
Shire of Kalamunda

Corporate and Community
Services Committee

Minutes for 12 March 2012

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MINUTES

1.0 OFFICIAL OPENING

1.1 The Chairman opened the meeting at 6.30pm and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

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

Members of Staff

James Trail	Chief Executive Officer
Rhonda Hardy	Director Corporate and Community Services
Clayton Higham	Director Development and Infrastructure Services
Darrell Forrest	Manager Governance
Peter Hayes	Internal Auditor and Financial Controller
Rajesh Malde	Manager Financial Services
Darren Jones	Manager Community Development
Michelle Clark	Executive Assistant
Meri Comber	Governance Officer

Members of the Public (7.00pm) 1

Members of the Press Nil

2.2 Apologies

Councillors

Frank Lindsey	South East Ward
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2.3 Leave of Absence Previously Approved

Sue Bilich	North 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 Questions from Kalamunda Toy Library, Julie Oliver, President

Questions, received in writing, in response to Item 6 Dome Coffees Australia Pty Ltd – 31 (Lot 56) Canning Road, Kalamunda (Kalamunda Police Station) tabled at the General Services Meeting on 13 February 2012.

- Q1. Is the Council aware that the Toy Library has no dedicated parking bays to the front of the Toy Library, the parking behind the Toy Library for the use of our members is accessed via Sister Tait Lane and will be obstructed by two of the 15 bays to the south of the proposed parking for Dome, as documented in (Attachment 2) of this Report.
- Q2. Is the Council aware that the Kalamunda Toy Library foresaw this issue and raised it in a letter dated 2 December 2010, "As parents using the Toy Library have in their care young children can you state the Shire of Kalamunda will improve the rear access to the Toy Library from Sister Tait Lane so it will not be obstructed by patrons using the service of the new lessee".

The letter further stated:

Our members need access to this parking directly behind the Toy Library as they return toys and escort their very young children and lodge an objection to the layout as proposed. We ask that any proposed parking provision for Dome at 31 Canning Road, Kalamunda retains the access route in our parking. We seek this issue be reopened, and propose that the Shire of Kalamunda amend the proposed parking to retain the access to the four car bays to the rear of the Toy Library.

- A. The provision of marked parking bays within the super block area and the removal of the existing fence along the rear of the "Old Police Station" will provide safe and clearly defined parking for all users of the services to be provided in the area, including the Dome Café, the Child Health Centre and the Toy Library.

The Toy Library has advised that its opening hours are:

- 2.5 hours weekly on Saturday mornings.
- 1.5 hours on the second and fourth Wednesdays of each month and ad hoc use for general librarian duties (cleaning stock, accessing stock, stock takes and meetings).

The Toy Library was advised on 11 August 2011 that their tenure of the premises at 33 Canning Road was secure to the expiry of the current option term, 30 June 2012 and then it is envisaged that the arrangement will continue on a three monthly basis until the Shire needs to regain occupancy.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 That the Minutes of the General Services Committee Meeting held on 13 February 2012 are confirmed as a true and accurate record of the proceedings.

Moved: Cr Margaret Thomas

Seconded: Cr Bob Emery

Vote: CARRIED UNANIMOUSLY (10/0)

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 Chief Executive Officer Performance Review to March 2012 – provided under separate cover.

Reason for confidentiality

Local Government Act S 5.23(2)(a). A matter affecting an employee or employees.

9.0 DISCLOSURE OF INTERESTS**9.1 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*.)

9.1.1 Nil.

9.2 **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.

9.2.1 **Item 23 – Chief Executive Officer Performance Review to March 2012**

James Trail disclosed an Interest Affecting Impartiality as “the review relates to me”.

10.0 REPORT TO COUNCIL

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**14. Creditors' Accounts Paid During the Period 4 January to 27 January 2012 and 1 February to 27 February 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 4 January to 27 January 2012
Attachment 2	Creditor Payments during the period 1 February to 27 February 2012

PURPOSE

1. To receive creditors' accounts paid during the period 4 January to 27 January 2012 (Attachment 1) and 1 February to 27 February 2012 (Attachment 2).

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 4 January to 27 January 2012 (Attachment 1) and 1 February to 27 February 2012 (Attachment 2).

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.

A Councillor had requested information regarding EFT21683 for the reinstatement of the Gumnut Water Feature on Kalamunda Road; he further asked if it was not possible to reuse the infrastructure which had been removed. This question was taken on notice.

A Councillor queried EFT21415 and asked if this firm was part of the panel for electrical works. The Director Development and Infrastructure noted that there is no panel for electrical audit works; therefore companies are engaged as required.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 14/2012)

That Council:

1. Receives the list of creditors paid during the period 4 January to 27 January 2012 (Attachment 1) and 1 February to 27 February 2012 (Attachment 2) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Bob Emery**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
15. Monthly Financial Statements for the Seven Months to 31 January 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 seven months to 31 January 2012 incorporating the following:</p> <ul style="list-style-type: none"> • Statement of Comprehensive Income by Program • Statement of Comprehensive Income by Nature and Type • Rate Setting Statement • Statement of Financial Position • Statement of Equity • Schedule of Reserve Accounts Balances
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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 attached Statement of Financial Activity, 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.

Financial Commentary

Statement of Comprehensive Income by Nature and Type for the Seven Months to 31 January 2012

5. This Statement reveals a net result of a surplus of \$16,007,180 against a revised Budget for the same period of \$12,761,803.

Revenue

6. Total Revenue is under budget by \$645,043. This is made up as follows:
7. Rates: Overall rates are under budget by \$112,840. This is partly due to a catch up of interim rating which began in January and is still in progress. Interim rates of \$36,990 were raised in January. This process is expected to substantially be complete by the end of March 2012.
8. Operating Grants and Donations, including reimbursements, are down on budget by \$689,774 this is mainly a timing issue. Approximately \$179,000 had been mis-coded to fees and charges which has been corrected in February.
9. Fees and Charges are higher by \$266,609. The key areas showing higher revenues are in hire of community halls by \$61,000 and and Community Care by \$51,000 mainly in the area of HACC. Approximately \$140,000 making up the above variance is as a result of incorrect coding and relates to reimbursements.
10. Interest earnings are under budget by \$44,897, which is the result of greater use of the online saver account rather than term deposits, as cashflow profiling has been difficult. The budget will be revised to reflect this trend in the next review due in March 2012.
11. Other revenue is below budget by \$64,141 of which \$58,000 is from the area of Development Services for fines and penalties.

Expenditure

12. Total expenses are under budget by \$1,609,480 and are partly related to not accruing expenditure attributable to the month as it was closed earlier by four days to allow for the budget review to be done in February 2012. Summarised as follows:
- "Materials and Contracts" of \$1,125,038 in various operational units which is mainly a timely difference;
 - "Utilities" by \$169,131 which is mainly due to billing issues with Synergy
 - Savings in "Employment Costs" of \$634,843 although some redundancy payments were still being made and FBT expenses worth approximately \$250,000 haven't been booked.

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13. The interest expense is slightly higher than budget due to interest now being accrued monthly in accordance with best practice accrual accounting conventions.
14. Depreciation, although a non-cash cost, is tracking \$275,907 above budget, an analyses will be done to find out whether the charge is correctly stated.

Non-Operating Grants

15. Non-Operating Grants exceed the Budget by \$423,800. This is considered to be a timing matter with non-recurrent expenditure yet to happen.

Profit on Asset Disposals

16. The profit on disposal of assets, principally, Welshpool Rd development, has exceeded budget expectations significantly with a profit as of January 2012 of \$3,121,653 which is fantastic boost to the Shire's finances. The budget will be amended in the upcoming review.

Statement of Comprehensive Income by Program for the Seven Months to 31 January 2012

17. The overall results comments are as above and generally each Program is within accepted budget variances except for Community Amenities which will need to be analysed.

Rate Setting Statement for the Seven Months to 31 January 2012

18. This Statement compares the actual to date with the Annual Budget.
19. The results to 31 January 2012 reveal a surplus of \$14.981 million, however there is considerable Capital Expenditure to be undertaken with approximately \$7.85 million still outstanding.
20. The issue of significant concern is the Kalamunda Water Park which has run over budget. The project scope and costs are to be the subject of a forensic audit to better understand why the overrun has occurred. The findings of the audit will be reported to the Audit Committee in March/April 2012.
21. Net transfers to/from Reserves has reduced by (\$1.055 million) with a closing balance of \$1.672 million only available.

Statement of Financial Position as at 31 January 2012

22. This Statement formally known as the "Balance Sheet" reveals the current situation of \$12,894,470 less the following restricted cash assets:

•	Loan – Equipment	\$1,150,000
•	Reserve Accounts	\$1,672,444
•	Unspent Grants (Est)	\$2,500,000
		\$5,322,444

23. 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 31 December 2011, the cash flow position of the Shire was as follows:

Unrestricted Cash (Estimated)	\$6,090,161
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24. Further Current Assets which would generate additional cash holdings are:

Rates Debtors	\$6,060,000 (Est)
Other Debtors (including grants)	\$5,090,000 (Est)

Thus giving a theoretical cash holding of \$17,241,035 which would be required to fund future works and services if the Shire can realise these cash assets.

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

Cash as above	\$17,241,035
Further Income (Grants etc)	\$2,500,000
Profit on Sale of Land net of costs (Est)	\$4,400,000
Lifting of Restriction of Cash (Loans)	\$1,150,000
	<u>\$25,291,035</u>

26. This would be required to pay the following estimated expenses:

Operating Expenses	\$20,578,375
Less Non Cash (Depreciation)	<u>\$3,724,416</u>
	\$16,853,959
Capital Expenditure (Est)	<u>\$7,850,000</u>
	\$24,703,959
Less Budget Adjustments	
Deferred Works (Est)	\$650,000
Other Adjustments and potential savings (Est)	<u>\$1,250,000</u>
	<u>\$22,803,959</u>

27. It can be seen from the above that, although the Shire will be in a good cash position, if the grants budgeted for are not received in full, this will have an impact on the cash flow. Further, if any budget overruns or unexpected issues arise, this will also have an impact on the above forecast figures expenditure.

28. The recent organisational restructuring will alleviate some of this pressure, but it is likely that further reductions in projects will be required to be identified in the mid-year budget review to ensure that we have a buffer against the issues outlined above.

STATUTORY AND LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

30. Nil.

PUBLIC CONSULTATION/COMMUNICATION

31. Nil.

FINANCIAL IMPLICATIONS

32. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

33. *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

34. Nil.

Economic Implications

35. Nil.

Environmental Implications

36. Nil.

OFFICER COMMENT

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

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 15/2012)

That Council:

1. Receives the monthly financial statements which comprises the Statement of Financial Position, Equity Statement, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement and Reserve Balances Statement for the period ending 31 January 2012.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
16. Debtors and Creditors Reports for the Period Ended 31 January 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 31 January 2012
Attachment 2	Summary of Creditors for the period ended 31 January 2012

PURPOSE

- To receive a monthly report on debtors and creditors.

BACKGROUND

- Attached are the reports detailing aged Debtors (Attachment 1) and Creditors (Attachment 2) as at 31 January 2012.
- Council has requested reports detailing outstanding debtors and creditors on a monthly basis.

DETAILS
Debtors

- Particular items affecting the outstanding balances are WA.
 - 90+ days
 - Attorney General's Office - CCTV Installation payment pending completion of Audit process.
 - Forrestfield United Soccer Club - Reserve Hire and Loan Payments awaiting payment plan from Club.
 - Main Roads WA - Road Project Grants for Multiple Roads and Speed Cushion Installation for multiple roads.
 - Agostino Fazari - Clean Up & Repairs at Crystal Brook Road, Wattle Grove WA.

30+ days

- Leisure Time Pty Ltd - Maida Vale Road Supervision Fee / Maintenance Bond.
- QR National - Development Planning Fee - Abernethy Road, Forrestfield

Creditors

5. Payments totalling \$2,151,893.98 were made during the month of January.
6. Standard payment terms are 30 days from the end of month, with local business and contractors on 14 day terms.
7. Invoices showing as outstanding for more than 60 and 90 days are the result of the original invoice documentation not being received by Finance.
8. All contractors, trades and suppliers are advised of the Shire's preference to pay by Electronic Funds Transfer ("EFT") for efficiency and cost savings.

STATUTORY AND LEGAL IMPLICATIONS

9. Nil.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. Nil.

FINANCIAL IMPLICATIONS

12. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

13. *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

14. Nil.

Economic Implications

15. Nil.

Environmental Implications

16. Nil.

OFFICER COMMENT

17. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 16/2012)

That Council:

1. Receives the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports for the period ended 31 January 2012.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Dylan O'Connor**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**17. Rates Debtors Report for the Period Ending 31 January 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 31 January 2012

PURPOSE

1. To receive a report on rates debtors for the period ending 31 January 2012.

BACKGROUND

2. Attached is the report detailing rates debtors for the period ending 31 January 2012 (Attachment 1).

DETAILS**Rates Instalment 2011/2012**

3. The second instalment of the two instalment plan and third instalment of the four instalment plan option was due on the 12 January 2012. The total Rate income for the January 2012 period was \$3,484,259.
4. The amount due was \$3,558,254.74 - so there was a short fall of \$73,995 – this represents the instalments unpaid by the due date, 12 January 2012.)

Instalments & Other Outstanding Balances

5. Total amount Due – (Outstanding as at 1 February 2012) **\$6,447,990**
Does not include :
Excess Rates (Rates that are in credit = \$120,687.58)
Less Deferred Rates - \$386,799

\$6,061,191

Instalments Status

Overdue - Second of two instalment payments due on 12 January 2012
Overdue – Third of four instalment payments due on 12 January 2012

**Total Overdue Instalments: -----
\$584,703**

Fourth of four instalment payments due on 8 March 2012 (not yet due) =	\$948,817

TOTAL due on all Instalments:	\$1,533,520
Balance still Outstanding (not on Instalment Plans)	\$4,527,671
Less properties on Direct Debit and other payment plans	\$413,286

SUBJECT TO DEBT RECOVERY:	\$4,114,385

Legal Action 2010/2011

6. The current legal recovery process will commence in the first week of March 2012 and it will continue as required on all outstanding assessment balances that are overdue – both current and arrears. Daily recovery action is ongoing for those who require immediate collection attention.

For the following:

Overdue second (of two instalment Plan)

Overdue third or four instalment Plan

Outstanding Rates – those that are not on an instalment plan and those who are not on a Payment Arrangement plan.

All of the above processes can only be run manually so it is a long and slow process to establish overdue instalments and/or balances then produce the necessary Final Demand notices and/or letters.

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

11. *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

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

Economic Implications

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

Environmental Implications

14. Nil.

OFFICER COMMENT

15. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 17/2011)

That Council:

1. Receives the rates debtors report for the period ended 31 January 2012 (Attachment 1).

Moved: **Cr Geoff Stallard**

Seconded: **Cr Margaret Thomas**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**18. Community Sport and Recreation Facilities Fund Small Grants Winter 2012/13**

Previous Items	N/A
Responsible Officer	Director Corporate and Community Services
Service Area	Recreation Services
File Reference	FI-FAG-050
Applicant	N/A
Owner	N/A
Attachment 1	Assessment Matrix

PURPOSE

1. To consider supporting two applications received for funding through the Department of Sport and Recreation's, Community Sport and Recreation Facilities Small Grant Fund ("CSRFF").

BACKGROUND

2. 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.
3. In 2009, the CSRFF budget was increased to \$20 million. There are now three categories of CSRFF funding:
 - 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 \$500,000.
4. The Shire's role in the provision of the funding is to call for applications and assess them in priority order, and rate each application received (Attachment 1).
5. The maximum grant approved will be no greater than one third of the total estimated project cost.

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6. There is no obligation on the local government authority to make any contribution to a project.
 7. All applications for this small grants round are to be received by the Department of Sport and Recreation by 31 March 2012 for assessment.
 8. Successful applicants will be advised in May 2012, with funds to be expended by 15 June 2013.

DETAILS

9. The Shire of Kalamunda has received one external application and one internal application for the Department of Sport and Recreation's CSRFF winter 2012/13 small grants funding round.

Darling Range Sports College Masterplan

10. The Shire of Kalamunda will be submitting an application for the completion of a Masterplan for the Darling Range Sports College based in Forrestfield.
11. The Plan will aim to provide strategic direction and guidance for the future development of the Darling Range Sports College grounds over the next 10-20 years.
12. The Plan will identify overall design/layout features, potential sporting clubs to be located at the reserve, lighting and clubroom requirements.
13. The proposed cost contribution is as follows:

Organisation	Contributions ex GST
CSRFF	\$13,000
Darling Range Sports College	\$10,000
Shire of Kalamunda	\$17,000
Total Project Cost	\$40,000

Lesmurdie Mazonod Cricket Club ("LMCC")

14. LMCC have requested assistance towards the purchase and installation of an additional enclosed cricket practice wicket to be located adjacent to the existing practice wickets at Ray Owen Reserve.

15. The existing training facilities do not meet the current demand during peak training times. With teams being required to rotate access to the cricket net facilities.

16. The LMCC is proposing a project cost contribution as follows:

Organisation	Contributions ex GST
Club	\$3,000
CSRFF	\$6,000
Shire of Kalamunda	\$9,619
Total Project Cost	\$18,619

STATUTORY AND LEGAL IMPLICATIONS

17. Nil.

POLICY IMPLICATIONS

18. Nil.

PUBLIC CONSULTATION/COMMUNICATION

19. Written correspondence was provided to all sporting clubs advising them of the upcoming CSRFF funding round.

20. Discussions have been held with representatives from the Darling Range Sports College who are supportive of the proposed Masterplan and have confirmed a commitment \$10,000 towards the project should the funding application be successful.

21. Whilst, the LMCC application has only identified a financial commitment of \$3,000 by the Club, The LMCC have since given an in-principle commitment to contribute 1/3 of the overall project cost towards the project i.e. \$6,206.

FINANCIAL IMPLICATIONS

22. The Shire of Kalamunda's contribution towards the proposed projects will be dependent on the outcome of the CSRFF applications and is proposed to be considered as part of the 2012/2013 budget process.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

23. *Shire of Kalamunda Strategic Plan 2009-2014:*
- | | | |
|----------|-------|---|
| Strategy | 1.3.1 | Manage the effective promotion, planning and usage of recreational spaces, services and facilities. |
| Strategy | 1.3.4 | Develop active and passive recreational facilities based on environmentally sustainable principles. |

Sustainability Implications

Social Implications

24. The provision of high quality community sport and recreation facilities is essential in fostering a positive sense of community health and wellbeing.

Economic Implications

25. Nil.

Environmental Implications

26. Nil.

OFFICER COMMENT

27. The Department of Sport and Recreation requires all applications to be assessed by each local government authority and provided with a ranking according to the local government's assessment. It should be noted, there is no obligation on the Shire to support a project.
28. Whilst there is no requirement for Local Governments to contribute towards community based projects, the CSRFF guidelines recommend that projects be split 1/3 Local Government, 1/3 Club and 1/3 CSRFF grant.
29. A summary of each application in relation to the criteria and ranking is included at (Attachment 1). The following priority order has been identified:
- | | |
|----|---|
| 1. | Darling Range Sports College Masterplan |
| 2. | Lesmurdie Mazonod Cricket Club |

Darling Range Sports College Masterplan:

30. The development of a Masterplan for the Darling Range Sports College public open space has been ranked as the first priority. As there is an increasing need for additional public active open space in the Forrestfield area, due to existing open space within the area operating at capacity.

-
31. The need to undertake the development of a Masterplan for Darling Range was highlighted in both the Community Facilities Plan (OCM 141/2011) and Hartfield Park Masterplan (OCM 110/2010).
 32. The backlog of priority projects endorsed by Council (OCM 141/2011) has identified \$2,000,000 in 2012/2013 and \$2,400,000 in 2013/2014 for the redevelopment of Darling Range Sports College, subject to appropriate business cases and financial modelling.
 33. The development of a Masterplan for the site is critical in determining the overall needs of the development and confirming the necessary expenditure required to undertake the works.
 34. Both the Community Facilities Plan and Hartfield Park Masterplan identified Darling Range Sports College as the number one development priority to assist in accommodating the growth of local sporting clubs and alleviating the current lack of public open space within the Shire.
 35. The development of Darling Range Sports College was also considered a high priority as a result of the sustainability issues being experienced at Pioneer Park. Being an ex-landfill site a number of issues have been experienced. These include:
 - Poor turf growth
 - Unstable grounds
 - Poor drainage
 - Infrastructure subsiding.
 36. The development of a Masterplan scored higher due to the overall sustainability implications and financial viability of the Study and as such has been assessed as the number one priority.

Lesmurdie Mazenod Cricket Club

37. The LMCC has been ranked as the second priority due to the project's potential to increase physical activity through the provision of additional training space. The additional cricket training nets will provide increased opportunities for teams to partake in training activities.

38. Whilst the Club have initially sought the Shire contribute in-excess of one third of the total project cost, the Club have since verbally indicated that they have the capacity to increase their contribution to one third of the total project cost. To ensure consistency in the assessment of CSRFF applications, it is further recommended, that the contribution only be up to one third of the total project cost as per the following breakdown:

Organisation	Contributions ex GST
Club	\$6,206
CSRFF	\$6,206
Shire of Kalamunda	\$6,207
Total Project Cost	\$18,619

A Councillor noted that (Attachment 1) indicates that Lesmurdie Mazonod Cricket Club had not previously applied for funds, but she believed they had. This question was taken on notice.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 18/2012)

That Council:

1. Endorses the following applications for the Department of Sport and Recreation's 2012/13 Community Sport and Recreation Facilities Small Grant Fund in order of priority:
 1. Darling Range Sport College Masterplan
 2. Lesmurdie Mazonod Cricket Club
2. Considers allocating \$40,000 in the 2012/2013 Budget for the Darling Range Sports College Masterplan subject to the successful outcome of the Community Sport and Recreation Facilities Fund application. Following success of the Community Sport and Recreation Facilities Funding the cost contribution will be:

Organisation	Contributions ex GST
CSRFF	\$13,000
Darling Range Sports College	\$10,000
Shire of Kalamunda	\$17,000
Total Project Cost	\$40,000

3. Considers the allocation of \$18,619 in the 2012/2013 Budget for the development of an additional cricket practice net at Ray Owen Reserve subject to the successful outcome of the Community Sport and Recreation Facilities Fund application. Following success of the Community Sport and Recreation Facilities Funding the cost contribution will be:

Organisation	Contributions ex GST
Club	\$6,206
CSRFF	\$6,206
Shire of Kalamunda	\$6,207
Total Project Cost	\$18,619

Moved: **Cr Geoff Stallard**

Seconded: **Cr John Giardina**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
19. Kalamunda Home and Community Care – December (2011) Quarterly Report

Previous Items	
Responsible Officer	Director Corporate and Community Services
Service Area	Community Care
File Reference	CO-SPC-022
Applicant	N/A
Owner	N/A
Attachment 1	KHACC Service Volumes Report
Attachment 2	KHACC Financial Summary
Attachment 3	Meals on Wheels Financial Summary
Attachment 4	Meals on Wheels Satisfaction Survey Results

PURPOSE

1. To receive the Kalamunda Home and Community Care December (2011) quarterly report.

BACKGROUND

2. At the February 2011 Ordinary Council Meeting (OCM11/2011), Council resolved to accept the Kalamunda Home and Community Care ("KHACC") Business Case (2010 – 2014).
3. The Business Case was prepared in accordance with the direction given by Council at the October 2010 Ordinary Council Meeting, where it was resolved:

"That the Home and Community Care Services provided, be within the limits of the funding available and reviewed every quarter and reported to Council."

DETAILS

4. The Review has concentrated on the following three core areas:
 - a. Service Delivery as per our Contract
 - b. Financial Management
 - c. Workforce Management

Service Delivery

5. The Service Volumes Report (Attachment 1) shows how KHACC is performing in relation to its contracted service provision levels.
6. The Home and Community Care Contract contains service groups that cluster, where appropriate, like service types together. Service Group 1 includes the following service types:- domestic assistance, personal care, social support, respite and other food services.

-
7. Service Group 1 was contracted to provide hours of support against the service types listed in paragraph 6. This allows the service types to be adjusted to meet the needs of eligible clients regardless of the contracted number of hours against each service type.
 8. Because of this service grouping, a service type such as domestic assistance can achieve higher than 100% of service delivery, providing other service types are not also achieving 100%. The hours are used in a flexible manner to address need.
 9. During this quarter KHACC were contracted to provide 7785 hours of across service group 1 to eligible community members. 5299 hours were provided (84%).

Domestic Assistance (Service Group 1)

10. During this quarter KHACC were contracted to provide 2499 hours of domestic assistance to eligible community members. 2490 hours were provided (99%).
11. An additional 242 hours of domestic assistance had been scheduled, but these were not delivered due to public holidays, Christmas closure or client cancellation.

In Home Respite (Service Group 1)

12. During this quarter KHACC were contracted to provide 2499 hours of in home respite to eligible community members. 1196 hours were provided (48%).
13. An additional 91 hours of in-home respite had been scheduled, but these were not delivered due to public holidays, Christmas closure or client cancellation.
14. In Home Respite is a service type that does not receive many referrals. This is due largely to primary carers being reluctant to allowing another person to step into their role, even for a few hours.

Other Food Services (Service Group 1)

15. During this quarter KHACC were contracted to provide 36 hours of other food services to eligible community members. 15 hours were provided (41%).
16. Other Food Services is a service type that the assessors are not referring to. Feedback has been provided to the Sector Development Team and CommunityWest who oversee the Regional Assessment Team Project.

Social Support (Service Group 1)

17. During this quarter KHACC were contracted to provide 1875 hours of social support to eligible community members. 1,196 hours were provided (63%).

-
18. An additional 21 hours of social support had been scheduled, but these were not delivered due to public holidays, Christmas closure or client cancellation.
 19. There is service competition between social support and centre based day care. A referral for support will be dependent on whether the individual client prefers to engage socially in a group setting (Centre Based Day Care) or individually (Social Support). The current trend in this region leans to Centre Based Day Care.

Personal Care (Service Group 1)

20. During this quarter, KHACC were contracted to provide 876 hours of personal care to eligible community members. 402 hours were provided (46%).
21. An additional 63.5 hours of personal care had been scheduled, but these were not delivered due to clients being hospitalised or client cancellation. Personal Care on public holidays and during the Christmas closure was still offered.
22. The bulk of referrals received for personal care are to support clients to manage their medication. In this instance each clients support may only be for 15 minutes, which addresses their need.

Centre Based Day Care (Service Group 4)

23. During this quarter Kalamunda Home and Community Care were contracted to provide 9,978 hours of centre based day care to eligible community members. 7,182 hours were provided (72%).
24. An additional 2,469 hours of centre based day care (or 411 occasions of service) had been scheduled, but these were not delivered due to public holidays, Christmas closure, client free days (planning days) or client cancellation.
25. In 2012 the day centre will be reviewing the number of client free days taken, and will offer clients whose attendance days are affected by a client free day or public holiday an additional day to attend in an attempt to boost hours of service provided.

Meals on Wheels (Service Group 6)

26. During this quarter KHACC were contracted to provide 4743 meals to eligible community members. 3,539 meals were provided (74%).
27. On public holidays, clients are offered the option of a frozen meal delivery. As clients have access to families and friends on these days, the number of meals delivered is small.
28. Meals on Wheels have consistently been unable to achieve 100% delivery, and as such, the money provided by the Department of Health to subsidise the delivery of the meal, that is not spent, is reclaimed.

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29. The Senior Coordinator and the Department of Health, Home and Community Care Project Officer/Contract Manager, have negotiated to reduce the volume of meals contracted. This will come into effect in July 2012.
 30. The grant money received for the volume of meals we have negotiated to reduce will be transferred to the service type of other food services, resulting in a slight increase in the volume for the other food services, service type.

Transport (Service Group 7)

31. During this quarter, KHACC were contracted to provide 6816 one way trips to eligible community members. 3,702 one way trips were provided (54%).
32. An additional 686 one way trips had been scheduled, but these were not delivered due to public holidays, Christmas closure or client cancellation.
33. The service noticed a fall in bookings during the later part of the year. It could be assumed that this is due to clients family being available to provide support as they take leave from employment.

Counselling Support Information and Advocacy (Service Group 9)

34. During this quarter KHACC were contracted to provide 645 hours of counselling, support, information and advocacy to eligible community members. 277 hours were provided (43%).
35. The accuracy of reporting against this service support is dependent on each individual staff member to capture and record episodes of supporting a client or carer with Counselling Support Information and Advocacy.
36. Mechanisms to assist with the accurate reporting have been implemented and are being modified as opportunities for improvement are identified.
37. In 2012 initiatives that will include supporting carers of clients through the provision of counselling, support, information and advocacy will be explored and trialled.

Home Maintenance (Service Group 10)

38. During this quarter KHACC were contracted to provide 1791 hours of home maintenance to eligible community members. 1756 hours were provided (98%).
39. An additional 91 hours of home maintenance had been scheduled, but these were not delivered due to public holidays, Christmas closure or client cancellation.
40. Home maintenance as a service is on hold and not accepting new referrals at this time, as hours scheduled are enough to achieve 103% which could incur overspending in salaries. This will be reviewed if clients exit the service.

Community Visitors Scheme

41. During this quarter KHACC were contracted to provide 270 visit occasions to 45 residential in Commonwealth funded aged care homes. 287 visits occurred (106%).

Community Aged Care Packages (“CACP”)

42. During this quarter KHACC were contracted to provide 20 packages to eligible community members. 20 packages were provided (100%).

Financial Management

43. The July to December financial summary for the HACC programme recurrent income and expenditure 2011-2012 is shown at (Attachment 2).
44. The budget for fee income is based on volumes that we expect to achieve but all services are subject to supply and demand. The total actuals to budget variance is -\$11,661 which is due to a reduction in demand for certain services.
45. The total recurrent expenditure budget to actuals shows that currently our expenditure is under budget. The budget is based on 50% of the total expenditure. However, as expenditure is greater in the latter months of the financial year it would be expected that this will be under budget at this point.
46. The July to December financial summary for the Meals on Wheels' programme recurrent income and expenditure 2011-2012 is shown at (Attachment 3).
47. The net income/expenditure for the Meals on Wheels' programme is under budget to date, although, as of 31 December 2011 certain expenditure had not yet been invoiced to the programme.

Workforce Management

48. KHACC have implemented the new administration structure and are in the process of recruiting a part time person.
49. The resignation of a Program Coordinator has resulted in a review of the community aged care programs.
50. The community aged care programs are now being grouped and functioning as a team, which will produce more effective and efficient work methods and faster turnaround for service delivery for clients.
51. Recruitment to replace the exited Program Coordinator is in progress.

STATUTORY AND LEGAL IMPLICATIONS

52. All aspects of program delivery are monitored and reviewed to ensure policy, procedures and practice comply with funding contracts, service delivery guidelines and the Community Care Common Standards.

POLICY IMPLICATIONS

53. Nil.

PUBLIC CONSULTATION/COMMUNICATION

54. The Meals on Wheels Survey raised in the Implementation of Alternative Meals on Wheels Service Delivery Model, tabled December 2011 has been completed and analysed (Attachment 4).
55. It was considered that giving clients a three month period to settle into the change would provide more reliable feedback.
56. The opportunity to feedback via the survey closed on 17 February 2012. Identified opportunities for improvement will be actioned and, where necessary, shared with the City of Stirling.
57. The feedback was overwhelmingly positive.

FINANCIAL IMPLICATIONS

58. The July to December 2011 operating budget compared to actuals produced a favourable variance for the KHACC programme, as expenditure was less than budgeted. A favourable variance at this point in the financial year is to be expected as this surplus will help meet increased salary expenses (annual pay increase) and expenses that are incurred towards the end of the financial year such as fringe benefit tax and leave accruals.
59. The Meals on Wheels programme should conclude the financial year within budget. Reduced expenditure in salary and accommodation will contribute to this favourable outcome.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS**Strategic Planning Implications**

60. Nil.

Sustainability Implications

Social Implications

61. *Shire of Kalamunda Aged Accommodation Strategy 2008:*
- 6.1 A strong desire to “age in place” is now the well-established preference for older people and is a key theme that underlies Commonwealth and State Government policy and programs. This encompasses being able to continue to live in the familiar surroundings of the home and local environment as independently as possible, and with support services if required.

Economic Implications

62. Nil.

Environmental Implications

63. Nil.

OFFICER COMMENT

64. Nil.

The Chief Executive Officer noted that the Senior Coordinator, Kerry Fryers was performing well and there had been no issues since the restructure.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 19/2012)

That Council:

1. Receives the Kalamunda Home and Community Care Services December 2011 Quarterly Review.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**20. Execution of Documents – Amendment to Authorisations**

Previous Items	OCM 81/2010
Responsible Officer	Chief Executive Officer
Service Area	Governance
File Reference	LE-ACT-006
Applicant	N/A
Owner	N/A

PURPOSE

1. For Council, under the current legislative framework, to amend the Authorisations previously provided to specified staff to sign documents on behalf of the Shire of Kalamunda that do not require the affixing of the Common Seal.

BACKGROUND

2. The *Local Government Act 1995* ("the Act"), was amended in late 2009 to clarify the requirements for the execution of documents with or without the Common Seal.
3. At the June 2010 Ordinary Council Meeting, Council provided the initial Authorisations for some staff to execute documents on behalf of the Shire of Kalamunda. These Authorisations are only for when signing under the Common Seal is not required for the document to be validly executed.

DETAILS

4. Initial Authorisations were provided to the Chief Executive Officer, Directors of Corporate Services, Community Development, Engineering Services and Planning Services and the Managers of Community Development and Property and Procurement
5. With the Organisational Review now complete with respect to the abolition and creation of positions, it is an appropriate time to review the Authorisations and amend them where necessary.
6. It is proposed to continue to provide full Authorisation to the two Directors, with a number of Managers being provided Authorisations appropriate to their positions.

STATUTORY AND LEGAL IMPLICATIONS

7. *Section 9.49A - Execution of Documents, provides:*

- (1) *A document is duly executed by a local government if:-*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of:-*
 - (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the Chief Executive Officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the Authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorization.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

Section 9.49B – Contract formalities, provides:-

- (1) *Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.*
- (2) *The making, variation or discharge of a contract in accordance with subsection (1) is effectual in law and binds the local government concerned and other parties to the contract.*

Subsection (1) does not prevent a local government from making, varying or discharging a contract under its common seal.

POLICY IMPLICATIONS

8. There are no policy implications.

PUBLIC CONSULTATION/COMMUNICATION

9. Public consultation is not required for this issue.

FINANCIAL IMPLICATIONS

10. There are no financial implications arising out of this issue.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

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

Goal 5 – GOVERNANCE AND ORGANISATION – A leading organisation
A Shire that is well governed, providing positive leadership and efficient service delivery to the community.

Strategy 5.1.3 Ensure appropriate systems and procedures are in place to comply with statutory requirements

Strategy 5.5.4 Ensure appropriate systems and procedures are in place to enhance effective business management

Sustainability Implications

Social Implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

OFFICER COMMENT

15. The Authorisations contained in the Officer Recommendations are in accordance with the provisions of the Act and provide the framework for continued efficient operations within the Administration.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 20/2012)

That Council:

1. Authorises the following Officers of the Shire of Kalamunda to sign documents on behalf of the Shire of Kalamunda, as specified:-

- i. The Chief Executive Officer
- ii. The Director of Development & Infrastructure Services
- iii. The Director of Corporate & Community Services

any document, including Deeds, that is necessary or appropriate to be signed for these officers to carry out their functions and duties under any written law.

- iv. Manager Community Development
- v. Manager Development Services
- vi. Manager Technical Services
- vii. Manager Infrastructure Operations
- viii. Manager Health and Rangers

any document, excluding Deeds, that is necessary or appropriate to be signed to carry out the Manager's functions and duties under any written law.

- ix. Manager Economic, Property and Procurement Services
 - a. Leases
 - b. Extensions of Lease
 - c. Assignments of Lease
 - d. Deed of Variation of Lease
 - e. Surrenders of Lease
 - f. Licences
 - g. Assignments and Assignments and Variations of Licence
 - h. Contracts
 - i. Contracts of Sale

Moved: **Cr Margaret Thomas**

Seconded: **Cr Noreen Townsend**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**21. Proposed Schedule of Committee and Council Meetings for the Period June 2012 to May 2013**

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	CEO's Office
File Reference	OR-MTG-006
Applicant	N/A
Owner	N/A

Attachment 1 Proposed Schedule of Committee and Council Meetings for the period June 2012 to May 2013

PURPOSE

1. To endorse the proposed schedule of Committee and Council meetings for the period June 2012 to May 2013.

BACKGROUND

2. It is a requirement of Regulation 12 of the *Local Government (Administration) Regulations 1996* that local public notice be given annually of Committee and Council meetings for the next 12 months.
3. Council has previously agreed the schedule of Ordinary Meetings be as follows:
 - Planning Services Committee – first Monday of the month
 - General Services Committee – second Monday of the month
 - Ordinary Council Meeting – third Monday of the month
4. At the Ordinary Council Meeting 20 February 2012 Council approved the renaming of the Planning Services Committee to the Development and Infrastructure Services Committee and the General Services Committee to the Corporate and Community Services Committee, together with their revised Terms of Reference.
5. Committee and Council Meetings are held at 6.30pm in the Council Chambers of the Shire of Kalamunda, 2 Railway Road, Kalamunda.
6. Council policy determines that scheduled meeting dates which fall on a Public Holiday will move to the next available day.

DETAILS

7. Nil.

STATUTORY AND LEGAL IMPLICATIONS

8. There are no statutory and legal implications.

POLICY IMPLICATIONS

9. Nil.

PUBLIC CONSULTATION/COMMUNICATION

10. Nil.

FINANCIAL IMPLICATIONS

11. There are no financial implications arising from the endorsement of this proposed schedule.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

12. Nil.

Sustainability Implications

Social Implications

13. Nil.

Economic Implications

14. Nil.

Environmental Implications

15. Nil.

OFFICER COMMENT

16. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 21/2012)

That Council:

1. Endorses the schedule of Committee and Council meetings for the period June 2012 to May 2013 as detailed in (Attachment 1).

Moved: **Cr Donald McKechnie**

Seconded: **Cr Allan Morton**

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

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.
22. Introduction of Risk Management Policy

Previous Items	N/A
Responsible Officer	Chief Executive Officer
Service Area	Office of CEO
File Reference	
Applicant	
Owner	
Attachment 1	Risk Management Policy

PURPOSE

1. To introduce a Risk Management Policy (Attachment 1) to mandate risk assessments, develop treatment plans to address resourcing gaps or high risks, and report accordingly. This will give Council assurance that operational decisions are being made with the best possible information available.

BACKGROUND

2. The *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*, were amended in August 2011 to introduce new Integrated Planning and Reporting requirements with risk management an integral component.
3. Risk management is required to be demonstrated as part of the development and implementation planning and decision making for all strategic development and major projects to meet the needs and aspirations of the community.
4. As risk management is about addressing the effect of uncertainty on objectives, it is critical that an organisation follow the best practice principles of the international standard for *Risk Management AS/NZS/ISO 3100: 2009*. This involves implementing a robust framework, system and processes, underpinned by determining the risk appetite and tolerance of the organisation and promoting cultural change to ensure effectiveness and sustainability.
5. This allows for the achievement of strategic and operational objectives while minimising the potential for harm or loss.

DETAILS

6. The Shire of Kalamunda is currently experiencing great growth and change, which without sound systems and processes could lead to increased risks in the management of major projects and organisational growth.

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7. The introduction of a Policy and Risk Management Framework will assist in addressing resourcing gaps or high risks, and reports accordingly will give Council assurance that operation decisions are being made with the best possible information available.
 8. In relation to the major projects and high risk strategic activities, the Council will be better placed to make informed decisions and regularly monitor the progress and outcomes.
 9. The risk appetite and tolerance levels provide a common set of guidelines relating to the level of risk assessed against key criteria that are determined and approved by Council and communicated to all officers.
 10. An assessment risk matrix tool will be provided to all Elected Members and Officers as part of the risk management implementation program which will assist in determining the potential consequences of the risk and the likelihood of it occurring. A copy of this tool is provided in the Policy document.
 11. All risks perceived to be critical or extreme will be required to have a risk management plan established with appropriate treatments developed to mitigate or remove the risk.
 12. If the residual risk after treatments are applied remains critical, it must be brought to the attention of the Council for further discussion, decision making or monitoring as appropriate.
 13. Risk management will become a key performance indicator for all levels of the organisation, and form part of the induction process and staff performance appraisals.

STATUTORY AND LEGAL IMPLICATIONS

14. *Local Government Act 1995.*
Local Government (Administration) Regulations 1996.
Risk Management AS/NZS/ISO 3100: 2009

POLICY IMPLICATIONS

15. New policy to be endorsed and implemented.

PUBLIC CONSULTATION/COMMUNICATION

16. A briefing session was held with Councillors in October 2011 whereby the Risk Management plan was distributed for comment. A consultant, Margaret Hemsley, from RiskID, has been working with Manager Human Resources & Organisational Development, in the implementation of this policy and plan.

FINANCIAL IMPLICATIONS

17. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Planning Implications

18. Nil.

Sustainability Implications

Social Implications

19. Nil.

Economic Implications

20. Nil.

Environmental Implications

21. Nil.

OFFICER COMMENT

22. The Risk Management Policy will assist the Shire in mandating risk assessments, developing treatment plans to address high risks, and report accordingly. This will give Council assurance that operation decisions are being made with the best possible information available and decisions are made for all strategic developments and major projects to meet the needs and aspirations of the community.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 22/2012)

That Council:

1. Notes and adopts the Risk Management Policy as per (Attachment 1).

Moved: **Cr Donald McKechnie**

Seconded: **Cr Justin Whitten**

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

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

James Trail, Chief Executive Officer, declared an interest affecting impartiality.

23. CONFIDENTIAL REPORT – Chief Executive Officer Performance Review to March 2012Reason for Confidentiality

Local Government Act S5.23(2)(a). A matter affecting an employee or employees.

This Report did not require discussion and was therefore voted on in sequence rather than being dealt with at 15.0 of this Agenda.

COMMITTEE RECOMMENDATION TO COUNCIL (C&C 23/2012)

That Council:

1. Endorses the Performance Review Sub-Committee to coordinate the documentation and collation of information. The Sub-Committee will consist of:
 - The Shire President.
 - Deputy Shire President
 - Chair, Audit Committee
 - Chair, Corporate & Community Services Committee
 - Chair, Development & Infrastructure Services Committee
2. Endorses (Confidential Attachment 1) to be used as a tool to assist in the process of the review.
3. Endorses (Confidential Attachment 2 and 3), the process for the CEO Performance Review.
4. Requests that a final performance review report be collated and presented to Council for Consideration in accordance with Regulation 18D of the *Local Government (Administration) Regulations 1996*, at the Ordinary meeting of Council on 16 April 2012.
5. Delegates authority to the Shire President, in consultation with the Performance Review Recruitment Sub-Committee, to negotiate a salary package as part of the CEO Performance Review process, with the understanding that any changes to the salary package would have to be approved by the Council.

Moved: **Cr John Giardina**

Seconded: **Cr Margaret Thomas**

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

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE12.1 Kalamunda Toy Library – Cr Noreen Townsend

Q1. I understand that the Toy Library will stay until 30 June 2012 and then continue on a three monthly basis. When will the Shire require the building?

A. The eventual outcome of what will happen to the building is not known, however \$60,000 to \$70,000 would be required to bring it to an acceptable standard. The Toy Library will be able to stay until alternative premises are found.

Q2. Does the building need to be demolished to make way for the Dome development?

A. No, the building will not need to be demolished when Dome takes up occupancy of the Old Police Station. Cr Townsend requested that this information be sent in writing by the Director Corporate and Community Services to the Toy Library as soon as possible.

12.2 Cost of Couriers – Cr Bob Emery

Q. I note the cost of Couriers to Councillors is high, could the Shire look at electronic circulation of information to Councillors?

A. This question was taken on notice, however, the Chief Executive Officer did note that this has been previously investigated and there could be concerns regarding security.

12.3 Corymbia – Cr O'Connor

Q. Could the Recreation and Events Teams be thanked for their efforts in producing Corymbia, this event was really good and enjoyed by a large number of residents.

A. The Chairman concurred with Cr O'Connor and the Chief Executive Officer noted that a review in the budgeted amount for Events held in the Shire will be examined as part of the budget deliberations for 2012/2013 budget.

12.4 Chief Executive Officer's Appraisal – Cr Donald McKechnie

Q. Is it a requirement to appraise the Chief Executive Officer's Performance each year and is it compulsory for Councillors to respond and complete the appraisal documents?

- A. Manager Governance answered that the *Local Government Act 1995* requires that Chief Executive Officer's appraisals be conducted annually. As Councillors agree upon the process in which the Chief Executive will be appraised, in his opinion, they have a duty as Councillors to participate in the procedure.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 Nil.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 Confidential Report Item 23 did not require discussion and was therefore dealt with in sequence, rather than at point 15.0 of this Agenda.

16.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 7.05pm.

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

Signed: _____
Chairman

Dated this _____ day of _____ 2012