

SHIRE OF KOJONUP

Kojonup



MINUTES

Ordinary Council Meeting

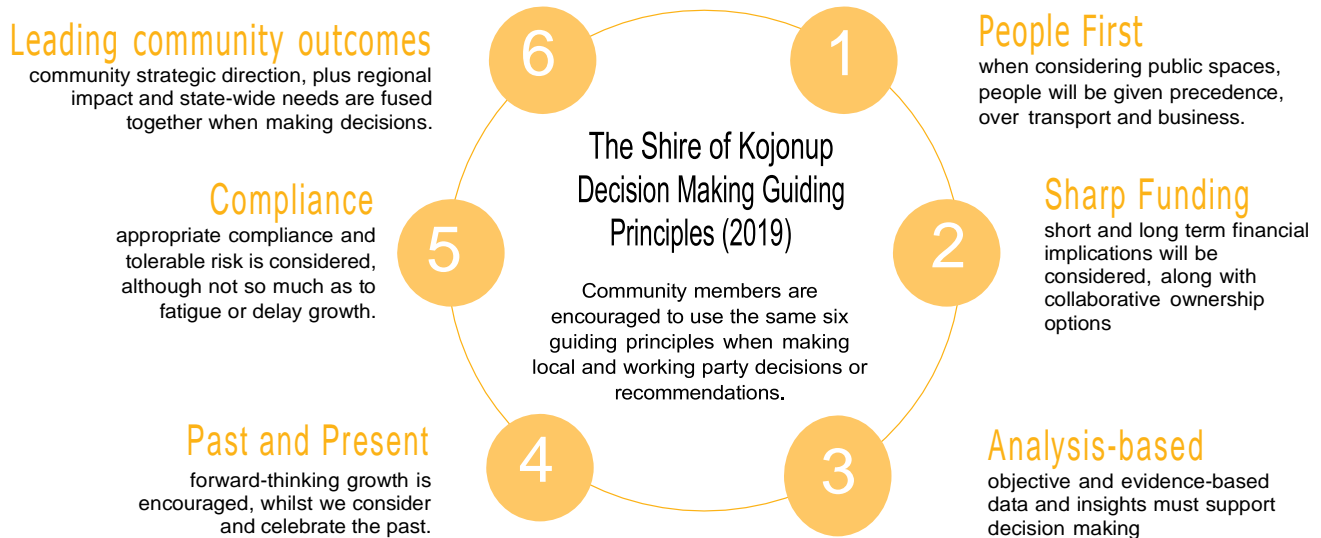
17 March 2020

MINUTES FOR THE COUNCIL MEETING HELD ON 17 MARCH 2020

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years; in line with the Strategic Community Plan review schedule.



AGENDA

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President declared the meeting open at 3.00pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meeting's 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.

Acknowledgement of Country

The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.

We pay our respect to their Elders past, present and emerging

Prayer – Cr Pedler

Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elizabeth. Grant to her good health and strength in the executing of her duties.

We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.

Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.

We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.

2 ATTENDANCE and APOLOGIES

COUNCILLOR

Cr Benn	Shire President
Cr Radford	Deputy Shire President
Cr Fleay	
Cr Gale	
Cr Pedler	
Cr Singh	
Cr Webb	
Cr Wieringa	

STAFF

Anthony Middleton	Acting Chief Executive Officer
Emily Hills	Sport and Recreation Officer
Stacey Hawkes	Customer Service Officer
Paul Retallack	Ranger/Building Maintenance Coordinator
Judy Stewart	Senior Administration Officer
Elaine Venn	Community Development Officer
Lorraine Wyatt	Executive Assistant

LEAVE OF ABSENCE

Nil

APOLOGIES

Rick Mitchell-Collins	Chief Executive Officer
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TWO (2) MEMBERS OF THE GALLERY

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Response to Item 4.2: Mrs Kay Knopka

Dear Kay

(ICR32527) 11 George Street – Kojonup

I refer to your email dated 12 February 2020 and attendance at the 18 February 2020 Council meeting where you questioned the condition that the stormwater drainage pipe be reinforced within the easement at your cost.

11 George Street has a drainage easement along the western boundary which assists Council direct stormwater collected from McLeod Street to George Street given the topography of the area.

The easement has been in place for a number of years and was purposely aligned along the western side of the vacant lot to minimise the prospect of disturbing the pipeline for any future building footprint on 11 George Street but to also provide a connection point for any new building.

When you lodged your Development Application with Council indicating your intention to build on the vacant lot it was noted that the proposed Carport would extend into the Drainage easement and over the existing pipeline necessitating the following condition as you did not express a desire to move the building footprint off the easement.

“Development approval issued 22 November 2019 that stated:

b) The existing stormwater drainage system within the easement to be upgraded at the landowner’s cost to specifications and satisfaction of the Shire of Kojonup.

Advice Note:

iii) The Shire’s Manager of Works and Services advises the following upgrading is required to the drainage pipe/easement:

- Existing pipe to be upgraded to Class 4 concrete pipe, of the same size as the existing pipe, for the length of the carport area to be traversed by your vehicle;*
- Works to be completed at the landowner’s cost; and*
- The footings for any structure in the easement to be specifically designed so that they do not impart any load on the drainage pipe.”*

It is therefore not an unreasonable expectation for the Council to issue conditional approval to a property owner requiring a pipeline asset which in this case is under the Carport to be protected and from an owner’s viewpoint to ensure that the new building asset is also protected.

If you comply with the pipeline upgrade conditional requirements to the satisfaction of Council and something happens to the pipeline in the future, Council will gain access to the easement and undertake works necessary at Council’s cost.

I trust this explanation clarifies your query.

Yours sincerely

Rick Mitchell-Collins
Chief Executive Officer

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING 18 FEBRUARY 2020

Minutes of the Council Meeting which was held on 18 February 2020 were previously circulated under separate cover and are at [Attachment 7.1.1](#)

OFFICER RECOMMENDATION/COUNCIL DECISION

20/20 Moved Cr Pedler, seconded Cr Radford

“That the Minutes of the Council Meeting held on 18 February 2020 be confirmed as a true record.”

CARRIED 8/0

8 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

9 DECLARATIONS OF INTEREST

Nil

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

10.1 CRICKET PITCH - PERMANENT REMOVAL OF WESTERN CRICKET PITCH FROM OVAL

AUTHOR	Emily Hills – Sport and Recreation Officer
DATE	Thursday, 6 February 2020
FILE NO	CP.MTC.28
ATTACHMENT(S)	Nil.

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 1 Place	1.2 Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.3 Provide community infrastructure that attracts outsourced or privately run facilities and programs.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council to consider the permanent removal of the Cricket Pitch at the Western End of the Sports Complex upper oval and the installation of grass in its place.

BACKGROUND

A request was made by the Kojonup Football Club at a meeting 17 December 2019 to remove the cricket pitch from the Western end of the Sports Complex main oval and replant this area with grass.

COMMENT

The upper oval at the Sporting Complex currently has two (2) cricket pitches, western and eastern, with the eastern pitch being the premier pitch in terms of both quality and location. Both cricket pitches present safety concerns for winter sports, as the change in surface type and level can create injury potential.

The Shire Works department cover both pitches annually at the beginning of the winter sport season with a rubber matting product top dressed with sand. The matting and the sand are then removed each year prior to the commencement of Junior Cricket. This process is an improvement from a bare pitch surface, however, complete removal of the Western end pitch and the replanting of grass would be preferable for winter sports. The Kojonup Football Club recognizes that they are not the sole users of the Oval, and acknowledge that Junior Cricket is still played on Kojonup.

Consultation with Mr Mat Webb, 2019/2020 season coordinator of Junior Cricket in Kojonup has indicated that it is adequate to have one cricket pitch over the summer period, and he does not expect numbers to increase to the point where there would be a future need for two. Any future competition at a Junior level would be in combination with Katanning, and this is currently held at the sports grounds in Katanning.

No Senior cricket team or club exists in Kojonup at this point in time, nor has it done for a few years. Mr Webb indicated he did not see a Senior Cricket side as viable in the immediate future for Kojonup. Consultation with the Kojonup Hockey Club indicate that they are also favourable to the pitch being removed. The Hockey Club has not had any formal complaints or documented injuries, however anecdotally there are quite a few falls each season associated with the cricket pitch.

An alternate option to complete removal of the pitch is to lay roll-on lawn on top of the existing Western end cricket pitch. This would raise the level of this area over and above the surrounding area and may increase the safety risk for trips and falls, however, would allow for the reinstatement of the pitch at minimal cost if it was required at a later date.

CONSULTATION

Kojonup Football Club – Ken Stan-Bishop, Trish Norrish, Chris Robinson
Kojonup Junior Cricket Club – Mat Webb
Kojonup Hockey Club – Richard Avery and Shaydn Gardner
Manager Works and Services & Senior Horticulturalist

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The permanent removal of the cricket pitch has been estimated to be \$5,000 and will remove the annual expense in the Parks and Gardens budget for the installation and removal of matting covers and sand of \$1,485.

Neither the Sports Complex – Grounds Maintenance 6404 or the Sports Complex – Retic and Landscaping 6414 accounts have unallocated funds to cover the cost of the permanent removal of the cricket pitch. It is therefore recommended that this request be transferred to the 2020/2021 financial year.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Asset Sustainability Practices</i>	<i>Inadequate design – not fit for purpose</i>	<i>Routine maintenance schedule: Other</i>	<i>Nil – however routine maintenance</i>

		<i>infrastructure (Parks, reserves & play equipment)</i>	<i>occurs but does not address this specific issue</i>
<i>Risk rating - Adequate</i>			
IMPLICATIONS			
<p><i>The removal of one of the two cricket pitches from the Sports Complex main oval will reduce the risk of player injury during winter sport season. It will not remove the risk entirely, as one pitch needs to be retained to enable whole of community use of the facility.</i></p> <p><i>Current risks identified by users include but are not limited to decreased physical stability transitioning between the covered pitches and the main grass, and increase in injury associated with falls onto covered pitches during play.</i></p> <p><i>The Shire would reduce the risk of injury to Sports Complex oval users by removing one of the cricket pitches permanently therefore reducing the Shire’s exposure to risk.</i></p>			

ASSET MANAGEMENT IMPLICATIONS

If the western cricket pitch is completely removed the cost associated with asset replacement once it reaches its end of life is also removed. If the pitch is retained the existing associated costs will continue, and the replacement cost once it reaches its end of life will still require budget allocation.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

21/20 Moved Cr Pedler, seconded Cr Gale

“That the request from the Kojonup Football Club and subsequent consultation undertaken to permanently remove the Western Cricket Pitch from the Sports Complex upper oval and replace with grass in the 2020/2021 financial year, be approved.”

CARRIED 7/1

10.2 SPORTING FACILITIES MAJOR UPGRADE – GRANT FUNDING MIX

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Monday, 9 March 2020
FILE NO	CP.DAC.12
ATTACHMENT(S)	Nil.

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 1 Place	1.2 – Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.2 – Implement and action a Sport, Recreation and Open Space Master Plan. 1.2.5 – Improve disability access to infrastructure and services. 1.2.11 – Sporting Infrastructure Upgrades – Sports Complex Building Defects/Building Compliance/Service Area for bins; Oval drainage/collection of storm water; West Access Upgrade.
KP – 3 Performance	3.3 – Use a Building Assessment Framework and control our investment in building maintenance.	3.3.2 – Maximise usage of community facilities whilst reducing the financial obligation on the Shire and its people.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to update the scope/timing of major sporting facility upgrades based on the outcomes of grant applications.

BACKGROUND

At its meeting held on 17 September 2019, the Council resolved as follows (motion 107/19):

“That Council:

1. **Confirms approval of the preferred development option scope based on changes to the project indicative cost estimates:**
 - **Netball courts – 2 covered acrylic courts (metal roof) and 2 asphalt courts not covered:**
Indicative Cost Estimate = \$2,026,290 ex GST;
 - **Football oval lighting:**

- Indicative Cost Estimate = \$406,350 ex GST;**
 - **Playground and outdoor gym:**
Indicative Cost Estimate = \$489,300 ex GST;
 - **Toddler pool shade structure:**
Indicative Cost Estimate = \$19,021 ex GST;
 - **Kitchen upgrade:**
Indicative Cost Estimate = +/- \$250,000 ex GST; and
 - **Audio-visual equipment:**
Indicative Cost Estimate = \$63,754.74 ex GST.
- 2. Rate the priority of the Kojonup Sports Precinct Upgrade Project as number one of one application received through the Department of Local Government, Sport and Cultural Industries 2020/21 CSRFF application process;**
 - 3. Confirms project rating is ‘well planned and needed by the municipality’;**
 - 4. Supports the project through financial contribution of up to \$1 million towards capital costs;**
 - 5. Receives the Kojonup Sports Precinct Upgrade Project ‘Needs Assessment’;**
 - 6. Receives the Kojonup Sports Precinct Upgrade Project ‘Feasibility Study’;**
 - 7. Receives the Kojonup Sports Precinct Upgrade Project ‘Operational Management Overview’;**
 - 8. Receives the Kojonup Sports Precinct Upgrade Project ‘Project Management Plan’.”**

COMMENT

Original Project Scope & Funding Mix:

The funding mix for the achievement of this \$3.27m project was originally proposed as follows:

a) Project grant application used the following financial projections:							
	Project Estimated Expenditure	Project Estimated Revenue					Balance
		CSRFF	LotteryWest	Federal BBRF	SSA / Users	Shire of Kojonup	
Netball courts							
- Reconstruct four (4) courts	\$ 739,090	\$ (246,363)			\$ (10,000)	\$ (482,727)	\$ -
- Roof Structure over two (2) courts	\$ 1,190,711	\$ (396,903)		\$ (700,000)	\$ (20,000)	\$ (73,808)	\$ -
Football oval lighting	\$ 387,000	\$ (129,000)			\$ (10,000)	\$ (248,000)	\$ -
Playground and outdoor gym	\$ 466,000		\$ (434,657)	\$ (10,000)	\$ (10,000)	\$ (11,343)	\$ -
Toddler pool shade structure	\$ 16,540		\$ (15,000)			\$ (1,540)	\$ -
Kitchen upgrade	\$ 269,264			\$ (200,000)	\$ (15,000)	\$ (54,264)	\$ -
Audio-visual equipment	\$ 55,072			\$ (41,811)		\$ (13,261)	\$ -
TOTAL	\$ 3,123,676	\$ (772,267)	\$ (449,657)	\$ (951,811)	\$ (65,000)	\$ (884,942)	\$ -
Cost Escalation	\$ 150,304	\$ (17,175)	\$ -	\$ -	\$ -	\$ (133,129)	\$ -
	\$ 3,273,980	\$ (789,442)	\$ (449,657)	\$ (951,811)	\$ (65,000)	\$ (1,018,071)	
		24%	14%	29%	2%	31%	

Funding Outcomes Known:

Late in 2019, the Building Better Regions Fund (BBRF) funding round was announced with alternative criteria to previous funding rounds, excluding any local governments that have not been declared as drought affected. Thus, 29% of our proposed funding source was lost in the short term.

In February 2020, outcomes of the Community Sport & Recreation Facilities Fund (CSRFF) were announced, with Kojonup receiving \$309,995 of the \$789,442 applied for. The grant application to the CSRFF was for the following three components:

1. Netball courts - Reconstruct four (4) courts
2. Netball courts - Roof Structure over two (2) courts; and
3. Upper Oval lighting

Unfortunately, only component 1 and 3 above were funded.

In March 2020, the Shire was advised that the LotteryWest application for \$449,657 to fund a new playground, outdoor gym and pool shade shelter was successful.

With these funding outcomes now known, the project funding mix has a 45% shortfall as follows:

b) Project financial projections as at March 2020 utilising grant application outcomes:							
	Project Estimated Expenditure	Project Actual Revenue					Balance / Shortfall
		CSRFF	LotteryWest	Federal BBRF	SSA / Users	Shire of Kojonup	
Netball courts							
- Reconstruct four (4) courts	\$ 739,090	\$ (180,995)			\$ (10,000)	\$ (482,727)	\$ 65,368
- Roof Structure over two (2) courts	\$ 1,190,711	\$ -			\$ (20,000)	\$ (73,808)	\$ 1,096,903
Football oval lighting	\$ 387,000	\$ (129,000)			\$ (10,000)	\$ (248,000)	\$ -
Playground and outdoor gym	\$ 466,000		\$ (434,657)		\$ (10,000)	\$ (11,343)	\$ 10,000
Toddler pool shade structure	\$ 16,540		\$ (15,000)			\$ (1,540)	\$ -
Kitchen upgrade	\$ 269,264				\$ (15,000)	\$ (54,264)	\$ 200,000
Audio-visual equipment	\$ 55,072					\$ (13,261)	\$ 41,811
TOTAL	\$ 3,123,676	\$ (309,995)	\$ (449,657)	\$ -	\$ (65,000)	\$ (884,942)	\$ 1,414,082
		10%	14%	0%	2%	28%	45%

Revised Project Scope:

To proceed with this project now that more details are known rather than estimated, the following actions are recommended:

1. **Defer Kitchen Upgrade.** It is felt that the kitchen upgrade can be completed either through a future funding application or via breaking the job into smaller tasks and budgeted each year for their completion. For example, a recent fridge replacement has occurred in accordance with the plans prepared for the kitchen upgrade (two door standing fridge replaced with 3 door under bench fridge);
2. **Defer AV Equipment.** It is felt that this can also be completed either through a future funding application or via breaking the job into smaller tasks and budgeted each year for their completion;
3. **Complete Netball Court Roof.** Although not funded by the CSRFF program, the installation of a multi-purpose covered area for numerous sports and community events is considered essential to be completed during the netball court reconstruction project.

Regardless of all of the obvious community benefits, reconstruction and slightly enlarging the netball courts will result in the loss of existing light towers, which in the project design, was to be incorporated into the new roof structure. As such, without

a roof and/or additional costs incurred for new light towers, the level of netball facilities will be reduced albeit with new courts constructed. The two projects are therefore seen to be joined and should be completed simultaneously.

The netball court reconstruction and roof installation is a higher priority project than the oval lighting and should be funded accordingly. New oval lighting neatly fits within the CSRFF grant guidelines and could be re-applied for in future funding rounds if the funding was to be reallocated to the netball court roof. Any reallocation would need the State Government’s approval, however, Minister Murray was supportive of any reallocation request during his visit with the Council on 23 February 2020.

Completing the construction of a new netball court roof over two courts obviously presents a funding shortfall. A portion of the Federal Government’s Drought Communities Program grant of \$1m can be allocated to this project in addition to a request to the State to reallocate oval lighting grant funds. Loan funds would make up a large portion of the Shire’s cash contribution and are an excellent way of ensuring equity in inter-generational funding. A loan of \$1.3m with a term of 20 years would require annual loan repayments of approximately \$83,000 per year.

4. **Defer Upper Oval Lighting.** Refer to Officer Comments in previous paragraphs - Re-apply in future CSRFF funding rounds.

If the above four (4) recommended actions are adopted, the project scope and funding mix is as follows:

c) Proposed project change of scope for 17 March 2020 Council Meeting:								
	Project Estimated Expenditure	Project Actual Revenue						Balance
		CSRFF	LotteryWest	Federal BBRF	SSA / Users	Drought Communities Program	Shire of Kojonup	
Netball courts								
- Reconstruct four (4) courts	\$ 739,090	\$ (180,995)			\$ (10,000)		\$ (548,095)	\$ -
- Roof Structure over two (2) courts	\$ 1,190,711	\$ (129,000)			\$ (20,000)	\$ (200,000)	\$ (841,711)	\$ -
Football oval lighting		** Project deferred until 2021/2022 pending future grant funding applications						
Playground and outdoor gym	\$ 466,000		\$ (434,657)		\$ (10,000)		\$ (21,343)	\$ -
Toddler pool shade structure	\$ 16,540		\$ (15,000)				\$ (1,540)	\$ -
Kitchen upgrade		** Project deferred for future funding alternatives						
Audio-visual equipment		** Project deferred for future funding alternatives						
TOTAL	\$ 2,412,340	\$ (309,995)	\$ (449,657)	\$ -	\$ (40,000)	\$ (200,000)	\$ (1,412,689)	\$ -
		13%	19%	0%	2%	8%	59%	

CONSULTATION

Wide consultation has occurred in the development of this project, including:

- Councillor Briefing Session held on 21 August 2018 and 11 June 2019;
- Sporting Precinct Advisory Committee meetings 11 September 2018, 2 October 2018 and 21 May 2019;
- On-line survey receiving 101 responses;
- State Sporting Associations;
- Kojonup Sporting Clubs providing letters of support;
- Upgrade Project Design Workshop on 25 June 2019;

- Concept Design Options Workshop on 16 July 2019;
- Council Meeting 23 July 2019;
- Department of Local Government, Sport & Cultural Industries (and Minister);
- Great Southern Recreation Advisory Group.

STATUTORY REQUIREMENTS

There are no statutory requirements for this item.

POLICY IMPLICATIONS

Council Policy 2.3.4 “Asset Management” incorporates a Building Assessment Framework when considering new infrastructure or renewal and maintenance of existing infrastructure. This is a qualitative assessment that considers how a building meets the Community Strategic Plan commitments, level of efficiency with regards to operational and maintenance costs, how fit for purpose the building is and its historical and cultural value; applying a weighting and a score out of 100. In July 2017 the Sporting Complex was assessed and achieved a score of 79 out of 100 – the second highest score of all buildings.

Formalizing the extent of remaining facility upgrades provides clear direction for staff and assists to manage community expectations of the overall precinct.

FINANCIAL IMPLICATIONS

As shown in the ‘Comments’ section of this agenda item, the project scope of this major facility upgrade is between \$2.4m and \$3.27m, depending on components included. 41% of the proposed project scope will be funded by external sources.

This project addresses essential community infrastructure that is either non-existent, or is in a poor condition due to underspending in the past. Whilst a very significant level of investment is required to bring these facilities up to a suitable standard, this cost spread over their useful life is considered good value. The facilities proposed also have a very low operating cost which makes the total life cost appealing.

RISK MANAGEMENT IMPLICATIONS

In addition to improving the quality of facilities for the community, this project seeks to address two major identified risks in Kojonup’s sporting facilities. They are:

- The netball court surface – The current surface requires constant remedial works to ensure a safe playing surface due to a failing foundation; and
- Lighting of the oval is sub-standard for existing training undertaken.

ASSET MANAGEMENT IMPLICATIONS

The Council’s Building Assessment Framework and indeed *Smart Implementation* has a heavy focus on rationalising assets of little value whilst maximising usage of other important community facilities. The recent assessment against the Building Assessment Framework ranks the Sporting Complex second of all ninety-one Shire buildings.

It is important to ensure where possible that funds are set aside for future maintenance and renewals at the Sports Complex in accordance with the Long Term Financial Plan projections so as not to place an unrealistic financial burden or unrealistic expectations on the community or Council.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Kojonup sporting facilities were ranked highest priority regionally in the CSRFF grant funding process.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION

That the scope of the Kojonup Sports Precinct Upgrade Project be amended as follows:

1. The kitchen upgrade be deferred pending future funding opportunities and possible individual components being funded through the normal annual budget process;
2. The installation of audio-visual equipment be deferred pending future funding opportunities and possible individual components being funded through the normal annual budget process;
3. The construction of a roof over two (2) netball courts remain and be funded through:
 - a) Requesting the Department of Local Government, Sport & Cultural Industries consider a request that the funding provided for new oval lights be reallocated to the installation of a roof over two (2) netball courts;
 - b) \$200,000 of the Federal Government's Drought Communities Program grant be allocated to this project; and
 - c) A loan for the majority of the Shire's contribution be included in the 2020/2021 draft annual budget;
4. The Upper Oval Lighting component be deferred and that an application be made in a future round of the CSRFF funding program.

COUNCIL DECISION

22/20 Moved Cr Fleay, seconded Cr Pedler

“That the scope of the Kojonup Sports Precinct Upgrade Project be amended as follows:

- 1. The kitchen upgrade be deferred pending future funding opportunities and possible individual components being funded through the normal annual budget process;**
- 2. The installation of audio-visual equipment be deferred pending future funding opportunities and possible individual components being funded through the normal annual budget process;**
- 3. The construction of a roof over two (2) netball courts remain and be funded through:**
 - a) Requesting the Department of Local Government, Sport & Cultural Industries consider a request that the funding provided for new oval lights be reallocated to the installation of a roof over two (2) netball courts;**
 - b) A loan for the majority of the Shire’s contribution be included in the 2020/2021 draft annual budget;**
- 4. The Upper Oval Lighting component be deferred and that an application be made in a future round of the CSRFF funding program.“**

CARRIED 8/0

Reason for change: Councillors wanted flexibility with how this may be funded in the 2020/2021 budget deliberations.

10.3 DISABILITY ACCESS & INCLUSION COMMITTEE MEETING MINUTES – 3 DECEMBER 2019 & 25 FEBRUARY 2020

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Monday, 9 March 2020
FILE NO	CS.SVP.4
ATTACHMENT(S)	10.3.1 – Disability Access & Inclusion Committee Minutes – 3 December 2019 10.3.2 – Disability Access & Inclusion Committee Minutes – 25 February 2020

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP – 1 - Place	1.2 - Be a happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.5 - Improve disability access to infrastructure and services

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to receive the minutes of the Disability Access & Inclusion Committee meeting held on 3 December 2019 and 25 February 2020.

BACKGROUND

The Council resolved at its meeting held on 16 September 2019 as follows:

“That:

1. A Disability Access & Inclusion Advisory Committee (DAIC) be established consisting of elected members and community members. The Committee to meet a minimum of twice yearly to meet its terms of reference and also be requested to:
 - (a) Urgently review the Disability Access and Inclusion Plan (DAIP) in accordance with the legislative requirements;
 - (b) Update the DAIP Implementation Plan with new strategies and progress existing strategies; and
 - (c) Report back to the Council on points (a) and (b) before 30 June 2020.
2. The minor amendments made to wording and content of the 2014-2019 DAIP (as per attachment 10.#.1) be adopted;
3. The progress assessment of the DAIP Implementation Plan (traffic light indicators as per attachment 10.#.1) be endorsed; and
4. The terms of reference for the Disability Access and Inclusion Advisory Committee (DAIC) be as follows:

Purpose

The purpose of the DAIC is to advise the Council on:

- **Technical/working advice relating to the implementation of the Disability Access and Inclusion Plan (DAIP), including seeking access to funding opportunities;**
- **Community and agency feedback relating to the implementation of the DAIP;**
- **The review and reporting of the DAIP;**
- **Issues relating to disability access and inclusion in the Shire; and**
- **Methods to raise awareness in the community about matters relating to disability access and inclusion in the Shire.**

Membership

Membership of the DAIC will be set at seven (7) members as follows:

- **Community members – up to three (3) community members with relevant interest and experience;**
- **Community organisations – up to three (3) relevant community organisations will be represented by one representative of each;**
- **Elected members – the Council will be represented by at least one (1) Councillor, preferably a second as a proxy;**
- **Council staff – Council staff will attend as observers/administration support only including one staff member from the Community Services section and one from the Works & Services section.**

Meetings

Meetings of the DAIC will ordinarily take place on a six monthly basis in April and October.”

The first meeting of this Committee was held on 3 December 2019 and the second on 25 February 2020. A copy of the minutes are attached.

COMMENT

This item is to receive the Committee’s minutes and is for the information of Council only.

The only recommendation at this stage that requires a decision of the Council revolves around meeting frequency. The above terms of reference as shown above state “**Meetings of the DAIC will ordinarily take place on a six monthly basis in April and October.**” Following community consultation, the Committee resolved at its meeting held 25 February 2020 as follows:

“It be recommended to the Council that the terms of reference be changed to ‘Meetings of the DAIC will ordinarily take place on a quarterly basis;’”

This request is supported.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Section 5.8 to 5.25 of the *Local Government Act 1995* relates to the establishment of Committee's and the conduct of their meetings.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Nil.

ASSET MANAGEMENT IMPLICATIONS

Nil.

**SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS)
IMPLICATIONS**

Nil.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

23/20 Moved Cr Fleay, seconded Cr Gale

"That:

- 1. The minutes of the Disability Access & Inclusion Committee meetings held on 3 December 2019 and 25 February 2020, as attached, be received; and***
- 2. The terms of reference of the Disability Access & Inclusion Committee be amended to read 'Meetings of the DAIC will ordinarily take place on a quarterly basis' "***

CARRIED 8/1

11 **KEY PILLAR 2 – ‘CONNECTED’ REPORTS**

Nil

12 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

12.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (FEBRUARY 2020)

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Friday, 6 March 2020
FILE NO	FM.FNR.2
ATTACHMENT(S)	12.1.1 – February 2020 Monthly Financial Statements

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP – 3 Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to note the Monthly Financial Statements for the period ending 29 February 2020.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

COMMENT

The attached Statement of Financial Activity for the period 1 July 2019 to 29 February 2020 represents eight (8) months, or 66% of the year.

The following items are worthy of noting:

- Closing surplus position of \$2.07m;
- Operating results:
 - 59% of budgeted operating revenue has been received; and
 - 54% of budgeted operating expenditure spent;
- Capital expenditure achieved 42% of budgeted projects;
- The value of outstanding rates equates to 10.1% of 2019/2020 rates raised (includes outstanding instalment plans);

- Cash holdings of \$6.9m of which \$2.91m is held in cash backed reserve accounts and \$1.6m is a grant held for other parties; and
- Page 9 & 10 of the statements detail major variations from year to date (amended) budgets in accordance with Council Policy 2.1.6.

CONSULTATION

Nil.

STATUTORY REQUIREMENTS

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Council Policy 2.1.6 defines the content of the financial reports.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

24/20 Moved Cr Wieringa, seconded Cr Singh

“That the monthly financial statements for the period 1 July 2019 to 29 February 2020, as attached, be noted”.

CARRIED 8/0

12.2 MONTHLY PAYMENTS LISTING FEBRUARY 2020

AUTHOR	Vivicka Kahn - Finance Officer
DATE	Friday 6 March 2020
FILE NO	FM.AUT.1
ATTACHMENT	12.2.1 – Monthly Payment Listing 1/02/2020 to 29/02/2020

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 – Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil

SUMMARY

To receive the list of payments covering the month of February 2020.

BACKGROUND

Not applicable.

COMMENT

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

Any comments or queries regarding the list of payments is to be directed to the Manager of Corporate and Community Services prior to the meeting.

CONSULTATION

No consultation was required.

STATUTORY REQUIREMENTS

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 2.1.2 provides authorisations and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made in line with Council Policy.

STRATEGIC/CORPORATE IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

A control measure to ensure transparency of financial systems and controls regarding creditor payments.

ASSET MANAGEMENT PLAN IMPLICATIONS

There are no asset management implications for this report.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Refer to the VROC Strategic Plan

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

25/20 Moved Cr Radford seconded Cr Wieringa

“That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments as attached made under delegated authority:

<i>FROM – 1 February 2020</i>		<i>TO – 29 February 2020</i>
<i>Municipal Cheques</i>	<i>14207– 14220</i>	<i>\$64,423.12</i>
<i>EFTs</i>	<i>25452 – 25663</i>	<i>\$1,084,748.61</i>
<i>Direct Debits</i>		<i>\$407,277.69</i>
<i>Total</i>		<i>\$1,556,449.42</i>

be received.”

CARRIED 8/0

12.3 SOCIAL MEDIA – DRAFT POLICY 2.3.10

AUTHOR	Stacey Hawkes – Customer Service Officer
DATE	Monday, 17 February 2020
FILE NO	IM.PUB.11
ATTACHMENT(S)	12.3.1 – Draft Social Media Policy 2.3.1

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP3 – Performance	3.2 - Be exceptional in two-way communication within our community, and market our brand outside of our community.	3.2.3 - Establish social media policy and procedures.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of the report is to consider a draft Council Policy relating to the use of social media.

BACKGROUND

The Shire of Kojonup currently utilises the following social media pages/platforms:

- Website – www.kojonup.wa.gov.au
- Website – www.kodjaplace.com.au
- Facebook – Shire of Kojonup
- Facebook – Kojonup Visitors Centre
- Facebook - Kojonup Play Cafe & Play In Park
- Facebook – Kojonup Library

COMMENT

The use of social media makes content available to, and engages with the people who connect with the Shire, in a faster and more user friendly manner. This is particularly effective in certain demographics.

The attached draft policy establishes the use of social media within the organisation to communicate with the community and enable feedback and find new ways of engaging with people who live, work or spend time within the Shire. By implementing social media more effectively, the Shire will improve communication, engagement and collaboration with its community to help strengthen the positive and professional identity of the Shire.

The attached draft policy addresses the following key issues:

1. When social media is appropriate for use;
2. Establishing a ‘tone’ for communicating; and

3. Human resource processes for misuse.

CONSULTATION

Senior Management Team meeting – 30 January 2020;
 Administration staff meeting – 5 February 2020.
 Manager Corporate & Community Services & Executive Assistant.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

The recommendation is to adopt a new Council Policy for a topic that there is currently no policy.

FINANCIAL IMPLICATIONS

Nil. The recommended policy guides staff decisions in the communication of Shire information.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Engagement</i>	<i>Miscommunication/poor communication</i>	<ul style="list-style-type: none"> • <i>Community engagement/networking</i> • <i>Public Notices/Local papers/website communication</i> • <i>Social media platforms (Facebook, etc)</i> 	<i>Finalise Facebook guidelines - Social Media Policy</i>
<p><i>Risk Rating:</i></p> <ul style="list-style-type: none"> • <i>Inadequate</i> • <i>Adequate</i> • <i>Adequate</i> 			
IMPLICATIONS			
<p><i>The improper use of media and communication channels represents a reputational risk to the Shire and the possibility of not informing the Community adequately about Shire activities or allowing appropriate amounts of feedback.</i></p> <p><i>The adoption of a policy detailing consistent approaches helps to minimize this risk.</i></p>			

ASSET MANAGEMENT IMPLICATIONS

Nil.

**SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS)
IMPLICATIONS**

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

26/20 Moved Cr Fleay, seconded Cr Gale

“That the draft policy 2.3.10 – Social Media, as attached be adopted.”

CARRIED 8/0

12.4 LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Monday, 9 March 2020
FILE NO	CM.MET.1
ATTACHMENT(S)	Nil.

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP3 – Performance	3.4 – Be organised and transparent with our financial management.	3.4.1 - Increase regularity of readable financial reporting to the community. 3.4.2 - Act with sound long-term and transparent financial management and deliver residents considered value for money.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to consider a request from the Local Government House Trust’s Board of Management to vary the Trust Deed in order to assist the Trust’s income tax exempt status.

BACKGROUND

The Local Government House Trust exists primarily to provide building accommodation for the Western Australian Local Government Association (WALGA). The Shire of Kojonup is a unit holder and beneficiary to the Local Government House Trust, holding 5 units.

Legal advice (to WALGA) has identified that the Trustee’s ability to retire and appoint a Trustee might affect the Trusts classification as a State or Territory Body (STB). The Deed of Variation seeks to strengthen the position that the Trust is in fact, a STB, which supports the position that the Trust is therefore entitled to maintain the income exempt status.

As a beneficiary, the Shire of Kojonup is requested to consent to the Deed of Variation supported by a resolution of Council; and to communicate this consent to WALGA in writing.

COMMENT

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The Deed of Variation aims to strengthen the position that the Trust is a STB through the following amendments:

1. Removing the existing Trustee’s power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)
2. Enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
3. Ensuring that the Board of Management is the ‘governing body’ of the Trust (Clause 2.3 of the Deed of Variation)

The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows (proposed amendments shown in red text):

1. Variation 2.1 amends clause 22.1 to point to additional clause:

22.1 Any Trustee of the Trust may retire as Trustee of the Trust- ~~The~~ **Subject to clause 22.3, the** right to appoint any new or additional trustee or trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed as Trustee of the Trust.

2. Variation 2.2 inserts two new clauses:

22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.

22.4 The Beneficiaries may at any time by Special Resolution:

- (a) remove a Trustee from the office as Trustee of the Trust; and
- (b) appoint such new or additional Trustee.

3. Variation 2.3 insert a new clause 13A

13A Delegation to the Board of Management

Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.

It is recommended that this request from WALGA be supported.

CONSULTATION

Chief Executive Officer.

STATUTORY REQUIREMENTS

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to Division 1AB of the *Income Tax Assessment Act 1936*.

Local Government Act 1995 – 9.49A Execution of Documents

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire of Kojonup’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” and can be managed by routine procedures within current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

All members of the Trust have been requested to ‘vote’ on this issue.

VOTING REQUIREMENTS

Simple Majority.

OFFICER RECOMMENDATION/COUNCIL DECISION

27/20 Moved Cr Pedler, seconded Cr Radford

“That the proposed Deed of Variation in relation to the Local Government House Trust be endorsed and Western Australian Local Government Association be advised in writing of the Council’s support”.

CARRIED 8/0

12.5 COMPLIANCE AUDIT RETURN 2019

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Thursday, 5 March 2020
FILE NO	CM.REP.1
ATTACHMENT(S)	12.5.1 - Compliance Audit Return 2019

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - Performance	3.4 – Be organised and transparent with our financial management	3.4.3 – Commit to future state-wide measurement systems testing local government performance

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is for Council’s adoption of the Compliance Audit Return for 2019.

BACKGROUND

Completion of the Compliance Audit Return (CAR) is mandatory for each local government. Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* require a local government to carry out a compliance audit for each calendar year. A local government’s audit committee must review the CAR and report same to Council to adopt after which a certified copy, together with a copy of the section of Council minutes adopting the CAR plus any other relevant information, must be submitted to the Department of Local Government, Sport and Cultural Industries (Department) by 31 March each year.

COMMENT

The 2019 CAR has been completed following a review of processes and documentation for each activity/area in which compliance is being assessed against the *Local Government Act 1995* and its associated regulations.

The Audit and Risk Committee will be meeting prior to the Council meeting and will provide a recommendation to Council.

CONSULTATION

Audit and Risk Committee
 Chief Executive Officer
 Manager Corporate and Community Services
 Development Services Coordinator/Building Surveyor
 Executive Assistant

STATUTORY REQUIREMENTS

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
- (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

[Regulation 14 inserted: Gazette 23 Apr 1999 p. 1724-5; amended: Gazette 30 Dec 2011 p. 5580-1.]

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.
- (2) In this regulation —
- certified** in relation to a compliance audit return means signed by —
- (a) the mayor or president; and
 - (b) the CEO.

[Regulation 15 inserted: Gazette 23 Apr 1999 p. 1725; amended: Gazette 26 Jun 2018 p. 2386.]

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>3. Failure to Fulfil Compliance Requirements (Statutory/Regulatory)</i>	<i>Inadequate compliance framework</i>	<i>Compliance Audit Control</i>	<i>Nil (process is being undertaken)</i>
<i>Adequate</i>			
IMPLICATIONS			
Maximising compliance with legislation mitigates risk of damage to image and reputation as well as penalties associated with non-compliance; compliance demonstrates that best practice methodology is in place.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

28/20 Moved Cr Wieringa seconded Cr Webb

“That the Compliance Audit Return for 2019, as attached, be adopted.”

CARRIED 8/0

13 **KEY PILLAR 4 – ‘PROSPERITY’ REPORTS**

Nil

14 **KEY PILLAR 5 – ‘DIGITAL’ REPORTS**

Nil

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS

Nil

17 CONFIDENTIAL REPORTS

17.1 REQUEST FOR TENDER 06/2019/2020

AUTHOR	Paul Retallack – Senior Ranger/Building Maintenance Coordinator
DATE	Monday, 09 March 2020
FILE NO	
ATTACHMENT(S)	17.1.1 - RFT 06/2019/20 - Airstrip in Ground Electrical Upgrade 17.1.2 - Electrical engineers evaluation on tender submissions

STATUTORY REQUIREMENTS

Section 5.23(2) of the Local Government Act 1995 permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government’s property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting and the reason for the decision to be recorded in the minutes.

PROCEDURAL MOTION/COUNCIL DECISION

29/20 Moved Cr Pedler, seconded Cr Gale

“That the meeting proceed behind closed doors in accordance with Section 5.23(2)(c) and (e) of the Local Government Act 1995 at 3.21pm”.

CARRIED 8/0

Members of the public, Elaine Venn, Emily Hills, Judy Stewart and Stacey Hawkes left the meeting at 3.21pm and did not return.

OFFICER RECOMMENDATION/COUNCIL DECISION

31/20 Moved Cr Fleay, seconded Cr Radford

“That:

- 1. The Tender offer from Airport Alliance Contracting for a total of \$262,237 Inc. GST for the Kojonup Airstrip In-ground Electrical Upgrade as recommended by the electrical engineer be accepted***
- 2. The loan contribution be extended from \$110,851 to \$156,385 “***

CARRIED 8/0

PROCEDURAL MOTION/COUNCIL DECISION

30/20 Moved Cr Pedler, seconded Cr Gale

“That the meeting be reopened to the public at 3.24pm.”

CARRIED 8/0

18 NEXT MEETING

The next Ordinary Council Meeting will be held on Tuesday, 21 April 2020 commencing at 3.00pm.

19 CLOSURE

There being no further business to discuss, the President thanked all members for their attendance and declared the meeting closed at 3.20pm.

20 ATTACHMENTS (SEPARATE)

Item 7	7.1.1	Minutes of the Ordinary Council Meeting held 18 February 2020
Item 10.4	10.3.1	Disability Access & Inclusion Committee Minutes – 3 December 2019
	10.3.2	Disability Access & Inclusion Committee Minutes – 25 February 2020
Item 12.1	12.1.1	February 2020 Monthly Financial Statements
Item 12.2	12.2.1	Monthly Payment Listing 1/02/2020 to 29/02/2020
Item 12.3	12.3.1	Draft Social Media Policy 2.3.1
Item 12.5	12.5.1	Compliance Audit Return 2019

Presiding Member

Date