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Shire of Kalamunda

Corporate & Community  
Services Committee

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Minutes for 11 June 2012



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## MINUTES

### 1.0 OFFICIAL OPENING

1.1 The Deputy Chairman opened the meeting at 6.30pm and welcomed Councillors and Staff.

### 2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

#### 2.1 Attendance

##### Councillors

Donald McKechnie	(Shire President)	North Ward
Margaret Thomas		North Ward
Allan Morton	(Deputy Shire President)	South West Ward
Justin Whitten		South West Ward
Noreen Townsend	(Deputy Chairman)	South West Ward
Geoff Stallard		South East Ward
John Giardina		South East Ward
Frank Lindsey		South East Ward
Bob Emery		North West Ward
Dylan O'Connor		North West Ward

##### Members of Staff

James Trail	Chief Executive Officer
Rhonda Hardy	Director Corporate and Community Services
Darrell Forrest	Manager Governance
Darren Jones	Manager Community Development
Rajesh Malde	Manager Financial Services
Warwick Carter	Manager Economic Property & Procurement
Peter Hayes	Manager Business and Strategy
Sam Assaad	Manager Infrastructure Operations
Michelle Clark	Executive Assistant
Donna McPherson	Minutes Secretary

**Members of the Public** 2

**Members of the Press** Nil

#### 2.2 Apologies

Sue Bilich	North Ward
Clayton Higham	Director Development and Infrastructure

#### 2.3 Leave of Absence Previously Approved

Martyn Cresswell	(Chairman) North West Ward
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**3.0 PUBLIC QUESTION TIME**

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

**4.0 PETITIONS/DEPUTATIONS**

4.1 Nil.

**5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

5.1 That the Minutes of the Corporate and Community Services Committee Meeting held on 14 May 2012 are confirmed as a true and accurate record of the proceedings.

Moved: Cr Margaret Thomas

Seconded: Cr Donald McKechnie

Vote: **CARRIED UNANIMOUSLY (10/0)**

**6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

6.1 Community Engagement Forum

A third forum will be held on Thursday 28 June 2012 at the Zig Zag Cultural Centre to further discuss concerns around the Zig Zag Scenic Drive.

6.2 Clock & Bell Unveilings

Councillors are invited to the unveiling of the new clock and bells donated by the Rotary Club of Kalamunda to commemorate its 50<sup>th</sup> Anniversary at the Kalamunda Library on Wednesday 27 June 2012 at 4pm. Refreshments will be served in the Zig Zag Cultural Centre Seminar Room.

**7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**

7.1 Nil.

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**8.0 DISCLOSURE OF INTERESTS**

**8.1 Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

8.1.1 Nil.

**8.2 Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

8.2.1 Nil

**9.0 REPORT TO COUNCIL**

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.****41. Creditors' Accounts Paid During the Period -27 April – 25 May 2012**

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachment 1	Creditor Payments during the period – 27 April – 25 May 2012

**PURPOSE**

1. To receive creditors' accounts paid during the period – 27 April – 25 May 2012 (Attachment 1).

**BACKGROUND**

2. It is a requirement of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)* that a list of Creditors' Accounts paid is compiled each month.
3. The report is required to show payee's name, the amount of the payment, the date of the payment, and sufficient information to identify the transaction.

**DETAILS**

4. Accordingly, the list of creditors paid during the period - 27 April – 25 May 2012 (Attachment 1).

**STATUTORY AND LEGAL IMPLICATIONS**

5. Nil.

**POLICY IMPLICATIONS**

6. Nil.

**PUBLIC CONSULTATION/COMMUNICATION**

7. Nil.

**FINANCIAL IMPLICATIONS**

8. Nil.



## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

9. *Shire of Kalamunda Strategic Plan 2009 - 2014*  
Strategy 5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

### Sustainability Implications

#### Social Implications

10. Nil.

#### Economic Implications

11. Nil.

#### Environmental Implications

12. Nil.

### OFFICER COMMENT

13. Nil.

### COMMITTEE RECOMMENDATION TO COUNCIL (C&C 41/2012)

That Council:

1. Receives the list of creditors paid during the period – 27 April – 25 May 2012 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**42. Monthly Financial Statements for the Ten Months to 30 April 2012**

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Finance
File Reference	FIR-SRR-006
Applicant	N/A
Owner	N/A
Attachment 1	<p>Statements of Financial Activity for the ten months to 30 April 2012 incorporating the following:</p> <ul style="list-style-type: none"> <li>• Statement of Comprehensive Income by Program</li> <li>• Statement of Comprehensive Income by Nature and Type</li> <li>• Rate Setting Statement</li> <li>• Statement of Financial Position</li> <li>• Statement of Equity</li> <li>• Statement of Cashflows</li> <li>• Schedule of Reserve Accounts Balances</li> </ul>

**PURPOSE**

1. To provide Council with financial reports on the activity of the Shire of Kalamunda with indications of performance against adopted budget.

**BACKGROUND**

2. The Statement of Financial Activity (Attachment 1), incorporating various sub-statements, has been prepared in accordance with the requirement of the *Local Government Act (1995)*, *Local Government (Financial Management) Regulations 1996* (Regulation 34).

**DETAILS**

3. The *Local Government Act (1995)* requires Council to adopt a percentage or value to be used in reporting variances against Budget. Council adopted on 25 July 2011 the reportable variances of 5% or \$5,000 whichever is greater.
4. The adopted percentage on value is applied at Program level and where applicable for the commentary and detail is provided.

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## Financial Commentary

### Statement of Comprehensive Income by Nature and Type for the Ten Months to 30 April 2012

5. This Statement reveals a net result of a surplus of \$8,490,937 against a revised Budget for the same period of \$8,447,826.

#### *Revenue*

6. Total Revenue is under budget slightly under budget by \$197,762. This is made up as follows:
- Overall rates are slightly under budget by \$84,671 or 0.3% of the revised budget. The reason being that the rates team is two months behind on catching up on interim rating due to staff turnover.
  - Operating Grants and Donations, including reimbursements, are lower than budget by \$300,663. The main areas under budget are Human Resources \$250,510, Recreation Services \$95,000 and Engineering Works (construction) \$60,000.
  - Fees and Charges are slightly higher by \$91,685 with the variance coming from a timing difference in Waste Management Services in March now resolved.
  - Interest earnings are over budget by \$191,616, of which \$80,000 relates to the accrual of interest from the Smoke Bush Development and \$84,076 is a timing difference in the area of rates.
7. Other revenue is under budget by \$95,729 substantially coming from the Building and Planning services while other areas are principally timing differences.

#### *Expenditure*

8. Total expenses are under budget by \$1,322,442 summarised as follows:
- "Materials and Contracts" of \$1,116,596 in various operational units. Finance will be working closely with the operational areas to determine how much of the variance is savings or a timing difference.
  - "Utilities" by \$128,711 which is mainly due to billing issues with Synergy. The Shire has accepted the offer from Synergy on back charges for Street Lighting and will be approximately \$60,000. An accrual will be done in May for these costs and any late billing.
  - "Employment Costs" are just under by \$20,000.

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9. The interest expense is slightly higher than budget by \$31,475, due to interest now being accrued monthly in accordance with best practice accrual accounting conventions.
  10. Depreciation, although a non-cash cost, is tracking slightly above budget, \$86,077. This relates mainly in the building and infrastructure assets categories.

#### *Non-Operating Grants*

11. Non-Operating Grants are under budget by \$973,412. The major variance is made up of two road projects, Chipping Drive which is being acquitted and will be invoiced in June for approximately \$483,000 and Abernethy Road grant of \$600,000 will be requested for in 2012/2013 as the project has been carried forward.

#### *Profit on Asset Disposals*

12. The profit on disposal of assets, principally:
  - Welshpool Road Development (Smoke Bush Estate) 22 lots have been realised.
  - 21 Andrews Street.
  - 43 Boonooloo Road.has exceeded budget expectations significantly, with profit as at the 30 April of \$3,313,317.

#### Statement of Comprehensive Income by Program for the Ten Months to 30 April 2012

13. The overall results comments are as above and generally each Program is within accepted budget except for Recreation and Culture and Transport for income and Community Amenities in expenditures, all these are under budget. Finance is investigating whether this is a timing issue or otherwise.

#### Rate Setting Statement for the Ten Months to 30 April 2012

14. This Statement compares the actual to date with the Annual Budget.
  15. The results to 30 April 2012 reveal a surplus of \$5,189,178. There is, however, Capital Expenditure of approximately \$2.46 million to be undertaken (after taking into account deferred works).
  16. Net transfers to/from Reserves has increased by \$255,831 with a closing balance of \$4,413,125 available. The current balance is higher than the budget amount of \$2,897,269 as drawdowns have not been done for capital expenditure incurred. Finance will be performing a reconciliation in June and make the necessary transfers.
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**Statement of Financial Position as at 30 April 2012**

17. This Statement (formally known as the "Balance Sheet") reveals the current situation of \$6,433,031 less the following restricted cash assets:

• Loan – Equipment	\$1,050,000
• Reserve Accounts	\$4,413,125
• Unspent Grants (Est)*	\$ 667,533
	<u>\$6,130,658</u>

\*Un-spent Grants are made up as follows:

Abernethy Road Construction	\$373,333
Mundaring Weir Road Construction	\$110,400
Healthy Communities Initiative Project	\$170,000
Woodlupine Nature – Playspace	\$5,000
Youth Urban Art Project	\$8,800

18. As Elected Members are aware, the premise behind the Budget is the Sale of Land and the use of part of these funds to fund the previous year (2010/2011) deficit of \$1,481,865. As at 30 April, the cash flow position of the Shire was as follows:

Unrestricted Cash (Estimated)	\$302,373
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19. Further Current Assets which would generate additional cash holdings are:

Rates Debtors	\$961,182 (Est)
Other Debtors	\$669,690 (Est)
Grants outstanding	\$2,202,920 (Est) *

\*Grant Outstanding are:

Federal Assistance Grants Scheme	\$828,000
Community Care HACC/CAC Funding	\$100,000
Chipping Drive Road Construction – Federal Grant	\$483,000
State Govt – Various road recoupment of expenditure	\$439,920
Cash in Lieu – Forrestfield Bowling Club	\$135,000
Cash in Lieu – Fleming Reserve	\$90,000
MSRF - Ray Owen Basketball Association	\$50,000
Green Room	\$36,000
Lesmurdie Tennis Club – MSRF	\$41,000

Thus giving theoretical cash holding of \$4,536,165 which would be required to fund future works and services if the Shire can realise these cash assets.

20. An estimate of the position as at 30 June 2012 is as follows

Cash (as above)	\$4,536,165
Transfer from Reserves for Capital Expenditure	\$2,828,000
	<u>\$7,364,165</u>

This would be required to pay the following estimated expenses:

Operating Expenses	\$8,941,717
Less Creditors Outstanding at year end	\$3,470,858
Less Non Cash (Depreciation)	\$1,457,592
	<u>\$4,013,267</u>
Capital Expenditure (Est)	\$3,168,910
	<u>\$7,182,177</u>
Less Budget Adjustments	
Deferred Works (Est)	\$1,011,217
Other Adjustments and potential savings (Est)	\$500,000
	<u>\$5,670,960</u>

21. It can be seen from the above that the Shire will be in a positive cash position of \$1,693,205 which is a direct reflection of the estimated deferred works and estimated potential savings at the 30 June 2012. The above estimation is subject to operating and capital expenditure happening as planned and major grants being received in full as all these will have an impact on the cash flow. If any budget overruns or unexpected issues arise this will also have an impact on the forecasted expenditure figures.

22. Close monitoring of costs will still be essential during May and June to ensure the Shire is fiscally balanced at year end and there will not be a deficit.

### **STATUTORY AND LEGAL IMPLICATIONS**

23. The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations*.

### **POLICY IMPLICATIONS**

24. Nil.

### **PUBLIC CONSULTATION/COMMUNICATION**

25. Nil.

### **FINANCIAL IMPLICATIONS**

26. Nil.

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## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

27. *Shire of Kalamunda Strategic Plan 2009-2014*  
Strategy 5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

### Sustainability Implications

#### Social Implications

28. Nil.

#### Economic Implications

29. Nil.

#### Environmental Implications

30. Nil.

### OFFICER COMMENT

31. All comments are contained within the "Details" area of this report.

### COMMITTEE RECOMMENDATION TO COUNCIL (C&C 42/2012)

That Council:

1. Receives the monthly financial statement for the period ended 31 March 2012, which comprises:
- Statement of Financial Position
  - Equity Statement
  - Statement of Comprehensive Income by Nature and Type
  - Statement of Comprehensive Income by Program
  - Rate Setting Statement
  - Reserve Balances Statement

Moved: **Cr Margaret Thomas**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (10/0)**

**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.****43. Debtors and Creditors Reports for the Period Ended 30 April 2012**

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Finance
File Reference	FI-CRS-002
Applicant	N/A
Owner	N/A
Attachment 1	Summary of Debtors for the period ended 30 April 2012
Attachment 2	Summary of Creditors for the period ended 30 April 2012

**PURPOSE**

1. To receive a monthly report on debtors and creditors.

**BACKGROUND**

2. Attached are the reports detailing aged Debtors (Attachment 1) and Creditors (Attachment 2) as at 30 April 2012.
3. Council has requested reports detailing outstanding debtors and creditors on a monthly basis.

**DETAILS****Debtors**

4.
  - Forrestfield United Soccer Club: \$800 fortnightly direct debit in place
  - Kalamunda & Districts Football Club: An adjustment was made in May to reflect the Council's agreed 50% contribution towards the cost of installing shelters. This adjustment reduced the debt over 90 days to \$1084.96 – statement sent.

**Creditors**

5.
  - Payments totalling \$3,952,256.10 were made during the month of April 2012. Standard payment terms are 30 days from the end of month, with local business and contractors on 14 day terms.
  - Invoices showing as outstanding greater than 60 and 90 days are the result of the original invoice documentation not being received by Finance.
  - All contractors, trades and suppliers are advised of the Shire's



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preference to pay by Electronic Funds Transfer (EFT) for efficiency and cost savings.

**STATUTORY AND LEGAL IMPLICATIONS**

6. Nil.

**POLICY IMPLICATIONS**

7. Nil.

**PUBLIC CONSULTATION/COMMUNICATION**

8. Nil.

**FINANCIAL IMPLICATIONS**

9. Nil.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

**Strategic Planning Implications**

10. *Shire of Kalamunda Strategic Plan 2009 - 2014*  
Strategy 5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

**Sustainability Implications**

Social Implications

11. Nil.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

**OFFICER COMMENT**

14. Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 43/2012)**

That Council:

1. Receives the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports for the period ended 30 April 2012

Moved: **Cr Margaret Thomas**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**
**44. Rates Debtors Report for the Period Ending 30 April 2012**

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Finance
File Reference	FI-DRS-004
Applicant	N/A
Owner	N/A
Attachment 1	Summary of Outstanding Rates for the period ended 30 April 2012

**PURPOSE**

1. To receive a report on rates debtors for the period ending 30 April 2012.

**BACKGROUND**

2. Attached is the report detailing rates debtors for the period ending 30 April 2012 (Attachment 1).

**DETAILS****Debt Recovery**

3. Debt Recovery (stage 3) - this stage involves the issue of Property Seizure & Sale Orders (PS&SO) with Dun & Bradstreet
4. All of the 48 outstanding debts that remain with D&B have all had 'Judgement' entered against them.
5. Added each week are those debts that have 'defaulted' on payment arrangement.

**STATUTORY AND LEGAL IMPLICATIONS**

6. Nil.

**POLICY IMPLICATIONS**

7. Nil.

**PUBLIC CONSULTATION/COMMUNICATION**

8. Nil.

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## FINANCIAL IMPLICATIONS

9. Nil.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

10. *Shire of Kalamunda Strategic Plan 2009 - 2014*  
Strategy 5.5.2 Provide financial services to support Council's operations and to meet sustainability planning, reporting and accountability requirements.

### Sustainability Implications

#### Social Implications

11. Debt collecting processes contain the risk of negative publicity for the Shire.

#### Economic Implications

12. Effective collection of all outstanding debtors leads to enhanced financial sustainability for the Shire.

#### Environmental Implications

13. Nil.

## OFFICER COMMENT

14. The rate of collection of outstanding Rates for the period to the end of April 2012 is 3.82%. It is forecasted to be at around 2% at 30 June 2012.

## COMMITTEE RECOMMENDATION TO COUNCIL (C&C 44/2012)

That Council:

1. Receives the rates debtors report for the period ended 30 April 2012 (Attachment 1).

Moved: **Cr Justin Whitten**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (10/0)**

**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

Additional points were included in the original Report to Council and are reflected in the minuted report.

A representative of Grow It Yourself Kalamunda addressed the Committee and answered questions by Councillors on the proposal.

**45. Proposal for the development of a Community Garden at the Overflow Cottage, Lindsay Street, Kalamunda.**

Previous Items	N/A
Responsible Officer	Director Corporate & Community Services
Service Area	Community Development
File Reference	
Applicant	N/A
Owner	N/A
Attachment	Community Garden Kalamunda Management Plan

**PURPOSE**

1. To consider the development of a community garden at the Overflow Cottage, Lindsay Street, Kalamunda (Attachment 1).

**BACKGROUND**

2. Council at its meeting in April 2012 resolved to acquire Reserve 31117 Headingly Road Kalamunda by way of freehold title exchange with its freehold property at 8 Lindsay Street Kalamunda. At that meeting Council agreed 8 Lindsay Street would be transferred into a reserve for community purpose and resolved inter alia *"That a report be presented to Council outlining proposals for the future use of 8 Lindsay Street as a community purpose site"*.
3. The Shire received a submission from "Grow It Yourself" (GIY) Kalamunda (community group) proposing the development of a Kalamunda community garden in August 2011.
4. Within the submission, GIY Kalamunda have provided a list of expectations relative to a proposed community garden as below:
  - Make available a designated area of an acceptable Shire property for a community garden development
  - Provide suitable access, inclusive of vehicle, to the community garden
  - Construct and maintain infrastructure of the site, including irrigation supply (reticulation), equipment and perimeter fencing

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- Undertake general maintenance of the site, excluding the designated community garden area
  - Assist the community garden group to apply for grant funding
  - Promote the community garden, inclusive of opening times
  - Provide training and in-kind support based on need (e.g. skill sharing workshops, mulch, plants, compost bins).

## DETAILS

5. Shire representatives met with GIY Kalamunda on 25 October 2011 with discussions predominantly revolving around different site options and the need for GIY Kalamunda to further progress a business case. That being, beyond establishing a preferred site, to clearly detail the Shire's start up and ongoing expectations for the proposed community garden project.
6. Site options presented for consideration at the meeting included:
  - Adjacent to the Walliston Hall
  - 167 Berkshire Road (near Apricot Street)
  - Adjacent to Gooseberry Hill Hall
  - Adjacent to the High Wycombe Learning Centre
  - Adjacent to the Cyril Road Hall
  - Stirk Park, adjacent to Headingley House
  - Overflow Cottage, Lindsay Street
7. At a meeting of the GIY Kalamunda on Wednesday 9 May 2012 discussion centred around the proposal and benefits of the use of the Overflow Cottage, Lindsay Street as a preferred site option.
8. Following this a site visit of the Overflow Cottage, Lindsay Street took place on Monday 14 May 2012.
9. The provision of an adjacent storage shed and toilet amenities are deemed as important additional benefits of the Overflow Cottage. These facilities are commonly accessible at other community garden sites, such as those of the City of Stirling.
10. Ongoing operational and maintenance costs for a community garden include water usage, replenishment of soil, manure, mulch, plants, seeds, tools, repairs and general maintenance.

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11. A Community Garden Watering Exemption can be obtained through the Water Corporation to enable prescribed daily watering rates. This exemption requires further investigation should the proposed community garden be established.
  12. Further to a review of City of Stirling Community Garden, there is capacity for the community garden to be self-sufficient in meeting operational and maintenance costs through an applied rental fee for allotments within the garden, in addition to the provision of community (free) allotments.
  13. In entering into an agreement with GIY Kalamunda, the expectation would be for the group to become an incorporated body to enable the group to attract funding, lease premises, operate bank accounts and obtain insurance.
  14. GIY Kalamunda's initial focus at the site will be in establishing the garden aspect, however the potential to utilise, whilst preserving the heritage value of the Overflow Cottage has been recognised.
  15. A range of potential synergies with community groups and programs have been recognised such as a link into the nutritional element of the federally funded Healthy Communities project. The community garden can provide an ongoing educational and produce source to participants of the Healthy Communities project.

#### **STATUTORY AND LEGAL IMPLICATIONS**

16. At this time, the group is not incorporated therefore a formal lease agreement cannot be entered into. It is proposed that a Memorandum of Understanding is established.

#### **POLICY IMPLICATIONS**

17. Nil.

#### **PUBLIC CONSULTATION/COMMUNICATION**

18. The Shire has consulted directly with the GIY Kalamunda representatives whom have put forward the proposal.
19. Representatives of the Lesmurdie Ratepayers Association Inc have attended meetings and expressed their support for the community garden.
20. Discussions have been held with staff intimately involved in the establishment of community gardens at the Town of Victoria Park and now the City of Stirling. Some of the key findings of this consultation, by the City of Stirling:
  - Seed funding of \$20,000 was provided, however this is likely to be increased to \$40,000 with the requirement of an adjacent shed.

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- 800 square metres is deemed to be the minimum size for a community garden.
  - Fencing has not been included in their community gardens to better engage the community and ensure easy access.
  - An adjacent shed for storage with some shelter is a priority component if incorporated within an open reserve.
  - Community managed garden, with allotments for rent largely enables self-sufficiency when meeting operation and maintenance costs.
  - Local businesses sponsorship and external funding through the Department of Health are an option to enhance post establishment.
21. The Kalamunda & Districts Historical Society have also been consulted given a strong affiliation with the Overflow Cottage and its history. Representatives of the Society are very supportive of this proposal particularly given that the presence of the group is likely to assist in protecting the facility.
22. It is envisaged consultation will be required with nearby residents of the Overflow Cottage in Lindsay Street should Council support the community garden proposal and deem it to be a suitable site.

### **FINANCIAL IMPLICATIONS**

23. It is proposed that the Shire initially provides financial assistance of \$10,000 per year for the first two years as a means of providing initial seed funding to assist with the establishment of the garden and contribute towards operational costs, including items such as soil, garden bed structures, reticulation, pruning, seeding, water consumption, insurance and general maintenance.
24. In applying an allotment model, similar to that of the City of Stirling Community Gardens, it is envisaged the community garden will be self-sufficient in meeting ongoing operational and maintenance costs once properly established. A Memorandum of Understanding or formal licence agreement will be developed as a means to clearly stipulate the operational expense obligations based on a self-sufficient management model.
25. The Shire upon the successful land swap of 8 Lindsay Street with Reserve 31117 Headingly Road will undertake to sell of the land at Reserve 31117 Headingly Road. Part of the funds from the sale of this parcel of land will be directed into improvements needed at 8 Lindsay Street once a future development plan is prepared between the Shire and the GIY Kalamunda.



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## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

26. *Shire of Kalamunda Strategic Plan 2009-2014*  
1.3.4 Develop active and passive recreational facilities based on environmentally sustainable principles.

### **Sustainability Implications**

#### Social implications

27. The community garden would provide a social interaction opportunity for interested members of the community.
28. The Kalamunda Men's Shed and Kalamunda & District Historical Society are examples of groups that are interested in the proposal and can be engaged through interest.

#### Economic Implications

29. Nil.

#### Environmental Implications

30. The premise of the community garden is to grown organic produce through nurturing the environment.

### **OFFICER COMMENT**

31. The community garden proposal is sound, has merit and is likely to contribute benefits to the community.
32. The community garden will provide a unique use for the Lindsay Street property which currently lays idle. A community garden will provide a level of security to the historic property.
33. Should Council be supportive in contributing to the establishment and associated set up costs, there is capacity for the community garden to be self-sufficient and not reliant on ongoing Council support. It is envisaged further investigations and the development of an appropriate agreement would be required to ratify such an arrangement. The Shire has flagged with GIY Kalamunda group that the Shire would expect the groups to be self-sufficient within two years of commencement of operations.

- 
34. To assist in the initial establishment and operations of the proposed community garden over and above the set-up costs the report recommends the Shire provide financial support for up to two years to the GIY Kalamunda Group before entering into a lease or license agreement with GIY Kalamunda.
  35. Should the proposal for a community garden be supported at the Overflow Cottage, Lindsay Street, Kalamunda, residents should be given the opportunity to provide public comment to the proposed development before any final decision is made by Council.
  36. It should be noted that whilst the Shire will provide seed funding for the establishment of the community garden for a period of two years from July 2012, future funding for capital improvements will need to be sourced from funds that are derived from the land asset acquisition program. It is proposed that the sale of Reserve 31117 Headingly Road is being undertaken to provide such as required future capital funds.

#### **COMMITTEE RECOMMENDATION TO COUNCIL (C&C 45/2012)**

That Council:

1. Provides in principle support to the establishment of a community garden at the Overflow Cottage, 8 Lindsay Street in Kalamunda, to the value of \$10,000, per year over two financial years subject to approval through the 2012/2013 budget deliberation process.
2. Consult with residents of Lindsay Street and a suitable surrounding catchment so as to provide a public comment period for the proposed development.
3. Requests more extensive investigations and discussions to ensure Grow It Yourself Kalamunda has capacity to be self-sufficient beyond an initial two year period, with a relevant agreement put in place to reflect such a requirement.
4. Develop and agreement between the Shire of Kalamunda and Grow It Yourself Kalamunda that covers issues such as, but not limited to:
  1. The development of a business plan.
  2. A constitution for incorporation.
  3. Funding strategies.
  4. Agreement of costs to be borne by the group.
  5. A future lease or licence agreement.
  6. Insurance cover.

Moved: **Cr John Giardina**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**46. Hartfield Park Masterplan Implementation and Community Sport and Recreation Facilities Funding Applications**

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Corporate and Community Services
File Reference	FI-FAG-050
Applicant	N/A
Owner	N/A

Attachment 1 Backlog of priority projects

**PURPOSE**

1. To receive an update on the implementation of the Hartfield Park Masterplan and identify key priority projects for the 2012/2013 Annual and Forward Planning Community Sport and Recreation Facilities Funding Round (CSRFF).

**BACKGROUND**

2. Hartfield Park Reserve is Crown Land vested in the Shire for the purposes of recreation. The Reserve is home to 15 Clubs which have regular access to clubroom facilities at the Reserve under Lease and Licence Agreements with the Shire. Clubs also have access to playing fields via regular hire agreements on a seasonal basis between April to September and October to March.
3. In August 2010, Council adopted the Hartfield Park Masterplan to guide the future development of Hartfield Park Reserve over the course of the next 20 years.
4. The Hartfield Park Masterplan aims to provide a clear framework and objectives to assist the Shire in planning, developing, implementing, evaluating and sustaining sport and recreation reserves/facilities at Hartfield Park into the future.
5. In October 2011, as part of the Community Facilities Plan, Council adopted a Backlog of Priority development projects, subject to appropriate business cases, financial modelling and Council's annual budget processes (Attachment 1). In particular, the backlog included a prioritisation of development projects to occur at Hartfield Park Reserve over the course of the next five years.
6. In addition, in February 2012, Council was presented with a proposal to develop a new skatepark within the Forrestfield area, with Hartfield Park Reserve identified as one of the key potential areas for this to occur.

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7. Since this time, Officers have continued to advocate for the progression of developments within the Hartfield Park Masterplan, having recently met to discuss details and potential funding opportunities with Hon Alyssa Hayden MLC, Nathan Morton, Liberal candidate for Forrestfield and representatives from the Office of Minister for Sport and Recreation, Racing and Gaming and the Department of Sport and Recreation.
  8. Through the CSRFF program, the State Government provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on increasing physical activity through the provision of well-planned facilities.
  9. The three categories of CSRFF funding are as follows:
    - Small Grants \$1.5 million (allocated over two rounds of \$750,000) to be spent within one year of allocation for projects with a total value between \$5,000 and \$150,000.
    - Annual Grants \$3 million to be spent in the following financial year for projects valued between \$150,001 and \$500,000.
    - Forward Planning Grants - \$4 million for the first year of the triennium, \$7 million for the second year of the triennium and \$4.5 million for the third year of triennium for projects with a total value over \$500,001.
  10. The next Annual and Forward Planning grants round opens in June, with applications to be received from the community and presented to Council in September.
  11. As such, in preparation for the upcoming Annual and Forwarding Planning Grants round, Council is now presented with identified priority projects at Hartfield Park Reserve and an update on the overall implementation of the Hartfield Park Masterplan.

## DETAILS

12. Hartfield Park Reserve is Crown Land vested in the Shire for the purposes of recreation. The Reserve is home to 15 Clubs which have regular access to clubroom facilities at the Reserve under Lease and Licence Agreements with the Shire. Clubs also have access to playing fields via regular hire agreements on a seasonal basis between April to September and October to March.

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13. Since the development of the Hartfield Park Masterplan, progress has been made in implementing a number of the recommendations outlined within the plan:
- Hartfield Park Recreation Centre Needs and Feasibility Study - CSRFF support received and Creating Communities engaged to assist in the development of the Study. Community consultation sessions completed and draft designs currently being developed.
  - Alternative Water Source – Preliminary concept design has been developed for a potential system to obtain water from the nearby drain and store in an underground storage container to water the playing fields. Discussions held with Department of Water and Water Corporation. Both bodies have provided in-principle support of the proposal.
  - Morrison Oval Clearing – In an attempt to maximise available playing space on Morrison Oval, the Shire has submitted an application for clearing permit to Department Environment and Conservation (DEC), with the outcome pending.
  - Forrestfield Skatepark – Preliminary research into potential locations and external funding options has commenced.
  - Forrestfield Bowling Club (FBC) – Received approval from Western Australian Planning Commission to utilise Cash in Lieu funds of \$135,000 for the re-surfacing and expansion of the FBC carpark.
  - Darling Range Horse and Pony Club Relocation (DRHPC) – Preliminary discussions have been held with DRHPC to determine their overall needs in any possible relocation.
14. Completed Projects relative to the Hartfield Park Reserve include:
- Forrestfield Tennis Club – Tennis courts have been refurbished.
  - Rugby Kiosk – Demolished and switchboard relocated.
  - Hartfield Park Playground – Upgraded and centralised (adjacent Rugby Pavilion).
15. The Community Facilities Plan outlines a number of projects to occur at Hartfield Park Reserve over the next five years as part of the backlog of priority projects. In particular:
- 2012/2013 - Investigate alternative water supply, expand bowling club car park and demolish baseball hitting nets at Hartfield Park Reserve.
  - 2013/2014 - Install security lighting to Hartfield Park Recreation Centre car park area.
  - 2014/2015 - Install dual use pathways, demolish equestrian building and upgrade Walliston Riding and Pony Club facilities to accommodate relocation of Darling Range Horse and Pony Club from Hartfield Park Reserve.
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- 2015/2016 - Develop three new hockey fields, hockey clubrooms and parking and Hartfield Park.
  - 2016/2017 - Develop parking, install new cricket wickets at Hartfield Park Reserve.
16. The development of a new skatepark in Forrestfield and the Morrison Oval Clearing/Playing field expansion were not included in the Community Facilities Plan Backlog of Priorities (Attachment 1).
17. The Forrestfield Skatepark was initiated through a petition to Council. Council has given in principle support to investigate opportunities for a new skatepark development in Forrestfield.

### **STATUTORY AND LEGAL IMPLICATIONS**

18. Nil.

### **POLICY IMPLICATIONS**

19. Nil.

### **PUBLIC CONSULTATION/COMMUNICATION**

20. A presentation on the Hartfield Park Masterplan was made by the CEO, Director Corporate and Community Services and the Manager Community Development at Hartfield Park Recreation Centre on 8 May to local politicians Alyssa Hayden MLC, Nathan Morton Liberal Candidate for Forrestfield, Department of Sport and Recreation's Director Facilities and Camps and the Ministerial Advisor from the Office of Minister for Sport and Recreation, Racing and Gaming.
21. Those in attendance indicated a significant level of interest and support for the redevelopment of the Hartfield Park Reserve. Of particular interest was the water harvesting project which was seen as very innovative by the Sport and Recreation, Racing and Gaming Director. The Skate park proposal was also flagged and the Local Politicians' saw this as very important for the Forrestfield community.
22. Notably the Department of Sport and Recreation encouraged the Shire of Kalamunda to seek funding opportunities through the CSRFF program.

### **FINANCIAL IMPLICATIONS**

23. Nil.

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## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

24. *Shire of Kalamunda Strategic Plan 2009-2014:*
- 1.3.3 Effective management of recreational open space requirements to maintain the feeling of a community and family friendly atmosphere.
  - 1.3.5 Development of active and passive recreational facilities based on evidence supported evaluation and environmentally sustainable principles.

### **Sustainability Implications**

#### Social implications

25. The provision of high quality community sport and recreation facilities is essential in fostering a positive sense of community health and wellbeing.
26. The provision of appropriate youth facilities such as skate parks is essential in ensuring the successful integration of young people into society.

#### Economic Implications

27. Nil.

#### Environmental Implications

28. The identification of an alternative water source will significantly assist in ensuring the Shire is able to continue to meet the expectations of the community in maintaining public open space to a high standard.

### **OFFICER COMMENT**

29. Hartfield Park Reserve is considered to be the Shire's premier active sporting reserve, due to the diverse nature of sport/recreation facilities and activities currently provided at the Reserve.
30. To be eligible for the Annual Grants round, projects must be between \$150,001 and \$500,000 and to be eligible for the Forward Planning Grants round projects must be over \$500,001.
31. The community have an opportunity to submit applications as part of the process and these applications together with the Shire's priority projects will be presented to Council in September for support.
32. In evaluating the existing priorities at Hartfield Park Reserve, three potential projects have been identified which could be eligible for the Annual and Forward Planning Grants round, in particular, alternative water source identification, skate park development and field development.

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### **Alternative Water Source**

33. The issue of water conservation has become increasingly prevalent in recent times. With increased pressure being placed on local governments to reduce their overall water usage and implement a number of water conservation strategies to effectively manage this issue.
34. In particular, the Masterplan outlined the need to identify a sustainable long term alternative water source prior to any further development of additional playing field space being undertaken.
35. The Shire has since progressed this recommendation through the development of a concept design and is currently in the process of engaging a Hydrologist to assist in finalising the proposed approach.

### **36. Forrestfield Skatepark**

37. The existing skate park in Forrestfield was built in 1997 and is located on Hale Road at Hartfield Park Reserve.
38. The skate park is not well located with limited opportunities for passive surveillance due to trees and fencing obstructing the line of sight between the Park and Hale Road. The overall condition of the skate park is poor with numerous occurrences of graffiti and vandalism at the site.
39. The Shire received a petition seeking the development of a new skatepark in Forrestfield, with Officers currently investigating potential locations and approximate costings.
40. The existing skatepark would need to be removed, as part of any additional field development on Morrison Oval. As such, this project is recommended to occur prior to the Morrison Oval clearing and playing field development project.

### **Morrison Oval Clearing/Playing Field Development**

41. Both the Hartfield Park Masterplan and the Community Facilities Plan identified the issue of a lack of public open space within the Shire and made recommendations for future public open space development.
42. One key initiative identified to address this issue was to increase the amount of playing field space on Morrison Oval. This development will require clearing of a segment of bushland (1.18% of Hartfield Park Reserve) classified as Bush Forever and therefore requires DEC approval to proceed. A grid search (conducted by an independent environmental consultant) revealed no declared rare fauna and large amounts of degraded bush, therefore supported attempts to clear this area.



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43. The approval process is lengthy. Negotiations which commenced in June 2011 are still continuing.
  44. It is proposed that the alternative water source and skate park development be considered the Shire's priority projects to submit within the 2012/2013 Annual and Forward Planning Grants round.
  45. A further report will be presented to Council in September to confirm priorities, once any community applications have been received.

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 46/2012)**

That Council:

1. Receives the update on the Hartfield Park Masterplan implementation.
2. Provides in-principle support for two projects to be submitted as part of the 2012/13 Annual and Forward Planning Community Sport and Recreation Facilities Funding Round. These projects being:
  - Hartfield Park Alternative Water Source
  - Forrestfield Skate Park

Moved: **Cr Justin Whitten**

Seconded: **Cr Bob Emery**

Vote: **CARRIED UNANIMOUSLY (10/0)**

**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.****47. Disability Access and Inclusion Plan 2012 – 2017**

Previous Items	N/A
Responsible Officer	Seniors and Disabilities Officer
Service Area	Community Development
File Reference	HE-PUH-007
Applicant	Shire of Kalamunda
Owner	Shire of Kalamunda
Attachment 1	Disability Access and Inclusion Plan 2012-2017

**PURPOSE**

1. To consider endorsement of the Disability Access and Inclusion Plan (DAIP) 2012 – 2017

**BACKGROUND**

2. Under the *Disability Services Act 1993* and *Disability Services Regulations 1994*, the Shire of Kalamunda is required to review its current Disability Access and Inclusion Plan 2007 - 2012 and develop a new five year DAIP which is to be submitted to the Disability Services Commission (DSC) by 1 July 2012.(Attachment 1)

**DETAILS**

3. The Shire of Kalamunda's DAIP 2012 – 2017 has been developed with support from the DSC, Disability Access and Inclusion Advisory Committee, Councillors, staff and the community.
4. Once the DAIP is adopted by Council it will be lodged with the Disability Services Commission to ensure Shire of Kalamunda compliance with the legislation.
5. The DAIP is a high level strategy developed in line with Disability Services Commission legislation and is intended to ensure that State Government Agencies and Local Governments provide a planned and systematic approach to progressively improve access to services, information, events and facilities for people with disability.
6. The DAIP does not prescribe any level of funding required to implement the plan. Each organisation with a DAIP has a responsibility to develop an Implementation Action Plan (IAP) that will outline the actions and resources which will be allocated to implement the strategies contained within the plan.

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7. During the course of 2012-2013 staff from across the organisation will consult to develop an IAP which will be an internal working document used to guide the implementation of the DAIP. The IAP will identify and outline actions that will need to be undertaken by various service units across the Shire. It will also provide a breakdown of resources and costing that would be required to implement the actions over the five year life of the plan.
  8. The decision to fund actions arising from the IAP will be made by Council through the annual budget deliberations.

### **STATUTORY AND LEGAL IMPLICATIONS**

9. Part 5 of the *Disabilities Services Act 1993*, requires public authorities, (Western Australian State Government agencies and Local Government Authorities) to develop and implement a Disability Access and Inclusion Plan in accordance with prescribed standards covering consultation, review and reporting.

### **POLICY IMPLICATIONS**

10. Nil

### **PUBLIC CONSULTATION/COMMUNICATION**

11. Public comment was invited through the local media, DSC Local Area Coordinators, Shire of Kalamunda's website, libraries, recreation centres and targeted community members.
12. Two community consultation sessions were held in Forrestfield and Kalamunda to enable community members to comment on the plan.
13. All comments and feedback received have been considered within the development of the new plan.
14. The Disability Access and Inclusion Advisory Committee has also provided comment into the draft DAIP.

### **FINANCIAL IMPLICATIONS**

15. The DAIP is a high level strategy that under the Disability Services Commission legislation does not require funding to be allocated at the initial level of planning. It is expected that strategies and recommendations contained within the DAIP will be implemented over the five year life of the plan wherever practicable.
16. Financial implications will arise as an outcome of developing the IAP which will outline funding requirements to implement the plan.

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17. In 2009/2010 Council committed to allocate an annual recurrent fund of \$20,000 per year to be used to improve access and contribute to the implementation of the DAIP. This allocation of funding will only achieve partial implementation of the plan as there are many actions that will require a higher level of funding such as disabled toilets. These type of actions will allocated through the annual budget processes.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

18. Nil

### **Sustainability Implications**

#### Social Implications

19. The provision of access and inclusion for people with disability is essential to foster independence and develop a positive sense of belonging within the community.

#### Economic Implications

20. Nil.

#### Environmental Implications

21. Nil.

## **OFFICER COMMENT**

22. The DAIP 2012 – 2017 has been developed using comment and feedback from Councillors, staff and community.
23. The DAIP 2012-2017 does not compel Council to make any funding commitments to the DAIP under the Legislation. Funding is a separate matter for the Shire to make decisions upon.
24. The Disability Services Commission requires a comment indicating the status of the Strategy. Three options are available:
- Completed
  - Not Completed
  - Ongoing.
- More detailed actions and timelines will be included in the IAP.

**COMMITTEE RECOMMENDATION TO COUNCIL (C&C 47/2010)**

1. That Council endorse the Disability Access and Inclusion Plan 2012 – 2017.
2. That an Implementation Action Plan be developed and funded in line with the annual budget deliberations.

Moved: **Cr Allan Morton**

Seconded: **Cr Margaret Thomas**

Vote: **CARRIED UNANIMOUSLY (10/0)**

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**48. Disability Access and Inclusion Advisory Committee – Nomination for Membership**

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of CEO
File Reference	
Applicant	N/A
Owner	N/A

**PURPOSE**

1. To request the nomination of a Councillor to join the Council's Disability Access and Inclusion Advisory Committee ("DAIAC") as Deputy to the Councillor Delegate.

**BACKGROUND**

2. DAIAC's primary function is to advise and make recommendations to Council on a range of issues which affect the quality of life of people with a disability, their families and carers living in and visiting the Shire of Kalamunda.
3. Cr Allan Morton is the Councillor Delegate to the DAIAC. Cr Margaret Thomas is Deputy to the Councillor Delegate and has recently submitted her resignation from the DAIAC.

**DETAILS**

4. As per the Terms of Reference for the DAIAC, the Committee should comprise:
  - At least one Councillor.
  - Up to eight community members representing a broad range of disability types and whose private and / or working lives are directly impacted by disability.
  - The following disabilities would ideally be represented:
    - Physical
    - Sensory
    - Psychological disability
    - Intellectual disability
    - Parent / carer of a child with a disability
    - Youth with a disability
  - Up to two representatives from local organisations providing services to people with disabilities within the Shire of Kalamunda.
  - Disability Services Commission Local Area Co-ordinator.

5. Appointment to the DAIAC is for up to two years and members are eligible for re-appointment following the Council Ordinary Election. Membership will be reviewed should a member miss three consecutive meetings.

6. The DAIAC currently consists of:

<b>Name</b>	<b>Representing</b>
Cr Allan Morton	Councillor Delegate
Cr Margaret Thomas	Deputy to the Councillor Delegate
Carol Everett	Independent
Elizabeth Small	Independent
Peter Thorpe	Independent
Rachel Campbell	Independent
Jean Campbell-Smiley	Independent
Charles Ducrow	Independent
Paul Rogers	Independent
Amanda Corkill	Independent

7. The Committee meets approximately four times a year at the Shire's Administration Centre, but has the ability to increase the frequency of meetings if required.

#### **STATUTORY AND LEGAL IMPLICATIONS**

8. Appointments are made in accordance with Section 5.10(1) of the *Local Government Act 1995*.

#### **POLICY IMPLICATIONS**

9. CTEE3, Management and Advisory Committees – Representation, Review and Procedures.
10. AMD21, Disability Access and Inclusion Policy.

#### **PUBLIC CONSULTATION/COMMUNICATION**

11. Nil.

## **FINANCIAL IMPLICATIONS**

12. Nil.

## **STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

### **Strategic Planning Implications**

13. *Shire of Kalamunda Strategic Plan 2009-2014*

- 1.1.4 Ensure that people with disabilities have the same opportunities as other people to access the services, events and facilities of the Shire.

### **Sustainability Implications**

#### Social Implications

14. The objectives of DAIAC is to advise and make recommendations to Council on a range of issues which affect the quality of life of people with a disability, their families and carers living in and visiting the Shire of Kalamunda.

#### Economic Implications

15. Nil.

#### Environmental Implications

16. Nil.

## **OFFICER COMMENT**

- 17.

## **COMMITTEE RECOMMENDATION TO COUNCIL ( C&C 48/2012)**

That Council:

1. Appoints Cr Sue Bilich as Deputy to the Councillor Delegate to the Disability Access and Inclusion Advisory Committee.

Moved: **Cr Justin Whitten**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)**



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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**49. Review of Delegations**

Previous Items	OCM 86/2011
Responsible Officer	Chief Executive Officer
Service Area	Chief Executive's Office
File Reference	LE-ACT-006
Applicant	N/A
Owner	N/A

Attachment 1                      Register of Delegations current as at 1 June 2012

**PURPOSE**

1. For Council to review its delegations to the Chief Executive Officer and other employees.

**BACKGROUND**

2. In order to carry out its functions efficiently and effectively, Council has the ability to delegate its powers and duties to the Chief Executive Officer (or to another staff member, in some cases).
3. Section 5.46 of the *Local Government Act 1995* requires each Council to review its delegations at least once every financial year.
4. Council last reviewed its delegations on 20 June 2011. The current delegations must therefore be reviewed by 30 June 2012.

**DETAILS**

5. The current delegations of Council, adopted in June 2011, plus a number of subsequent delegations, are shown in (Attachment 1).
6. The review under taken by staff in preparation of this report has revealed that most of the delegations are appropriate and provide an effective framework for the efficient operation of the Shire through the responsible discharge of the those powers and duties delegated by Council.

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## STATUTORY AND LEGAL IMPLICATIONS

7. Section 5.42 of the *Local Government Act 1995* states that:  
“A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in Section 5.43.” (absolute majority required).  
Limits on delegations to CEOs – S.5.43.  
Requirement for review – S.5.46.
8. Similar provisions apply in other Acts and the Shire’s Local Planning Scheme No 3.

## POLICY IMPLICATIONS

9. Council’s policies are to be reviewed to ensure that any limitations on delegation are clearly stated.

## PUBLIC CONSULTATION/COMMUNICATION

10. Public consultation is not considered necessary with respect to this issue.

## FINANCIAL IMPLICATIONS

11. There are no direct financial implications associated with this issue.

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

### Strategic Planning Implications

12. Strategic Plan 2009-2014 – Goal 5  
A Shire that is well governed, providing positive leadership and efficient service delivery to the community.  
Ensure appropriate systems and procedures are in place to comply with statutory compliance and enhance effective business management.

### Sustainability Implications

#### Social Implications

13. Nil.

#### Economic Implications

14. Nil.

Environmental Implications

15. Nil.

**OFFICER COMMENT**

16. The officer recommendations reflect the outcome of the review undertaken of the existing delegations.

**COMMITTEE RECOMMENDATION TO COUNCIL ( C&C 49/2012)**

That Council:

1. Notes the review of the Delegation Register.
2. Endorses the delegations to the Chief Executive Officer and other staff as contained in (Attachment )1

Moved: **Cr Margaret Thomas**

Seconded: **Cr Donald McKechnie**

Vote: **CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY (10/0)**

**10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

10.1 Nil.

**11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**

11.1 Nil.

**12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

12.1 Nil.

**13.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

13.1 Nil.

**14.0 MEETING CLOSED TO THE PUBLIC**

14.1 Nil

**15.0 CLOSURE**

There being no further business, the Chairman declared the meeting closed at 7.09pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2012