

## **MINUTES MAY 2015**

1. **DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS**  
The Chair Person, the Shire President, Cr Crosby, declared the meeting opened at 5.10pm.
2. **RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE**

### **Members**

Cr C Crosby	Shire President
Cr M Stephens	Member
Cr M Tuffley	Member
Cr G Browne	Member
Cr G Collins	Member
Cr A Smith	Member
Cr R Jury	Member

### **Staff**

JP Bentley	Chief Executive Officer
M Bamess	Deputy Chief Executive Officer
DW Long	Works Manager

### **Members of the Public**

### **Apologies**

### **Members on Leave of Absence**

3. **DECLARATION OF INTERESTS:**
  - **Financial Interest**  
Nil
  - **Members Impartiality Interest**  
Nil
  - **Proximity Interest**  
Nil
4. **PUBLIC QUESTION TIME:**  
Nil
5. **APPLICATION FOR MEMBERS FOR LEAVE OF ABSENCE:**
6. **CONFIRMATION and RECEIVING OF MINUTES/BUSINESS ARISING:**
  - 6.1 Ordinary Meeting of Council held on Wednesday 22 April 2015

That the minutes of the Ordinary Meeting of the Shire of Kent held on Wednesday 22 April 2015 in the Shire of Kent Council Chambers be confirmed as a true and accurate record of proceedings and duly signed.

**4447 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr G Browne/ Cr A Smith**

**That the minutes of the Ordinary Meeting of the Shire of Kent held on Wednesday 22 April 2015 in the Shire of Kent Council Chambers be confirmed as a true and accurate record of proceedings and duly signed.**

**CARRIED 7/0  
By Simple Majority**

**7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION:**

**8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS:**

**9. OFFICERS REPORTS:**

**9.1.1 MONTHLY FINANCIAL REPORTS TO 30 APRIL 2015**

<b>DATE:</b>	11 May 2015
<b>SUBJECT:</b>	Monthly Financial Reports to 30 April 2015
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	Whole of the Shire
<b>AUTHOR:</b>	Michelle Bamess –Deputy Chief Executive Officer
<b>REPORTING OFFICER:</b>	Michelle Bamess –Deputy Chief Executive Officer
<b>FILE NO:</b>	FIN30.20
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

In accordance with the Local Government (Financial Management) Regulations 1996, to follow is the presentation of the Monthly Financial Reports to Council.

**BACKGROUND**

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

**STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

**POLICY IMPLICATIONS**

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.

To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

**FINANCIAL IMPLICATIONS**

Ongoing management of Council funds

**STRATEGIC IMPLICATIONS**

This matter is not dealt with in the Shire of Kent Community Strategic Plan.

**COMMENT**

The Monthly Financial Reports as presented indicate that Council continues to be in a sound financial position.

**ATTACHMENTS**

- Monthly Financial Reports to 30 April, 2015 (including Statement of Financial Activities, Notes 3-11 and Budget Variances to 30 April, 2015)

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That the following Monthly Financial Reports be received by Council:

- Monthly Financial Reports to 30 April, 2015

**4448 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr M Tuffley / Cr R Jury**

**That the following Monthly Financial Reports be received by Council:**

- **Monthly Financial Reports to 30 April, 2015**

**CARRIED 7/0  
By Simple Majority**

**9.1.2 SCHEDULE OF ACCOUNTS PAID TO 30 APRIL 2015**

<b>DATE:</b>	11 May, 2015
<b>SUBJECT:</b>	Schedule of Accounts Paid
<b>PROONENT:</b>	N/A
<b>LOCATION:</b>	Whole of the Shire
<b>AUTHOR:</b>	Michelle Bamess – Deputy Chief Executive Officer
<b>REPORTING OFFICER:</b>	Michelle Bamess – Deputy Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	N/A

**FUND VOUCHERS AMOUNT**

Municipal Fund	\$724,578.79
Trust Fund	\$0.00
Direct Debits	\$93,721.40
Spoiled Cheques	
Cancelled Cheques	

**ATTACHMENTS**

Schedule of Accounts submitted 20 May, 2015.

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That vouchers from the Municipal Fund and Trust Funds detailed, be approved by Council:

Municipal Fund	\$724,578.79
Trust Fund	\$0.00
Direct Debits	\$93,721.40
<b>TOTAL</b>	<b><u>\$818,300.19</u></b>

**4449 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr M Stephens / Cr R Jury**

**That vouchers from the Municipal Fund and Trust Fund as detailed, be approved by Council:**

<b>Municipal Fund</b>	<b>\$724,578.79</b>
<b>Trust Fund</b>	<b>\$0.00</b>
<b>Direct Debits</b>	<b>\$93,721.40</b>
<b>TOTAL</b>	<b><u>\$818,300.19</u></b>

**CARRIED 7/0  
By Simple Majority**

**9.1.3 GREAT SOUTHERN FOOD HUB**

<b>DATE:</b>	13 May 2015
<b>PROPONENT:</b>	Great Southern Food Hub
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	Committee Introduction
<b>AUTHOR:</b>	Peter Bentley –Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	COU25.15
<b>ASSESSMENT NO:</b>	

**PURPOSE**

Council are to consider an invitation from the Great Southern Food Hub to nominate a person that the hub committee can have as a point of contact for the Shire of Kent.

**BACKGROUND**

A letter has been received by LexLangridge, Chair of the Great Southern Food Hub formally introducing the group. The current committee provides for 10 positions.

Outlined within the letter is the purpose of the Great Southern Food Hub being to promote a fair and resilient food system that provides dignified access to healthy food for all citizens, offers viable livelihoods for local producers, and engenders careful stewardship of the Great Southern region ecosystems.

The Great Southern Food Hub has the following objectives:

1. Connect and promote local producers to local consumers,
2. To provide economic opportunities for local producers,
3. To educate consumers on the value of healthy local food systems.

**STATUTORY IMPLICATIONS**

No known strategic implications.

**POLICY IMPLICATIONS**

Council has no set policy on this matter.

**FINANCIAL IMPLICATIONS**

No known costs to be associated with nominating a person.

**STRATEGIC IMPLICATIONS**

Not applicable.

**COMMENT**

The nominated person will be expected to facilitate the flow of information between the hub committee and the Shire of Kent.

**ATTACHMENTS**

Letter from Great Southern Food Hub

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That The Council:**

**considers nominating a contact person for the Great Southern Food Hub**

<b>4450 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr M Stephens / Cr R Jury**

**That The Council:**

**Nominates Cr M Tuffley to be a contact person, with Cr R Jury to be a proxy, for the Great Southern Food Hub and to find out more information about the group and whether or not it will be of benefit to our Shire.**

**CARRIED 7/0  
By Simple Majority**

**9.1.4 WALGA AGM VOTING DELEGATES**

<b>DATE:</b>	13 May 2015
<b>PROPONENT:</b>	WALGA
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	AGM and Local Government Week
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

To consider attendance at Local Government Week and ascertain whether there will be any voting delegates attending the AGM.

**BACKGROUND**

Historically the Council has sent delegates to the WALGA AGM and Local Government Week. Council must, if is sending delegates to the AGM, nominate two voting delegates for the AGM.

**STATUTORY IMPLICATIONS**

Local Government Act (1995)

**POLICY IMPLICATIONS**

The Council has no specific policy regarding this matter.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**COMMENT**

Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils.

Council will also need to ascertain whether it has any motions that it wishes to put forward to the AGM.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That the Council:

advise WALGA that it has no motions to put forward to the AGM and

a. Will not have a voting delegate at the AGM

OR

b. Cr \_\_\_\_\_ and Cr \_\_\_\_\_ will be voting delegates for the Shire of Kent

4451 - COUNCIL RESOLUTION (Officer Recommendation)

MOVED Cr M Stephens / Cr G Browne

That the Council:

advise WALGA that it has no motions to put forward to the AGM and nominates Cr C Crosby and Cr M Tuffley to be voting delegates for the Shire of Kent.

**CARRIED 7/0  
By Simple Majority****9.1.5 DRAFT CONSULTATION PLAN – PROPOSED MOBILE PHONE STATION, NYABING**

<b>DATE:</b>	13 May 2015
<b>PROPONENT:</b>	Aurecon Australasia Pty Ltd
<b>LOCATION:</b>	24 Richmond Street, Nyabing
<b>SUBJECT:</b>	Draft Consultation Plan
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	COU25.15
<b>ASSESSMENT NO:</b>	

**PURPOSE**

Council are to consider and provide comment on the draft consultation plan for a proposed mobile phone base station at the Nyabing Exchange.

**BACKGROUND**

In December 2014 the Western Australian Cabinet approved an Royalties for Regions allocation to the Department of Commerce for the Regional Telecommunications Project (RTP).

The aim of the RTP is to address mobile coverage gaps in small communities and at strategic locations, primarily in the southern half of the state.

It was announced that the Shire of Kent was one of the first 22 sites to be established under the RTP, the site being the Nyabing Exchange.

#### **STATUTORY IMPLICATIONS**

No known statutory implications.

#### **POLICY IMPLICATIONS**

Council has no set policy on this matter.

#### **FINANCIAL IMPLICATIONS**

The project is fully government funded, no contribution from Council is required.

#### **STRATEGIC IMPLICATIONS**

This project supports Key Focus Area 2 – Technology in the Shire of Kent Community Strategic Plan.

The objective being *'To ensure our residents have access to similar information and communication technology service standards as our city counterparts'*.

#### **COMMENT**

The first 22 base stations under the RTP will be constructed by Telstra and are due for completion by 30 June 2016.

On behalf of Telstra, Aurecon Australasia Pty Ltd has drafted a consultation plan for the proposed mobile phone station and invite comment from Council. The plan identifies key stakeholders who may have an interest and also a description of the proposed facility.

Telstra will review the draft consultation plan and will inform Council once the formal notification process has commenced.

#### **ATTACHMENTS**

Draft Consultation Plan for Proposed Mobile Phone Station at Nyabing Exchange

#### **VOTING REQUIREMENT**

Simple Majority

#### **RECOMMENDATION**

**That The Council:**



acknowledges and endorses the Draft Consultation Plan for Proposed Mobile Phone Station at Nyabing Exchange prepared by Aurecon Australasia Pty Ltd on behalf of Telstra.

**4452 - COUNCIL RESOLUTION (Officer Recommendation)**

MOVED Cr G Collins / Cr R Jury

That The Council:

Acknowledges and endorses the Draft Consultation Plan for Proposed Mobile Phone Station at Nyabing Exchange prepared by Aurecon Australasia Pty Ltd on behalf of Telstra.

**CARRIED 7/0  
By Simple Majority**

**9.1.6 DEVELOPMENT ASSESSMENT PANELS**

<b>DATE:</b>	13 May 2015
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	Local Government Nominations
<b>AUTHOR:</b>	Peter Bentley –Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	COU25.15
<b>ASSESSMENT NO:</b>	

**PURPOSE**

Council are to nominate four elected members of Council, comprising two local members and two alternate local members to sit on your local DAP as required.

**BACKGROUND**

In July 2011 fifteen Development Assessment Panels (DAP) came into operation to determine development applications that meet a certain threshold value.

The Shire of Kent falls within the Great Southern DAP and our current local members are Cr Cathy Crosby and Cr Mark Stephens. The alternate local members are Cr Renae Jury and Cr Gordon Browne.

Appointments of all local government DAP members expire on the 26 April 2015.

**STATUTORY IMPLICATIONS**

Regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*

**POLICY IMPLICATIONS**

No known policy implications.

**FINANCIAL IMPLICATIONS**

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

**STRATEGIC IMPLICATIONS**

Not applicable.

**COMMENT**

It is a mandatory requirement that all DAP members attend the appropriate training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to undergo further training.

If both local and alternate (deputy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

Council should consider the above matters in selecting nominees as local DAP members.

Following receipt of all nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2017.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That The Council:**

**nominates two local members and two alternate local members for the Great Southern Development Assessment Panel.**

**4453 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr A Smith / Cr G Browne**

**That The Council:**

**nominates Cr M Stephens and Cr G Browne as the two local members and CrR Jury and CR M Tuffley as the two alternate local member for the Great Southern Development Assessment Panel.**

**CARRIED 7/0**  
**By Simple Majority**

**9.1.7 TENDER 02-14/15 FINANCIAL AUDIT SERVICES**

<b>DATE:</b>	5 May 2015
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	Shire of Kent
<b>SUBJECT:</b>	Tender 02-14/15 Financial Audit Services
<b>AUTHOR:</b>	Michelle Bamess – Deputy Chief Executive Officer
<b>REPORTING OFFICER:</b>	Officer
<b>FILE NO:</b>	Peter Bentley – Chief Executive Officer
<b>ASSESSMENT NO:</b>	ASS5.35
	N/A

**PURPOSE**

Council to consider Tenders received for the provision of external audit services for either a three (3) or five (5) year term commencing for the year ended 30 June 2016.

**BACKGROUND**

Council's current Auditors are Byfields and have been for the previous five year term from 2010/2011 to 2014/2015.

Tenders have been advertised with the closing date being 1 May 2015, eight (8) tenders were received.

**STATUTORY IMPLICATIONS**

Local Government Act 1996  
Part 7 – Audit  
Division 2 – Appointment of Auditors

**7.2. Audit**

The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.

**7.3. Appointment of auditors**

(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.

\* *Absolute majority required.*

(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 approved auditor.

#### **7.4. Disqualified person not to be auditor**

(1) A person may not be appointed as a local government's auditor if that person is a disqualified person.

(2) In this section ;

**disqualified person**~ means a person who;

(a) is a councillor or an employee of the local government;

(b) is a person who is in debt for more than the prescribed amount to the local government for a period of more than 35 days after;

(i) in the case of that part of the debt which is for a rate or service charge under Part 6, the date the rate notice was issued; or

(ii) in the case of that part of the debt which is not for a rate or service charge, the date an account was rendered to the person by the local government;

(c) is an employee of, or a member of the governing body of, an entity of a kind prescribed for the purposes of this paragraph; or

(d) is a member of a class of persons prescribed for the purposes of this subsection.

#### **7.5. Approval of auditors**

The Minister may approve a person who, immediately before the commencement of this Act;

(a) was a registered local government auditor within the meaning of that term in Part XXVII of the *Local Government Act 1960*<sup>4</sup> as in force before that commencement; and

(b) was the auditor of a local government, as an approved auditor for the purposes of this Act.

#### **7.6. Term of office of auditor**

(1) The appointment of a local government's auditor is to have effect in respect of the audit of the accounts and annual financial report of the local government for a term of not more than 5 financial years, but an auditor is eligible for re-appointment.

(2) The appointment of an auditor of a local government ceases to have effect if:

(a) his or her registration as a registered company auditor is cancelled;

(b) his or her approval as an approved auditor is withdrawn;

(c) he or she dies;

(d) the auditor ceases to be qualified to hold office as auditor or becomes a disqualified person;

(e) the auditor resigns by notice in writing addressed to the local government;

or

(f) the appointment is terminated by the local government by notice in writing.

(3) Where;

(a) the registration of a local government's auditor as a registered company auditor is suspended; or

(b) a local government's auditor becomes unable or unwilling to carry out all or part of his or her duties,

the local government is to appoint\* a person to conduct the audit or to complete that part of the audit which remains to be conducted, as the case requires.

\* *Absolute majority required.*

### **7.7. Executive Director may appoint auditor**

If by 30 November in any year a local government has not appointed an auditor the Executive Director may appoint;

(a) a qualified person; or

(b) in default of an appointment under paragraph (a), the Auditor General, to be the auditor of the local government's accounts and annual financial report for the relevant financial year.

### **7.8. Terms of appointment of auditors**

(1) Subject to this Part and to any regulations, the appointment of a person as auditor of a local government is to be made by agreement in writing on such terms and conditions, including the remuneration and expenses of the person to be appointed, as are agreed between that person and the local government.

(2) The remuneration and expenses payable to the auditor of a local government (whether appointed by the local government or by the Executive Director under section 7.7) are payable by the local government.

## **Local Government (Financial Management) Regulations 1996**

### **6. Prescribed class of persons, membership of which disqualifies person as auditor' s. 7.4(2)(d)**

(1) The prescribed classes of persons for the purposes of section 7.4(2)(d) are;

(a) persons who are disqualified for membership of a council under section 2.22;

(b) persons who are insolvents under administration within the meaning of the *Corporations Act 2001* of the Commonwealth; and

(c) persons who are closely associated with a relevant person.

(2) For the purposes of subregulation (1)(c) a person is to be treated as being closely associated with a relevant person if the person;

(a) is in partnership with the relevant person;

(b) is an employer of the relevant person;

(c) is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee;

(d) is a body corporate;

(i) of which the relevant person is a director, secretary or executive officer; or

(ii) in which the relevant person holds shares having a total value exceeding;

(I) the amount prescribed for the purposes of section 5.62; or

(II) the percentage of the total value of the issued share capital of the company prescribed for the purposes of section 5.62,

whichever is less;

(e) is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or

(f) has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

(3) In this regulation;

**relevant person**~ in relation to a local government, means a member of the council of the local government or an employee of the local government;

**value**~ has the meaning given by section 5.62(2).

## **7. Audit agreements**

An agreement between a local government and an auditor 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.

## **8. Notification required on termination of audit agreement**

(1) Where an agreement between a local government and an auditor is terminated;

(a) the local government is to, within a period of 30 days from the termination, give to the Executive Director;

(i) notice of the termination; and

(ii) the reasons for the termination;

and

(b) the auditor is to, within a period of 30 days from the termination, advise the Executive Director of the termination.

(2) Notwithstanding any provision of an agreement between a local government and an auditor to the contrary, an auditor is to be given notice in writing of the termination of his or her appointment.

#### **9. Performance of the audit**

(1) An audit is to be carried out in accordance with the }Auditing Standards~ and Auditing Guidance Statements~ adopted from time to time by the Australian Society of Certified Practising Accountants and The Institute of Chartered Accountants in Australia.

(2) An auditor is to carry out such work as is necessary to form an opinion as to whether;

(a) the accounts are properly kept; and

(b) the annual financial report;

(i) is prepared in accordance with the financial records; and

(ii) represents fairly the results of the operations of the local government and the financial position of the local government at 30 June in accordance with the Australian Accounting Standards and the Act.

#### **POLICY IMPLICATIONS**

Not applicable

#### **FINANCIAL IMPLICATIONS**

Council's 2014/2015 Budget provides for Audit Fees (1041010 - \$20,000). Expenditure to date is \$8,660.

The awarding of a new tender for audit services should not materially impact Council's Budget.

#### **STRATEGIC IMPLICATIONS**

Not applicable

#### **COMMENT**

The following is a summary of tenders received:

**3 YEAR CONTRACT**

Cost per annum (GST exclusive) - Professional fees

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>TOTAL</b>	
<b>UHY Haines Norton</b> Osborne Park approx hours - 74 per annum	NIL	NIL	NIL	<u>\$ -</u>	<i>No tender received for 3 year tender</i>
				<u>\$</u>	
<b>Anderson Munro &amp; Wylie</b> Osborne Park approx hours - 60 per annum	990	10,340	10,780	<u>22,110</u>	<i>Fees do not include accommodation, out of pocket living expenses or travel</i>
				<u>\$</u>	
<b>Byfields</b> Narrogin approx hours - 53 per annum	NIL	NIL	NIL	<u>-</u>	<i>No tender received for 3 year tender</i>

**5 YEAR CONTRACT**

Cost per annum (GST exclusive) - Professional fees

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>TOTAL</b>	
<b>MacLeod Corporation Pty Ltd</b> Spencer Park Albany approx hours - 76 per annum	\$ 10,000	\$ 10,500	\$ 11,000	\$ 11,500	\$ 12,000	<u>55,000</u>	<i>Fees do not include accommodation, out of pocket living expenses or travel Fees include one R2R grant acquittal report per year</i>
	\$	\$	\$	\$	\$	<u>\$</u>	
<b>UHY Haines Norton</b> Osborne Park approx hours - 90 per annum	15,000	15,500	16,000	17,000	18,000	<u>81,500</u>	<i>Fees do not include accommodation and out of pocket living expenses but do include travel</i>



<b>Anderson Munro &amp; Wylie</b>	\$	\$	\$	\$	\$	\$	
Osborne Park	900	9,300	9,600	10,000	10,300	40,100	<i>Fees do not include accommodation, out of pocket living expenses or travel estimates to be \$650 per annum</i>
approx hours - 60 per annum							
<b>Byfields</b>	\$	\$	\$	\$	\$	\$	
Perth	11,900	12,300	12,800	13,100	13,500	63,600	<i>Fees do not include accommodation, out of pocket living expenses or travel, estimates to be no more than \$880 per annum</i>
approx hours - 68 per annum							
<b>AMD Chartered Accountants</b>	\$	\$	\$	\$	\$	\$	
Bunbury	16,000	16,500	17,000	18,000	18,500	86,000	<i>Fees do not include accommodation, out of pocket living expenses or travel</i>
approx hours - 70 per annum							
<b>Bentleys</b>							
West Perth	\$						
approx hours - 103 per annum	13,000	future year's fees to be adjusted in line with CPI				TBA	<i>Fees do not include accommodation, out of pocket living expenses or travel</i>
<b>Walker Wayland</b>	\$	\$	\$	\$	\$	\$	
Como	23,750	23,750	23,750	23,750	23,750	118,750	<i>Fees do not include accommodation, out of pocket living expenses or travel</i>
approx hours - 107 per annum							
<b>Butler Settineri</b>	\$	\$	\$	\$	\$	\$	
Subiaco	7,500	7,872	8,270	8,686	9,100	41,428	<i>Fees do not include accommodation, out of pocket living expenses or travel</i>
approx hours - 55 per annum							

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION****That the Council:**

**Endorses the appointment of Byfields to provide Financial Audit Services to the Shire of Kent for a period of 5 years commencing the financial year ending 2016.**

<b>4454 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED CrA Smith / Cr M Tuffley****That The Council:**

**Endorses the appointment of Byfields to provide Financial Audit Services to the Shire of Kent for a period of 5 years commencing the financial year ending 2016.**

**CARRIED 7/0  
By Simple Majority**

**9.1.8 PINGRUP PAVILION UPGRADE**

<b>DATE:</b>	7 <sup>th</sup> May 2015
<b>PROPONENT:</b>	Shire of Kent
<b>LOCATION:</b>	Pingrup Pavilion
<b>SUBJECT:</b>	Proposed Upgrade of facilities
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	
<b>ASSESSMENT NO:</b>	

**PURPOSE**

For Council to consider the attached cost estimates for the upgrade of the Pingrup Pavilion.

**BACKGROUND**

Council has over a period of time been in consultation with a number of stakeholders with regard to the upgrade of the Pingrup Pavilion. The facility is somewhat dated, the facilities within are requiring upgrade and the area needs to be expanded to provide a contemporary facility for functions held at the facility.

The CEO, Cr Smith, Tim Borgward and the Building Maintenance officer met with Lawrence Cuthbert from Howard & Heavers Architects to provide Council with some direction and provide very basic cost estimates with regard to a variety of options for the project.

### **STATUTORY IMPLICATIONS**

Local Government Act (1995)

### **POLICY IMPLICATIONS**

The Council has no specific policy regarding this matter.

### **FINANCIAL IMPLICATIONS**

Nil at this time.

### **STRATEGIC IMPLICATIONS**

This matter is not dealt with in the Shire of Kent Community Strategic Plan

### **COMMENT**

With regard to the works to the hall there are three viable options to enlarging the area.

#### **Option 1**

Remove rear glazing to main hall, push out wall to line of columns and raise floor to match existing. This will create an additional 44m<sup>2</sup> of floor area, and still leave a usable outdoor space on the northern side of the hall.

**Estimated Cost \$50,000.00- \$60,000.00**

#### **Option 2**

Remove front glazing and push out wall to edge of existing veranda line and raise floor to match existing.

This will create an additional 26m<sup>2</sup> of floor area, though it will require the construction of a new front verandah.

**Estimated Cost \$40,000.00 - \$50,000.00**

#### **Option 3**

Undertake both Option 1 & 2 to gain an additional 70m<sup>2</sup> of floor area.

**Estimated Cost \$90,000.00 - \$110,000.00**

Option 2 does include the cost of constructing a new verandah at the front of the building.

### **Proposed works to Kitchen:**

The kitchen requires a significant refurbishment to bring it up to an acceptable standard, the required works will include tiling, new floor coverings and fixtures and appliances. A cool room would also be of value to the operation of the facility. The on-site discussion also considered the enlargement of the kitchen onto the front verandah.

### **Option 1**

Refurbish (and redesign for greater operational efficiency) the existing space (23m<sup>2</sup>) utilising flat pack stainless steel benching, replace stove, install new range hood and servery window to external wall through existing opening. Install cool room in existing pantry with glass doors accessible from behind bar in main hall through existing opening.

**Estimated Cost \$50,000.00 - \$60,000.00**

### **Option 2**

Extend kitchen onto front verandah to create an additional 13m<sup>2</sup> of floor area. This would require the construction on a new verandah to provide shelter to the servery window

**Estimated Cost \$80,000.00 - \$90,000.00**

The above costs do not include the provision of an upgraded bar which could be in the vicinity of \$20,000.

Therefore to upgrade and extend the existing kitchen, create and extra 70sqm of hall space and upgrade the bar area is estimated to cost in the vicinity of \$275,000 to \$350,000 as a single project at a minimum including the provision of a small bar, travel and accommodation costs and consulting and design fees.

Council has the ability to stage the project which would potentially see some cost escalations however this may well be a prudent way to proceed with the project should Council wish to. The first stage may be the rear wall changes and refurbishments which would be in the vicinity of \$150,000 followed by the front wall and verandah alterations and kitchen upgrade which would be in the vicinity of \$200,000.

### **Proposed works to Changerooms:**

At this stage we have not investigated any options to refurbish the changerrooms, as it could be very expensive but Council may wish to consider this as an option because they are degraded.

Please note the costs above are opinions of probable cost for the building works only and do not include any allowance for consultant fees, loose furniture and fittings, floor coverings to the hall area, authority approval fees or construction contingencies.

For any further work to continue on this project the Council will need to obtain detailed drawings of the proposed works, detailed costs for the project, and it may also wish to undertake further community consultation on the project prior progressing further.

I have asked the Architect to provide some cost estimates for their price structure to manage the project and a copy is attached. In summary the cost of drawings and concept will be \$2,000 plus any professional fees and the Architects fees for the full proposal would be approximately \$25,000 over the project cost. With other costs that may accrue against the project the total revamp of the pavilion excluding the changerooms would be in the vicinity of \$400,000.

### **ATTACHMENTS**

Architects proposal

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

**That the Council:**

**Provide the CEO with some direction with regard to how it would like to continue with this project.**

<b>4455 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr R Jury / Cr A Smith**

**That The Council:**

- 1. Ask that the Builder to provide concept plans as discussed showing extension of the rear wall, upgrade of kitchen, extended kitchen into front verandah and bar;**
- 2. Present these plans for community consultation and feedback;**
- 3. Request Builder to provide for a costed and staged plan for the project.**

**CARRIED 7/0  
By Simple Majority**

- 10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL**
- 12. INFORMATION BULLETIN**

<b>4456- COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr R Jury/ Cr G Browne**

**That the Information Bulletin be received by Council.**

**CARRIED 7/0  
By Simple Majority**

### **13. MATTERS BEHIND CLOSED DOORS**

That the meeting be closed to the public in accordance with section 5.23 Local Government Act 1995, 5.5.23(2))

- Matters affecting employee(s)
- Personal affairs of any person(s), including financial and/or commercial Contracts
- Commercial Confidentiality
- Legal advice/matters
- Public safety/security matters where public knowledge may be prejudicial

<b>4457 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr M Stephens / Cr M Tuffley**

**That Council closes the meeting to the public to consider matters of a confidential nature behind closed doors.**

**CARRIED 7/0**

#### **13.1.1 CONFIDENTIAL – CEO PERFORMANCE REVIEW**

<b>DATE:</b>	13 May 2015
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	CEO Performance Review
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	Personnel
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To conduct the Council's evaluation of the CEO's performance over the past 12 months.

#### **BACKGROUND**

At the April meeting Council was advised that it is required by the Local Government Act to review the performance of the CEO. This is due in May each year although the Council can elect to do this at any time during a year under certain guidelines.

The Council decided to undertake the review rather than referring to the Audit Committee.

### **STATUTORY IMPLICATIONS**

#### **Local Government Act (1995)**

##### **5.38. Annual review of certain employees' performances**

*The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.*

#### **Local Government Administration Regulations (1996)**

##### **18D. Local government to consider performance review on CEO**

*A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.*

### **POLICY IMPLICATIONS**

The Council has no specific policy regarding this matter.

### **FINANCIAL IMPLICATIONS**

On this occasion there will be no direct financial issues for the Council unless it wishes to undertake any performance management measures as the CEO's contract has been renewed and there is a new remuneration package for the next four years that does not require any further decision by the Council for the 2014 year.

### **STRATEGIC IMPLICATIONS**

This matter is not dealt with in the Shire of Kent Community Strategic Plan.

### **COMMENT**

Over the past year there has been no approach from the Council to vary the method or form of the review and this item is presented to discuss the issue further before issuing the forms that the council will use for the review.

The CEO has distributed to Councillors the results of the individual reviews and the collective average scores as well. Each year a staff member is asked to also review the CEO's performance and is made fully aware that there is nothing to fear from the process – it is a fact finding exercise for both the CEO and the Council in relation to how staff members see the CEO's performance to add to the Councillors opinions.

Attached to this item is a matrix showing the raw scores attributable to each reviewer and the Staff member who in this instance was Jill Kent. Also attached is the final review document presented to the Council outlining all comment and requested changes from the Council.

### **ATTACHMENTS**

Review documentation

### **VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That the Council:**

1. Ascertain what if any changes should be made to the review process for future years
2. Review the attachments outlining the assessments of the CEO's performance for the 2014/15 year
3. Advise the CEO that during the past 12 months that his performance has deemed to be at a very good standard over that time.
4. Make any other recommendations thought to be appropriate at this time.

**4458- COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr M Stephens / Cr M Tuffley**

**That Council:**

1. Ascertain what if any changes should be made to the review process for future years
2. Review the attachments outlining the assessments of the CEO's performance for the 2014/15 year
3. Advise the CEO that during the past 12 months that his performance has deemed to be at very good standard over that time.

4. Amend Result area 2 dot point 6 now read:

**"The appropriate use of human resources of the shire including outsourcing and delegation"**

**CARRIED 7/0**

**4459 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr Tuffley / Cr Browne**

**That Council:**

**Re-open the meeting to the general public**



**CARRIED 7/0****14. MEETING CLOSURE**

There being no further business the Shire President Cr Cathy Crosby, closed the meeting at 6.28 pm.