



SHIRE OF YORK

**MINUTES OF THE SPECIAL
MEETING OF THE COUNCIL
HELD ON 9 JANUARY, 2012
COMMENCING AT 4.05pm
IN COUNCIL CHAMBERS,
YORK TOWN HALL, YORK**

SHIRE OF YORK
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RAY HOOPER
CHIEF EXECUTIVE OFFICER

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SHIRE OF YORK

THE SPECIAL MEETING OF THE COUNCIL
HELD ON MONDAY, 9 JANUARY 2012, COMMENCING AT
4.05PM IN COUNCIL CHAMBERS, YORK TOWN HALL, YORK

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1. OPENING

- 1.1 Declaration of Opening
Cr Tony Boyle, Shire President, declared the meeting open at 4.05pm
- 1.2 Chief Executive Officer to read the disclaimer
Ray Hooper, Chief Executive Officer, read the disclaimer
- 1.3 Announcement of Visitors
Nil
- 1.4 Announcement of any Declared Financial Interests
Nil

2. ATTENDANCE

- 2.1 Members
*Cr Tony Boyle, Shire President; Cr Roy Scott;
Cr Brian Lawrance; Cr Pat Hooper; Cr Denese Smythe*
- 2.2 Staff
Ray Hooper, Chief Executive Officer; Gordon Tester, Manager of Health and Building Services; Jacky Jurmann, Manager Planning Services; Gail Maziuk, Finance Officer/Project Co-Ordinator; Helen D'Arcy-Walker, Executive Support Officer
- 2.3 Apologies
Nil
- 2.4 Leave of Absence Previously Approved
Cr Mark Duperouzel
- 2.5 Number of People in Gallery at Commencement of Meeting
There were 5 people in the Gallery at the commencement of the meeting.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Mr Simon Saint
87 Avon Terrace
York WA 6302

Question 1:

Why is the Shire voting on this item when the deadline to submit the Forward Capital Works Plan has passed?

Response:

Forward Capital Works details were submitted to the Department of Regional Development to meet the submission date of 31st December, 2011.

Question 2:

When, where and who made the decision to submit the Forward Capital Works details before the deadline of 30th December, 2011?

Response:

CEO

Question 3:

Was this done under delegated authority?

Response:

No

Question 4:

Is it now Shire policy to implement decisions then vote retrospectively on those decisions?

Response:

No

Question 5:

Does the Shire concede this system of retrospective voting is farcical, even dysfunctional?

Response:

No

Question 6:

I wish to have it recorded that I doubt the legality of this meeting.

Response:

Noted

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

Cr Boyle had an article from the Echo News brought to his attention by Doug Major that the Shire of Kalamunda will receive a Healthy Communities grant of \$565,178 to help the community to adopt and sustain healthier lifestyles which is part of the third round of the Gillard Government's \$72 million Healthy Communities Initiative.

Cr Boyle referred the article to Cr Hooper who will follow up.

Cr Boyle thanked Mr Major for his concern.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Nil

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9. OFFICER'S REPORTS

9.1 Development Services

9.2 Administration Reports

9.3 Works Reports

9.4 Financial Reports

9. OFFICERS' REPORTS

9.4 FINANCE REPORTS

9.4.1 Revised Forward Capital Works Plan 2011/12 to 2015/16

FILE:	FI.FAG.8.1
COUNCIL DATE:	9 January 2012
REPORT DATE:	21 December 2011
LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER	Tabitha Bateman, Administration Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Forward Capital Works Plan 2011/12 to 2015/16
DOCUMENTS TABLED:	Nil

Summary:

All local governments are required to prepare and adopt a Forward Capital Works Plan as a requirement for future Royalties for Regions funding.

This report recommends that the revised Forward Capital Works Plan 2011/12 to 2015/16 for the Shire of York be accepted by Council. A review of the Plan was conducted on the 9 December 2011 and as a result updates were made to the associated five year financial plan.

Background:

In 2009/10 the Shire received \$35,000 from the Department of Regional Development, through the Royalties for Regions Country Local Government Fund (CLGF) to assist in preparing a five year Forward Capital Works Plan (FCWP), with the aim of supporting capacity building within the local government industry.

In preparing the Forward Capital Works Plan, the Shire was required to address the following:

1. Infrastructure items only, not plant and equipment;
2. Infrastructure should be owned by the Council;
3. Expenditure to cover 5 years, commencing from 2010-11;
4. The Plan must be approved by the Council; and
5. A statement of commitment from the Council to undertake annual reviews of the Plan.

In addition to the above, the Shire identified four key objectives for the Plan to address:

1. Key infrastructure projects that will benefit the community;
2. The cost of the projects in today's dollars and their affordability;
3. Potential sources of revenue available to the Shire to fund the projects; and
4. Whole of life costs of the projects to determine whether the Shire can afford to provide, maintain and operate the projects into the future.

The Shire adopted its Forward Capital Works Plan on 11 January 2011.

In October 2011, the Department of Regional Development and Lands (RDL) released the 2011-12 Country Local Government Fund Individual guidelines. The guidelines require local governments to review their Forward Capital Works Plan and submit the required documentation by 30 December 2011 to RDL. Failure to submit the required documentation by 30 December 2011 may result in a local government being excluded from 2011-12 funding and their 2011-12 notional allocation being redistributed to other eligible recipients.

Local governments are not required to submit their FCWP but ensure they are kept up to date. Local governments must submit to RDL:

1. A Financial Assistance Agreement, which outlines the conditions of funding and work scheduled for the 2011-12 funds.
2. Relevant supporting documentation, for example letters of support, relating plans or strategies; and
3. Notification, in writing, of any changes to the projects relating to CLGF activity in the FCWP.

Project proposals for 2011-12 CLGF grants must meet the following criteria:

1. Projects must be identified in a Council approved Forward Capital Works Plan

Local governments should review their 2010-11 FCWP and update it from 2011-12 onwards. Local governments are to notify RDL in writing of changes as necessary.

2. Local government should be well advanced in their project planning.
3. CLGF expenditure must be directly related to the delivery of capital works projects.

Capital works is defined as building and engineering works that:

- (a) Creates a fixed infrastructure asset, including materials and labour associated with the construction of a building, road or bridge; install facilities and fixtures that form an integral part of those works (e.g. floor finishes, air conditioning and security systems); purchase of buildings; or earthworks, landscaping and headworks costs associated with an eligible CLGF project.
- (b) Renews or preserves a fixed infrastructure asset, including repainting a building, rewiring a building, or replacement of a bridge, road, roof, ceiling or air conditioning system.

Consultation:

DCA
Darren Long Consulting
Staff and Councillors

Statutory Environment:

There are no statutory requirements for Council to review and adopt the Forward Capital Works Plan. However it is a condition of the Royalties for Regions program that for Council to receive CLGF funding, it must review its Forward Capital Plan.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

The Forward Capital Works Plan provides a framework for infrastructure planning, assists in determining priorities and establishes the Council's capacity to meet the costs of proposed projects.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

A four year Forward Capital Plan supports infrastructure planning and priorities and establishes capacity to meet costs.

Social Implications:

The Forward Capital Plan will provide a high degree of certainty to the community for new projects.

Environmental Implications:

Nil

Comment:

The Forward Capital Plan has been developed as a balanced budget system to identify financial capacity and project priorities.

The Plan will assist in future budget preparation and the development of sustainable and achievable strategic plans and also underpin business and asset management planning for local governments undergoing structural reform.

A copy of the revised 2011-12 to 2015-16 Forward Capital Works Plan is presented for Council's consideration and adoption.

RESOLUTION

010112

Moved: Cr Hooper

Seconded: Scott

“That Council

Adopts the Forward Capital Works Plan and submits the necessary documentation to the Department of Regional Development and Lands subject to any modifications arising from the Council review of the documents.”

CARRIED: 4/1

Item 9.4.1 – Appendices

9.5 Late Reports

9.6 Confidential Reports

10. NEXT MEETING

**RESOLUTION
020112**

Moved: Cr Lawrance

Seconded: Cr Scott

“That Council:

hold the next Ordinary Meeting of the Council on February 20, 2012 at 3.00pm in Council Chambers, York Town Hall, York.”

CARRIED: 5/0

11. CLOSURE

Cr Boyle thanked everyone for their attendance and declared the meeting closed at 4.30pm.