

# SHIRE OF KOJONUP



## Council Minutes

***20<sup>th</sup> September 2011***

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**SHIRE OF KOJONUP**

**MINUTES**

**1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President declared the meeting opened at 3:03pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meetings attention to the disclaimer below:

*Disclaimer*

*No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.*

*The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.*

*Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.*

**2 ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE**

Cr Jill Mathwin  
Cr Ian Pedler  
Cr Frank Pritchard  
Cr John Benn  
Cr Michael Baulch  
Cr Jane Trethowan  
Cr Greg Marsh  
Cr Rosemary Hewson

Mr Kim Dolzadelli                      Manager of Corporate Services  
Mrs Heather Marland                Senior Finance Officer

**APOLOGIES**

**3 PUBLIC QUESTION TIME**

Nil

**4 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6 CONFIRMATION OF MINUTES**

ORDINARY MEETING 16<sup>th</sup> August 2011

Corrections: Nil

**COUNCIL DECISION**

**80/11 MOVED Cr Hewson seconded Cr Trethowan that the Minutes of the Ordinary Meeting of Council held on 16<sup>th</sup> August 2011 be confirmed as a true record.**

**CARRIED****8/0****7 ANNOUNCEMENTS by the Presiding Member without discussion**

- On Friday 9<sup>th</sup> September 2011 the Council met with Hon T Waldron, Minister for Sport & Recreation; Racing & Gaming, MLA Wagin. Discussion was held regarding issues impacting on Kojonup and included the Southern Health Alliance.
- The Shire President announced the end of her term on Council and thanked Councillors and staff for their efforts.

**8 PETITIONS, DEPUTATIONS & PRESENTATIONS**

Nil

**9 DECLARATIONS OF INTEREST**

Nil

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

AUTHOR: Kim Dolzadelli – Manager Corporate Services  
 DATE: Monday, September 12, 2011  
 FILE NO: FM.FNR.2  
 ATTACHMENT: 10.1.1 Monthly Statement of Financial Activity 1<sup>st</sup> July 2011 to 31<sup>st</sup> July 2011  
 10.1.2 Monthly Statement of Financial Activity 1<sup>st</sup> July 2011 to 31<sup>st</sup> August 2011

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To accept the Monthly Statement's of Financial Activity for the period of 1<sup>st</sup> July 2011 to 31<sup>st</sup> July 2011 and 1<sup>st</sup> July 2011 to 31<sup>st</sup> August 2011.

**BACKGROUND**

Preparation and presentation to Council of monthly reports are a statutory requirement, with these to be presented to the next ordinary meeting following the close of a month, or it may be presented to the ordinary meeting in the following month after that.

The reporting requirements, as per Financial Management Regulation 34, for the Statement of Financial Activity came into force from 1<sup>st</sup> July 2005.

**COMMENTS**

The attached Statement of Financial Activity for the periods of 1<sup>st</sup> July 2011 to 31<sup>st</sup> July 2011 and 1<sup>st</sup> July 2011 to 31<sup>st</sup> August 2011 show a solid start to the 2011/2012 financial year with 74.96% of rates collected to 31<sup>st</sup> August 2011 and a total amount of cash holdings of \$4,290,349 of which \$1,962,829 is held in fully cash backed Reserves.

Much work continues with respect to non cash end of year adjustments for preparation of the Annual Financial Statements; however these entries will not have any impact on the 2011/2012 opening balance position. Given this continuing work and pending final Audit for the Financial Year ended 30<sup>th</sup> June 2011 depreciation has not been updated in the attached Statements of Financial Activity.

**CONSULTATION**

None necessary.

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

None applicable.

**FINANCIAL IMPLICATIONS**

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate Senior Officer Reports, but those proposed variations will be taken into account in the monthly Statements of Financial Activity when a full budget review is put before Council. Amendments are not being sought from Council in the attached reports.

**STRATEGIC IMPLICATIONS**

This will only occur where it involves variations to the multiple year proposals previously put forward. Impacts to the "Closing Balance" position will also occur or where a Budget Review highlights the requirement for amendments to occur.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That the Monthly Statements of Financial Activity for the periods of 1<sup>st</sup> July 2011 to 31<sup>st</sup> July 2011 and 1<sup>st</sup> July 2011 to 31<sup>st</sup> August 2011, as attached, be accepted.

**COUNCIL DECISION**

**81/11 MOVED Cr Baulch seconded Cr Marsh that the Monthly Statements of Financial Activity for the periods of 1<sup>st</sup> July 2011 to 31<sup>st</sup> July 2011 and 1<sup>st</sup> July 2011 to 31<sup>st</sup> August 2011, as attached, be accepted.**

**CARRIED 8/0**

## 10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Kim Dolzadelli – Manager Corporate Services  
DATE: Tuesday, 6 September 2011  
FILE NO: FM.AUT.1  
ATTACHMENT: 10.2 Monthly Payment Listing

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To receive the list of payments that were made from 1<sup>st</sup> August 2011 to 31<sup>st</sup> August 2011.

**BACKGROUND**

Not applicable.

**COMMENT**

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

**CONSULTATION**

No consultation was required.

**STATUTORY ENVIRONMENT**

Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996 provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

**POLICY IMPLICATIONS**

Council's Policy F3 provides authorities and restrictions relative to purchasing commitments.

**FINANCIAL IMPLICATIONS**

All payments made are for items where Council has provided a budget authority.

**STRATEGIC IMPLICATIONS**

There are no strategic implications involved with presentation of the list of payments.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 01/08/2011 to 31/08/2011 comprising of Municipal Cheques 11856 to 11893, EFT's 7494 to 7639 and Internal Payment Vouchers 2775 to 2808 totalling \$1,048,640.65 and as attached to this agenda, be received.

**COUNCIL DECISION**

**82/11 MOVED Cr Benn seconded Cr Pedler that in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority from 01/08/2011 to 31/08/2011 comprising of Municipal Cheques 11856 to 11893, EFT's 7494 to 7639 and Internal Payment Vouchers 2775 to 2808 totalling \$1,048,640.65 and as attached to this agenda, be received.**

**CARRIED**

**8/0**

## 10.3 ACCOUNTING WORK – INTERIM AUDIT

AUTHOR: Kim Dolzadelli – Manager Corporate Services  
 DATE: Monday, 12 September 2011  
 FILE NO: FM.AUD.2  
 ATTACHMENT: 10.3 Interim Audit Management Letter Year Ended 30<sup>th</sup> June 2011

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council's Auditors recently completed the Interim Audit, and a copy of their report is an attachment to this report.

**BACKGROUND**

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

**COMMENT**

The following systems were reviewed during the Interim Audit; bank reconciliations, payments, revenue, payroll, works costing, debtors, creditors and rates subsidiary ledgers.

The report on the results of the Interim Audit for the 2010/11 raises two issues; one with respect to the physical sign off on Monthly Reconciliations and the second matter relating to the recommended write off of three Sundry Debtor accounts.

With respect to the first matter raised the Manager of Corporate Services has noted the recommendation as accepted, however will also in addition to the recommendation continue the current practice as part of the process of compiling the Monthly Statement of Financial Activity for presentation to Council.

With respect to the second matter raised with relation to the recommended write off of Sundry Debtor Items the officer agrees with the Auditors recommendation for the write off of long term outstanding Sundry Debtors totalling \$585.50. The officer has prepared a separate report in order for Council to decide on this matter.

**CONSULTATION**

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

**STATUTORY ENVIRONMENT**

There are no specific statutory requirements relating to Interim Audits.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

A separate report is being present to this meeting with respect to the Auditors recommendation for the write off of Sundry Debtor accounts totalling \$585.50.

**STRATEGIC IMPLICATIONS**

There are no strategic implications resulting from this report.

**OFFICER RECOMMENDATION**

That the Interim Audit Report for the year ended 30<sup>th</sup> June 2011 be received and noted.

**COUNCIL DECISION**

**83/11 MOVED Cr Pedler seconded Cr Marsh that the Interim Audit Report for the year ended 30<sup>th</sup> June 2011 be received and noted.**

**CARRIED**

**8/0**

## 10.4 FINANCIAL MANAGEMENT – PROPOSED WRITE OFF OF SUNDRY DEBTOR

AUTHOR: Kim Dolzadelli – Manager of Corporate Services  
 DATE: Monday, 12 September 2011  
 FILE NO FM.DEB.3  
 ATTACHMENTS: Nil

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council is being asked to consider the Interim Audit Recommendation to write off Sundry Debtor accounts totalling \$585.50.

**BACKGROUND**

Council's Auditor, Russell Harrison of Lincolns Accounts and Business Advisors, conducted the Interim Audit on 30<sup>th</sup> June 2011.

In the Management Letter as attached in Item 10.3 to this Agenda the Auditor noted the following Sundry Debtor accounts as outstanding beyond a reasonable period and that the nature of the accounts and overdue period make the collectability extremely unlikely:

<b>Debtor</b>	<b>Amount</b>	<b>Description</b>
72883 - Patricia Ackermans	83.50	Overdue Inter-Library Loan Book
69737 - Peggy Michael	10.00	Rubbish Disposal March 2009
72429 - Yasma Michael	492.00	Poundage Fees and Fines for 2 Male Dogs.

The Auditor has recommended that the above Sundry Debtor accounts be written off.

**COMMENT**

The Officer agrees with the Auditors recommendation.

Council has an amount of \$3,000 in the Operating Statement of the 2011/12 Annual Budget for the provision of Doubtful Debt expenses and has the amount of \$492.00 for Debtor 72429 covered in it's balance sheet provision for Doubtful Debts.

Since the Audit took place in June 2011 Mrs Ackermans book has been returned.

With respect to Debtor 69737 the amount is long outstanding and given the small nature of the amount, \$10.00, is not considered worth pursuing.

The officer has consulted with Council's Senior Ranger, with respect to Debtor 72429, who has advised that due to the long term nature of the amount there is no way that we are able to continue to pursue the amount legally. The Senior Ranger also advises that the dog owner no longer possess any dogs and indeed surrendered her last dog to him, which he has relocated to a farming property outside of the Kojonup district. This is seen as a very good outcome.

As these amounts relate to a prior years a formal Council resolution by "Absolute Majority" is required for the amounts to be written off.

**CONSULTATION**

None necessary.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 section 6.12 - Power to defer, grant discounts, waive or write off debts

**POLICY IMPLICATIONS**

There are no known policy implications.

**FINANCIAL IMPLICATIONS**

Provision to cover the writing off of these amounts is covered in Councils Operating Statement contained in the 2010/11 Annual Budget.

**STRATEGIC IMPLICATIONS**

There are no strategic implications from the adoption of this recommendation.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

That Council approves the write off of Debtor Number 72883 - Patricia Ackermans \$83.50, Debtor Number 69737 - Peggy Michael \$10.00 and Debtor Number 72429 - Yasma Michael \$492.00.



**COUNCIL DECISION**

**84/11 MOVED** Cr Trethowan seconded Cr Pritchard that Council approves the write off of Debtor Number 72883 - Patricia Ackermans \$83.50, Debtor Number 69737 - Peggy Michael \$10.00 and Debtor Number 72429 - Yasma Michael \$492.00.

**CARRIED BY ABSOLUTE MAJORITY**

**8/0**

3:43pm Mrs Heather Marland left the Chamber.

**11 ENGINEERING & WORKS REPORTS**

**11.1 ROADS TO RECOVERY PROGRAM**

AUTHOR: Stephen Gash  
 DATE: Tuesday, 13 September 2011  
 FILE NO: GR.FDL.2  
 ATTACHMENTS: 11.1 - ICR5144 Letter ALGA (Australian Local Government Association)

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

This report advises of the need to support the campaign for increased and on-going Roads to Recovery Program.

**BACKGROUND**

The Shire of Kojonup has received correspondence (attached) from ALGA (Australian Local Government Association) regarding the Roads to Recovery Program. The below table displays the funding, Shire of Kojonup has received since 2004 as part of the program, acknowledging the funding from the Roads to Recovery Program is essential for maintaining infrastructure.

Year	Amount	
2011/2012	330,000.00	Budgeted
2010/2011	332,000.00	Actual
2009/2010	330,213.00	Actual
2008/2009	287,693.00	Actual
2007/2008	305,826.00	Actual
2006/2007	280,009.00	Actual
2005/2006	291,176.00	Actual
2004/2005	255,199.00	Actual

**Total**                    **2,412,116.00**

**COMMENT**

The Roads to Recovery Program was implemented in the year 2000 through strong and united local government campaigning, and further campaigning has seen two extensions of the program and a funding increase to \$350 million per annum in 2009.

There is no hesitation in stating that the Roads to Recovery Program is vital funding for the Shire of Kojonup, and the implementation of a new Roads to Recovery Program, on a permanent basis, would benefit our Council.

If ALGA, with the support of Local Governments could successfully campaign for the Federal Government to permanently implement a new Roads to Recovery Program, for the future, there is no question that Council would only be in an advantageous position to better maintain infrastructure

because of the stabilisation of funding. It is recommended that Council supports ALGA's campaign, and that letters supporting the program are forwarded to Federal and Local Politicians.

#### **CONSULTATION**

No consultation was required.

#### **STATUTORY ENVIRONMENT**

Nil.

#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

Permanent and increased funding by the Federal Government would benefit Councils financial position and ability to confidently plan future projects.

#### **STRATEGIC IMPLICATIONS**

Permanently and increased funding from the Federal Government would place Council in a better position to fulfil strategic plans and improve planning of future projects.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION**

The Shire of Kojonup calls on the Federal Government to:

1. Recognise the successful delivery of the Roads to Recovery Program by local government since 2000;
2. Continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;
3. Continue the Roads to Recovery Program with the current administrative arrangements; and
4. Provide an increased level of funding under a future Roads to recovery Program that recognises the shortfall of funding of local roads of \$1.2 billion annually.

#### **COUNCIL DECISION**

**85/11 MOVED Cr Hewson seconded Cr Trethowan the Shire of Kojonup calls on the Federal Government to:**

- 1. Recognise the successful delivery of the Roads to Recovery Program by local government since 2000;**
- 2. Continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;**
- 3. Continue the Roads to Recovery Program with the current administrative arrangements; and**
- 4. Provide an increased level of funding under a future Roads to recovery Program that recognises the shortfall of funding of local roads of \$1.2 billion annually.**

**CARRIED**

**8/0**

#### 11.2 MOTOR GRADER REQUEST FOR QUOTATION

AUTHOR: Kim Dolzadelli – Manager of Corporate Services  
 DATE: Tuesday, September 13, 2011  
 FILE NO: PS.ACQ.2  
 ATTACHMENT: 11.2.1 Request for Quotation - Motor Grader  
 11.2.2 Confidential Staff Feedback Report

#### **DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council is being requested to accept a quotation from WesTrac Pty Ltd for the supply of one (1) Caterpillar 12MT Motor Grader at a cost of \$333,500 excluding GST.

**BACKGROUND**

Council provided funds in the 2011/12 Budget for the purchase of a new Motor Grader. The item had previously been identified in Council's long term plant replacement program.

**COMMENT**

Requests for quotations were issued in accordance with the WALGA heavy Equipment Preferred Supplier agreement on the 30<sup>th</sup> August 2011 with the following approved preferred suppliers being approached:

- WesTrac Pty Ltd
- Hitachi Construction Machinery (Australia) Pty Ltd
- Komatsu Australia Pty Ltd

WALGA highlight the benefits of utilising the WALGA Preferred Supplier contracts as being:

*"Our optimal procurement arrangements are secured using the combined purchasing power of the Local Government sector, through high volume aggregation.*

*Under the Local Government (Functions and General) Regulations, a tender exemption applies to WALGA's Preferred Supplier Contracts. WALGA Contracts are rigorously market tested using a compliant procurement process to ensure that the highest quality offerings are delivered at the best possible value.*

*WALGA Members save millions of dollars each year utilising these Contracts, in addition to saving the cost and risk of independently tendering.*

*Other benefits include avoiding resource duplications, generating administrative efficiencies and facilitating direct access to suppliers." – Source WALGA website - [http://www.walga.asn.au/products\\_services](http://www.walga.asn.au/products_services) 16th September 2011.*

The following quotations were received at the close of the quotation period:

<b>Supplier</b>	<b>Description</b>	<b>Price Ex. GST</b>
WesTrac Pty Ltd	Caterpillar 12MT	\$333,500
Hitachi Construction Machinery (Australia) Pty Ltd	John Deere 670GP	\$315,000
Hitachi Construction Machinery (Australia) Pty Ltd	John Deere 670G - No Automated Blade Control	\$295,000
Komatsu Australia Pty Ltd	Komatsu GD555-5	\$316,500

Demonstrations of the Komatsu GD555-5 and John Deere 670GP and 670G were attended by the following staff:

Craig McVee - Manager of Works  
 Dale Simmons – Mechanic  
 Danny Sullivan – Grader Driver  
 Archie Michael – Grader Driver  
 Richard McKenzie – Grader Driver & OHS representative

The demonstrations allowed staff to view and operate the machines, it also allowed for assessment of OHS, performance and suitability.

Council currently has a Caterpillar 12M in its current fleet therefore a demonstration was not required of this machine.

An analysis of the quotations was then undertaken by the Manager of Works & Engineering and Chief Executive Officer.

The results of this analysis are attached to the Agenda as a confidential attachment along with the specification for the Motor Grader that was included in the tender document.

This attachment is confidential due to the commercial sensitive nature of the proposals and the requirement for council staff to provide open and honest feedback to councillors without risk of defamation when providing positive, negative and comparative comments on the graders shortlisted for demonstration.

Feedback from the above staff and officers has formed the basis of the Officer recommendation.

**CONSULTATION**

No consultation was required.

**STATUTORY ENVIRONMENT**

Section 3.57 Local Government Act 1995 and Division 2 of the Local Government (Functions & General) Regulations 1996

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

The 2011/12 Budget Provides for a purchase amount of \$350,000 excluding GST. The officer recommendation if adopted will result in a saving to budget of \$16,500 on the purchase of this item of plant.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS** – Simple Majority

**OFFICER RECOMMENDATION**

That Council:

1. Accepts the quotation offered by Westrac for the supply of the new Caterpillar 12MT Motor Grader as outright purchase for the amount of \$333,500 excluding GST.

**COUNCIL DECISION**

**86/11 MOVED Cr Marsh seconded Cr Benn that Council:**

1. **Accepts the quotation offered by Westrac for the supply of the new Caterpillar 12MT Motor Grader as outright purchase for the amount of \$333,500 excluding GST.**

**CARRIED**

**8/0**

**12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS**

Nil

**13 CORPORATE & COMMUNITY SERVICES REPORTS**

**13.1 INFORMATION STATEMENT**

AUTHOR: Stephen Gash – Chief Executive Officer  
 DATE: Monday, September 12, 2011  
 FILE NO: IM.FOI.4  
 ATTACHMENT: 13.1 Information Statement 2011/12

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To adopt the Shire of Kojonup's Information Statement for 2011/12.

**BACKGROUND**

Section 96(1) of the Freedom of Information Act (1992) requires each government agency, including local governments, to prepare and publish annually an Information Statement.

The Information Statement must set out:-

The Agency's Mission Statement

Details of legislation administered.

Details of the agency structure.

Details of decision-making functions.

Opportunities for public participation in the formulation of policy and performance of agency functions

Documents held by the agency.

The operation of FOI in the agency.

**COMMENT**

The Shire of Kojonup's Information Statement 2011/12 is attached to this agenda. The document complies with the requirements of the Freedom of Information Act, as outlined above.

A copy of the Information Statement will be forwarded to the Commissioner as required. The Shire advised in its annual return that its information statement would be reviewed in September and forwarded to the Commissioner by 30 September 2011.

The previous version was adopted 21 September 2010 – Council Decision 79/10.

**CONSULTATION**

No consultation was required.

**STATUTORY ENVIRONMENT**

Freedom of Information Act 1992

**POLICY IMPLICATIONS**

The Information Statement is the Policy for access to information under the Freedom of Information Act, and is linked to the Records Management Policy and Record Keeping Plan.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Aligns with strategic objective 1.1.6 to "Improve recordkeeping practices".

**VOTING REQUIREMENTS** – Simple Majority

**OFFICER RECOMMENDATION**

That Council adopts the Information Statement 2011/12 as attached to the agenda.

**COUNCIL DECISION**

**87/11 MOVED Cr Pritchard seconded Cr Pedler that Council adopts the Information Statement 2011/12 as attached to the agenda.**

**CARRIED**

**8/0**

**13.2 DELEGATIONS REGISTER REVIEW**

AUTHOR: Stephen Gash – Chief Executive Officer  
DATE: Wednesday, September 6, 2011  
FILE NO: PE.AUT.1  
ATTACHMENT: 13.2 Delegations Register

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

Council is being asked to review the Delegations Register.

**BACKGROUND**

The Council of the Shire of Kojonup has resolved to adopt and delegate the functions referred to within this Delegations Register to the Chief Executive Officer.

Section 5.42, Local Government Act 1995 provides for the delegation of some powers and duties to CEO as follows:

- (1) *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.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

The Council has delegated various functions to the Chief Executive Officer. In turn some of those delegations have been sub delegated to senior officers and these are shown in each delegation.

In addition certain functions empowered to the Chief Executive Officer by the Act have been also been sub delegated to senior officers.

**COMMENTS**

The Delegations Register is required to be periodically reviewed and the Register, which was last reviewed and approved by resolution 80/10 on 21 September 2010, the reviewed Delegations Register is attached to the agenda.

A contents page has been made for the register and delegation reference Fire 004 has been amended to more clearly identify section 38 & 40 in the appointment of Bush Fire Control Officers.

The expiry of the proposed delegations is nominated as 30 September 2012.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

The Local Government Act 1995, sections 5.42, 5.43, 5.44, 5.45 and 5.46 and Regulation 19 of the of the Local Government (Administration) Regulations.

**POLICY IMPLICATIONS**

None applicable.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Aligns with the strategic objective of ensuring governance and capability.

**VOTING REQUIREMENTS – ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION**

That the Delegations Register, as attached to the agenda, be adopted to expire 30 September 2012.

That the Shire President be authorised to sign the instruments of delegation.

**COUNCIL DECISION**

**88/11 MOVED Cr Hewson seconded Cr Benn that the Delegations Register, as attached to the agenda, be adopted to expire 30 September 2012.**

**That the Shire President be authorised to sign the instruments of delegation.**

**CARRIED**

**8/0**

**14 COMMITTEES OF COUNCIL**

Nil

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

Nil

**16 NEW BUSINESS**

of an urgent nature, introduced by a decision of the meeting

Cr Trethowan moved that a formal vote of thanks to the Shire President Cr Jill Mathwin be minuted.

**COUNCIL DECISION**

**89/11 MOVED Cr Trethowan seconded Cr Pritchard that a vote of thanks and appreciation to the Shire President Cr Jill Mathwin be passed.**

**CARRIED**

**7/0**

**17 CONFIDENTIAL REPORTS**

Nil

**18 NEXT MEETING**

Tuesday, 18<sup>th</sup> October 2011 commencing at 3:00pm.

**19 CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4:15pm.

**20 APPENDICES AND TABLED DOCUMENTS****21 ATTACHMENTS**

Item 10.1.1	Monthly Statement of Financial Activity 1 <sup>st</sup> July 2011 to 31 <sup>st</sup> July 2011
Item 10.1.2	Monthly Statement of Financial Activity 1 <sup>st</sup> July 2011 to 31 <sup>st</sup> August 2011
Item 10.2	Monthly Payment Listing 1 <sup>st</sup> August 2011 to 31 <sup>st</sup> August 2011
Item 10.3	Interim Audit Management Letter Year Ended 30 <sup>th</sup> June 2011
Item 11.1	ICR5144 Letter ALGA (Australian Local Government Association)
Item 11.2.1	Request for Quotation - Motor Grader
Item 11.2.2	Motor Grader Quotation – Confidential Staff Feedback Report
Item 13.1	Information Statement 2011/12
Item 13.2	Delegations Register

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Presiding Member

\_\_\_\_\_  
Date