

## MAY 2018 MINUTES

### 1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS

The Chair Person, Shire President Cr Alan Smith, declared the meeting opened at 5.38pm.

### 2. RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE

#### Members

Cr AL Smith	Shire President
Cr GM Collins	Deputy Shire President
Cr TD Borgward	Member
Cr SR Crosby	Member
Cr JN Germain	Member
Cr BC Bamess	Member
Cr KV Johnston	Member
Cr KR Stephens	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**

Cr T Borgward - 9.1.3 CHANGES TO 2017-2018 BUDGETED RESERVE TRANSFERS  
9.1.4 CHANGES TO 2017-2018 PINGRUP PAVILION BUDGET

- **Proximity Interest:**

Nil

### 4. PUBLIC QUESTION TIME:

### 5. APPLICATION FOR MEMBERS FOR LEAVE OF ABSENCE:

**4908 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr KR Stephens / Cr JN Germain**

That Leave of Absence be granted to Cr BC Bamess for the 20 June 2018 Council Meeting.

**CARRIED 7/0  
By Simple Majority**

**6. CONFIRMATION and RECEIVING OF MINUTES/BUSINESS ARISING:**

**6.1 Ordinary Meeting of Council held on Wednesday 18 April, 2018**

That the minutes of the Ordinary Meeting of the Shire of Kent held on Wednesday 18 April, 2018 in the Shire of Kent Council Chambers be confirmed as a true and accurate record of proceedings and duly signed.

<b>4909 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr SR Crosby / Cr BC Bamess**

**That the minutes of the Ordinary Meeting of the Shire of Kent held on Wednesday 18 April, 2018 in the Shire of Kent Council Chambers be confirmed as a true and accurate record of proceedings and duly signed.**

**CARRIED 8/0  
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 2018**

<b>DATE:</b>	4 May 2018
<b>SUBJECT:</b>	Monthly Financial Reports to 30 April 2018
<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 2018 (including Statement of Financial Activities, Notes 3-11 and Budget Variances to 30 April 2018)

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That the following Monthly Financial Reports be received by Council:

- Monthly Financial Reports to 30 April 2018

**4910 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr JN Germain / Cr TD Borgward**

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

- **Monthly Financial Reports to 30 April 2018**

**CARRIED 8/0  
By Simple Majority**

**9.1.2 SCHEDULE OF ACCOUNTS PAID TO 30 APRIL 2018**

<b>DATE:</b>	4 May 2018
<b>SUBJECT:</b>	Schedule of Accounts Paid
<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>	N/A
<b>ASSESSMENT NO:</b>	N/A

**FUND VOUCHERS AMOUNT**

Municipal Fund	\$455,178.33
Trust Fund	\$983.63
Direct Debits	\$94,051.33
Spoiled Cheques	
Cancelled Cheques	

**ATTACHMENTS**

Schedule of Accounts submitted 16 May 2018.

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

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

Municipal Fund	\$455,178.33
Trust Fund	\$983.63
Direct Debits	\$94,051.33
<b>TOTAL</b>	<b>\$550,212.99</b>

**4911 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr SR Crosby / Cr TD Borgward**

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

<b>Municipal Fund</b>	<b>\$455,178.33</b>
<b>Trust Fund</b>	<b>\$983.63</b>
<b>Direct Debits</b>	<b>\$94,051.33</b>
<b>TOTAL</b>	<b>\$550,212.99</b>

**CARRIED 8/0**  
**By Simple Majority**

**Cr T Borgward declared an Impartiality Interest and was permitted to remain in the meeting room but did not participate in discussion or vote on the recommendation**

### **9.1.3 CHANGES TO 2017-2018 BUDGETED RESERVE TRANSFERS**

<b>DATE:</b>	2 May 2018
<b>PROPONENT:</b>	Pingrup Ground Improvement Committee
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	Changes to 2017-2018 Budgeted Reserve Transfers – Pingrup Recreation Reserve
<b>AUTHOR:</b>	Christie Smith – Executive Assistant
<b>REPORTING OFFICER:</b>	Christie Smith – Executive Assistant
<b>FILE NO:</b>	
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

Council to endorse changes to 2017-2018 budgeted amount for the Pingrup Recreation Reserve.

#### **BACKGROUND**

Council currently has an account within the Commonwealth Bank Term Deposit which holds funds for various reserve accounts. The purpose for these reserve accounts is for the replacement and/or development of Council's assets and each year provision is made within the Budget to allocate funding towards these. Council also makes provision for various community groups to be able to use this facility for their own purposes with Council co-contributing funds.

Within the 2017-2018 there was an amount of \$50,000 to be transferred from the Pingrup Recreation Reserve; these funds were part of the contribution from the Pingrup Ground Improvement Committee (PGIC) towards the building upgrades at the Pingrup Pavilion. Under schedule 11 extra operating income (above the reserve income) was budgeted for this project of \$170,000, being made up of:

CSRFF	\$70,000
GSDC	\$30,000
Pingrup Race Club	\$45,000
PGIC	\$25,000

PGIC have requested that the Pingrup Race Club contribution be reduced to \$30,000 and PGIC contribution be increased to \$40,000. As there is sufficient funds in the Pingrup Recreation Reserve, PGIC have asked that the initial reserve amount of \$50,000 plus the extra contribution of \$40,000 now be taken entirely from the reserve.

The current balance of the Pingrup Recreation Reserve is \$89,531. The PGIC will deposit its affiliation fee early to ensure that there are sufficient funds in the reserve to cover the transfer. The reserve balance should be about \$5,000 following the Councils contribution to the reserve account as per the accepted contribution practice.

#### **STATUTORY IMPLICATIONS**

Local Government Act (1995)

**POLICY IMPLICATIONS**

The Council has no specific policy regarding this matter.

**FINANCIAL IMPLICATIONS**

Nil implications as Council were due to receive these funds as operating income from PGIC.

**STRATEGIC IMPLICATIONS**

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

**COMMENT**

Council endorse a change to the 2017-2018 budgeted amount for transfers from the Pingrup Recreation Reserve.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That the Council:**

- 1. Increase the Pingrup Recreation Reserve transfer from Reserve Account to Municipal Account from \$50,000 to \$90,000.**
- 2. Reduce the operating income account under Recreation by \$40,000.**

<b>4912 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr KR Stephens / Cr KV Johnston**

**That the Council:**

- 1. Increase the Pingrup Recreation Reserve transfer from Reserve Account to Municipal Account from \$50,000 to \$90,000.**
- 2. Reduce the operating income account under Recreation by \$40,000.**

**CARRIED 7/0  
By Simple Majority**

**Cr T Borgward declared an Impartiality Interest and was permitted to remain in the meeting room but did not participate in discussion or vote on the recommendation**

#### **9.1.4 CHANGES TO 2017-2018 PINGRUP PAVILION BUDGET**

<b>DATE:</b>	6 May 2018
<b>PROPONENT:</b>	Shire of Kent
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	Changes to 2017-2018 Project Budget
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	

#### **PURPOSE**

Council to endorse changes to 2017-2018 budgeted amount for the Pingrup Pavilion project.

#### **BACKGROUND**

Council currently has \$550,000 for the completion of the Pingrup Pavilion Project which is complete to the end of the first phase. This was the upgrade of the function area and kitchen which was completed at a cost of \$437,166 a little over \$17,000 over the original contract figure. On commencing the project there were a number of non-compliances and maintenance issues found that included the gas supply pipework being non-compliant for what the pre-existing facility was let alone with new appliances (\$8K), non-compliant insulation (\$2K), repairs to the oven and non-compliant exit signage and power fixtures (\$4K) and other small items. In reality these costs were maintenance items and are unbudgeted in either area.

The 2<sup>nd</sup> phase of the project has now been quoted at just under \$134,000 and while this is at the expected amount the above maintenance items have pushed the project total over by nearly \$21,000.

#### **STATUTORY IMPLICATIONS**

Local Government Act (1995)

#### **POLICY IMPLICATIONS**

The Council has no specific policy regarding this matter.

#### **FINANCIAL IMPLICATIONS**

The maintenance items undertaken within the project are unbudgeted and Council would need to apply extra funds to the project to absorb these costs. Alternatively the costs need to be transferred to operating maintenance and again council acknowledge that this is unbudgeted expenditure.

Savings measures and additional revenue will see Councils bottom line for the year improve by almost \$100,000 since the budget review. Council can apportion part of these savings to the project or the building maintenance budgets.

By not undertaking the balance of the project Council will lose \$70,000 in grant funding from the CSRFF fund and would put at risk funds from the GSDC of up to \$150,000.

### **STRATEGIC IMPLICATIONS**

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

### **COMMENT**

Council needs endorse the change to the 2017-2018 budgeted amount for either the Upgrade project or Pingrup Pavilion maintenance.

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That the Council:

1. Increase the Pingrup Pavilion Upgrade project budget to \$570,000 for the overall project;

OR;

2. Increase the operating budget for Pingrup Pavilion Maintenance by \$18,000 for the 2018 financial year and transfer maintenance items picked up in the construction costs of the project to operating expense.

<b>4913 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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MOVED Cr JN Germain / Cr GM Collins

That the Council:

Increase the operating budget for Pingrup Pavilion Maintenance by \$18,000 for the 2018 financial year and transfer maintenance items picked up in the construction costs of the project to operating expense.

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



**9.1.5 CBH DEVELOPMENT APPLICATION JUNE 2016**

<b>DATE:</b>	6 May 2018
<b>PROPONENT:</b>	CBH Limited
<b>LOCATION:</b>	Lot 10 Jolley Street Pingrup
<b>SUBJECT:</b>	2016 Development Application
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	

**PURPOSE**

Council to endorse an extension of the original timeframes allowed to CBH for the development of on-site accommodation at Lot 10 Jolley Street Pingrup.

**BACKGROUND**

The proposal involves the placement of one transportable building, containing four internal units (each with an ensuite), erection of a new tank, decommissioning of the existing septic and installation of a new septic system.

Council was requested to consider the application proposed.

**STATUTORY IMPLICATIONS**

Local Government Act (1995)

Shire of Kent TPS No 2

Planning and Development Regulations

**POLICY IMPLICATIONS**

The Council has no specific policy regarding this matter.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

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

**COMMENT**

Dylan Wray from the Resolve Group (planners) has written to Council of Behalf of CBH requesting a 12 month extension of the approval from Resolution 4589. In June 2018 the original approval will laps however the proponent is investigating other potential options and is asking that the approval be extended for a period of 12 months to complete the investigations leaving a window of opportunity to return to the original proposal without going to the expense of a second DA.

**ATTACHMENTS**

Original Agenda Item -June 2016

Letter of approval

Stamped Drawings

Email – Resolve Group Ltd

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That the Council:**

- 1. Grant an extension of 12 months to CBH Ltd for the Development Application the subject of Resolution 4589 (June 2016) until June 2019.**

<b>4914 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr SR Crosby/ Cr GM Collins**

**That the Council:**

- 1. Grant an extension of 12 months to CBH Ltd for the Development Application the subject of Resolution 4589 (June 2016) until June 2019.**

**CARRIED 8/0  
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**

<b>4915 - COUNCIL RESOLUTION</b>
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**MOVED Cr GM Collins /Cr KR Stephens**

**That the council:**

**Consider the new business of urgent nature as presented.**

**CARRIED 8/0  
By Simple Majority**

**11.1.1 APPOINTMENT OF DUAL FIRE CONTROL OFFICERS FOR 2018/18 FIRE SEASON**

<b>DATE:</b>	15 <sup>th</sup> May 2018
<b>SUBJECT:</b>	Appointment of Dual Fire Control Officers
<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>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	FIR 15.5
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

Council is to appoint the various Dual Fire Control Officers to the Shire of Kent for the 2017/18 year.

**BACKGROUND**

Notification has been received the Shire of Gnowangerup advising the endorsement of the appointment of the dual fire control officer for the Shire of Kent as well as dual fire control officers for neighbouring Shires.

**STATUTORY IMPLICATIONS**

Local Government Act 1995  
Bush Fires Act 1954

**POLICY IMPLICATIONS**

There are no known policy implications.

**FINANCIAL IMPLICATIONS**

There are no known financial implications.

**STRATEGIC IMPLICATIONS**

There are no known strategic implications.

**COMMENT**

The following appointment to the Shire of Kent have been received from the Council as shown

**Shire of Gnowangerup**

Scott Hemley

**ATTACHMENTS**

Letter from Vin Fordham Lamont, Acting Chief Executive Officer Shire of Gnowangerup

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That the Council:**

**Endorse the appointment of the Dual Fire Control Officers to the Shire of Kent for 2018/19 as listed below:**

**Shire of Gnowangerup- Scott Hemley**

<b>4916 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr SR Crosby / Cr TD Borgward**

**That the Council:**

**Endorse the appointment of the Dual Fire Control Officers to the Shire of Kent for 2018/19 as listed below:**

**Shire of Gnowangerup- Scott Hemley**

**CARRIED 8/0  
By Simple Majority**

**12. INFORMATION BULLETIN**

<b>4917 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr JN Germain / Cr KV Johnston**

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

**CARRIED 8/0  
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>4918 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr Cr GM Collins / Cr KR Stephens**

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

**CARRIED 8/0  
By Simple Majority**

<b>4922 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr JN Germain / Cr TD Borgward**

**That Council:**

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

**CARRIED 8/0**

**14. MEETING CLOSED**

There being no further business the Shire President Cr Alan Smith, closed the meeting at 6.38pm