meeting when the printing has been completed. The final format will be a folded, flip chart type document approximately 10cm X 20cm with a magnet on the back page. The red dotted line on the A4 attachments indicates the fold.

Apart from an updated listing of positions the only change to the Fire Break Order is flagging that burning in the town sites will not be allowed in the prohibited and restrictive periods in the first four (4) months of the new year.

CONSULTATION

The Fire Break Order is a working document that has evolved with consultation with the Bush Fire Advisory Committee over the last five (5) years.

STATUTORY ENVIRONMENT

Section 33 of the Bushfires Act 1954 relates to Fire Break Orders

POLICY IMPLICATIONS

There are no known Shire of Kojonup policy implications.

FINANCIAL IMPLICATIONS

The printing costs are within the 2008/09 budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – SIMPLE MAJORITY**OFFICER RECOMMENDATION**

That Council adopts the Firebreak order for 2008/2009 as attached to this agenda.

COUNCIL DECISION

220/08

MOVED Cr Hewson seconded Cr Benn that Council adopts the Firebreak order for 2008/2009 as attached to this agenda.

CARRIED

8/0

4.02pm Cr Marsh left the chamber

4.12pm Mr S Gash returned to the Chamber

The Presiding Member informed the Chief Executive Officer of the decision of the meeting at minute 224/08.

17.2 LEGAL ADVICE – WALLY LENYSZYN

COUNCIL DECISION

225/08 **MOVED Cr Marsh seconded Cr Pritchard that the meeting remain closed to the public pursuant to Section 5.23 (2) (d) of the Local Government Act as Item 17.2 relates to legal advice and contains confidential information.**

CARRIED 8/0

COUNCIL DECISION

226/08 **MOVED Cr Carrington-Jones seconded Cr Graham that the meeting be opened to the Public.**

CARRIED 8/0

No members of the public or Shire Officers entered the chamber

18 NEXT MEETING

Tuesday 19th August 2008 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 4.55pm.

20 APPENDICES AND TABLED DOCUMENTS

21 ATTACHMENTS

Item 10.3	Interim Audit Management Letter for year ended 30 June 2008
Item 10.5	2008/09 Budget Proposal
Item 10.6	Monthly Payment Listing details
Item 13.2	Fire Break Order 2008/09
Item 14.1	Minutes of Springhaven Advisory Committee
Item 17.1	Confidential Report CEO Performance Review

Presiding Member

Date