

Kojonup



One community, many choices

SHIRE OF KOJONUP

MINUTES

Special Council Meeting

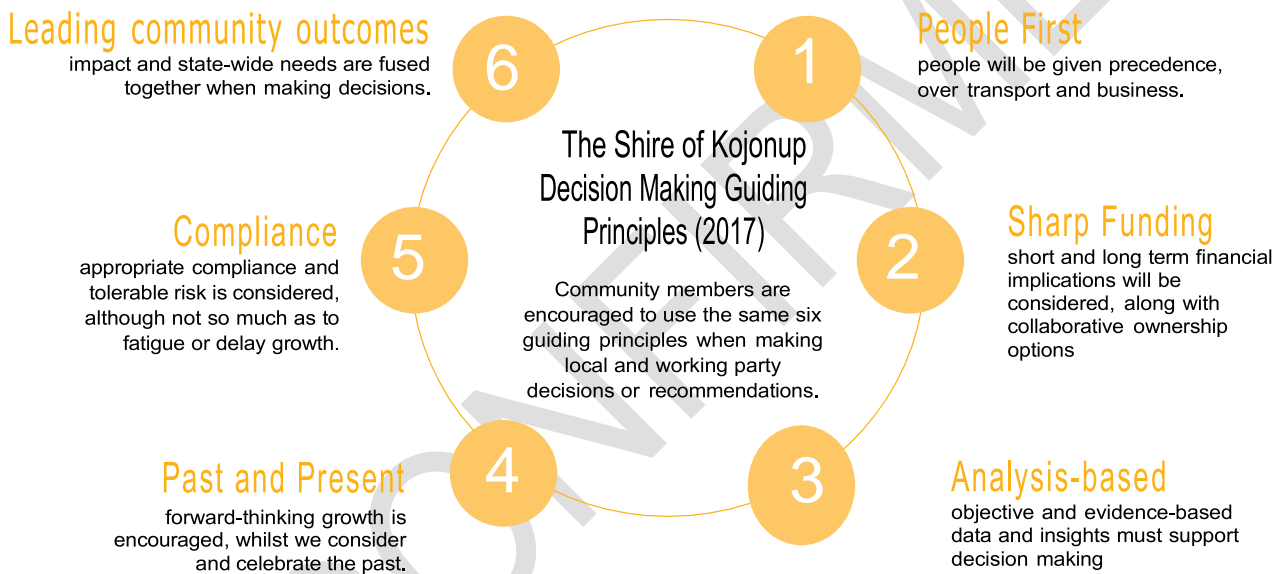
7 April 2020

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 7 APRIL 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, Cr Benn, declared the meeting open at 3.00pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and drew 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 by Cr Pedler

Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elisabeth. 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 Singh	
Cr Pedler	
Cr Webb	
Cr Wieringa	
Cr Gale	

STAFF

Anthony Middleton	Acting Chief Executive Officer
Lorraine Wyatt	Executive Assistant
Emily Hill	Sport & Recreation Officer
Rob Cowie	Payroll & Emergency Management Officer

LEAVE OF ABSENCE

Nil

APOLOGIES

Rick Mitchell-Collins	Chief Executive Officer
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3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

Nil

8 ANNOUNCEMENTS by the Presiding Member without discussion

Nil

9 DECLARATIONS OF INTEREST

Nil

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

Nil

11 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

Nil

12 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

Nil

UNCONFIRMED

13 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS

12.1 WATER STANDPIPES – ACTION PLAN

AUTHOR	Anthony Middleton – Acting Chief Executive Officer
DATE	Wednesday, 1 April 2020
FILE NO	WS.SRP.1
ATTACHMENT(S)	<p>12.1.1 - Kojonup Action Plan</p> <p>12.1.2 – Frequently Asked Questions</p> <p>12.1.3 – Kojonup Map – Standpipes</p> <p>12.1.4 – Photos</p> <p>12.1.5 – Crapella Road</p>

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 4 – Prosperity	4.1 Be providing business assistance for growth in small local industry.	4.1.3 Advocate regionally, state-wide and federally for issues such as traffic control and water quality.

DECLARATION OF INTEREST

Nil.

SUMMARY

The purpose of this report is to consider a request from the Shire President to review Council decision 116/18 in regards to the closure of water standpipes.

BACKGROUND

At its meeting held on 18 September 2018, the Council resolved (motion 116/18):

‘that Council adopt a ‘Kojonup Water Standpipe Action Plan’ as follows:

1. Establishes the Stock Road Standpipes as the primary location for the controlled access and use of potable and non-potable water supply via a registered ‘user pays’ Avdata system.
2. Locks be placed on the 3 (Three) remaining standpipes with access only in emergency situations as determined by an authorised person namely the Chief Executive Officer.
3. Key access be given to the Manager Works & Services, and a key to be placed in each of the DFES supplied fire trucks to access the standpipe for firefighting or emergency purposes.
4. Water Corporation be provided a copy of the ‘Water Standpipe Action Plan’ to ensure standpipe infrastructure meets Water Corporations new meter sizes, flow rates and charging criteria which will be introduced on 1 July 2019.

5. Water Corporation advise the Shire of Kojonup if water pressure from use of the Stock Road potable standpipe will decrease continuous supply to properties connected to the scheme.'

At its meeting held on 18 February 2020, the Council resolved (motion 11/20):

'That Council approves the increase of fees for the Potable Water supply from \$5.00 per kL to \$10.00 per kL, applicable from 13 March 2020 and authorises the Chief Executive Officer to give public notice in the Great Southern Herald and the Kojonup News.'

COMMENT

There are six (6) water standpipes located throughout the Shire of Kojonup which are used predominately by farmers for agricultural purposes, such as spraying and watering of stock during the warmer months, and for firefighting purposes when required. Potable water is used for domestic purposes in emergency situations where households who rely on rainwater catchment from roofs into water storage tanks may need to supplement their supply during summer months or drought periods. (Refer to map – attachment 12.1.3)

Existing water supplies are in the following locations:

Non-potable water:

- **Stock Road (Kojonup Town site)**
Water Corporation account number 9022358960 (meter number FK1600044) is a low-level fast fill standpipe with water derived from the disused Water Corporation 'South' dam. This standpipe is fitted with an automated customer charging system (fob).
- **Crapella Road (Boscabel)**
This water source is a free drought relief source owned by the Shire of Kojonup. A tank is fed by an underground bore which users can then access by providing their own pump.

Potable (scheme) water:

- **Stock Road (Kojonup Town site)**
Water Corporation account number 9007692223 (meter number FM0100370) is an overhead standpipe supply, fitted with an automated customer charging system (fob).
- **Katanning Road (Kojonup Town site)**
Water Corporation account number 9007810517 (meter number Z040716) is an overhead fill supply with a concrete water storage tank in poor condition. This standpipe has been locked in accordance with Council motion 116/18, however, previously ran on an 'honour system' for charges.
- **Carlecatup Road (Cherry Tree Pool)**
Water Corporation account number 9007810461 (meter number H040972) is an overhead supply located on the intersection of Katanning Road and Carlecatup Road. This standpipe has been locked in accordance with Council motion 116/18, however, previously ran on an 'honour system' for charges.

- **Muradup Town site**

Water Corporation account number 9007797797 (meter number BC1536493) is an overhead fill supply with a badly deteriorated concrete storage tank which requires either major repair or replacement. This standpipe has been locked in accordance with Council motion 116/18, however, previously ran on an 'honour system' for charges.

In closing the three (3) standpipes in accordance with Council motion 116/18, access keys have been given to the four (4) fire Zulu Officer's and placed in both Fire Trucks to ensure water is available in an emergency.

Following feedback from the community, the Shire President has suggested in calling this Special Council Meeting to discuss the following:

1. That the standpipes at Muradup and Katanning Road not be locked.
2. That the shire look at upgrade with grant money possibly bigger.

There are several options available to the Council, including:

- a) No change:
The Council decision 116/18 stands and the community can access non-potable water from Stock Road, Kojonup and Crapella Road, Boscabel and potable (scheme) water from Stock Road, Kojonup.
- b) Open all standpipes and automate:
Install an automated customer charging system (fob) on all standpipes (excluding Crapella Road) and open to the public. The installation of these automated charging systems cost approximately \$20,000 each (\$60,000 total) and approval may need to be gained from the Water Corporation as the user agreement for these standpipes is unclear.
- c) Open most standpipes and automate:
Install an automated customer charging system (fob) on the Muradup town site and Carlecatup Road standpipes and open to the public. The installation of these automated charging systems cost approximately \$20,000 each (\$40,000 total) and approval may need to be gained from the Water Corporation as the user agreement for these standpipes is unclear. This option is similar to option b) however does not include the Katanning Road (Kojonup town site) standpipe as it is not considered necessary to have two standpipes within the town site open to the public at all times.
- d) Open all standpipes under previous conditions:
This option is not recommended. Due to the increase in the cost of water substantially increasing it is considered that an honour system will no longer be effective.

It is recommended that option "a" be adopted, possibly with better promotion of the facility located at Crapella Road, Boscabel.

CONSULTATION

For the September 2018 Council Report:

- David Juers – Water Corp - Head of Customer and Industry Partnerships
- Wendy Mathews – Water Corp
- Shire President has also met with Sue Murphy – CEO Water Corp

Since this time, the time line of events including advertising and signage is as follows:

September 2018: Council Decision reported in the ENews Edition 141

October 2018: Signs erected at standpipe sites

February 2020: Water prices increased by Council

March 2020: Price increase advertised

STATUTORY REQUIREMENTS

Water Services Act 2012

POLICY IMPLICATIONS

There are no policies presently aligned with Water Standpipes as to location, usage and accessibility other than costs as prescribed in the Fees & Charges Register 2019/2020.

It should be noted that there is an obligation for all users to take specific measures to increase storage capacity for both potable and non-potable water on their own properties. The provision of water via standpipes is not a core local government function, except in times of drought to assist industry.

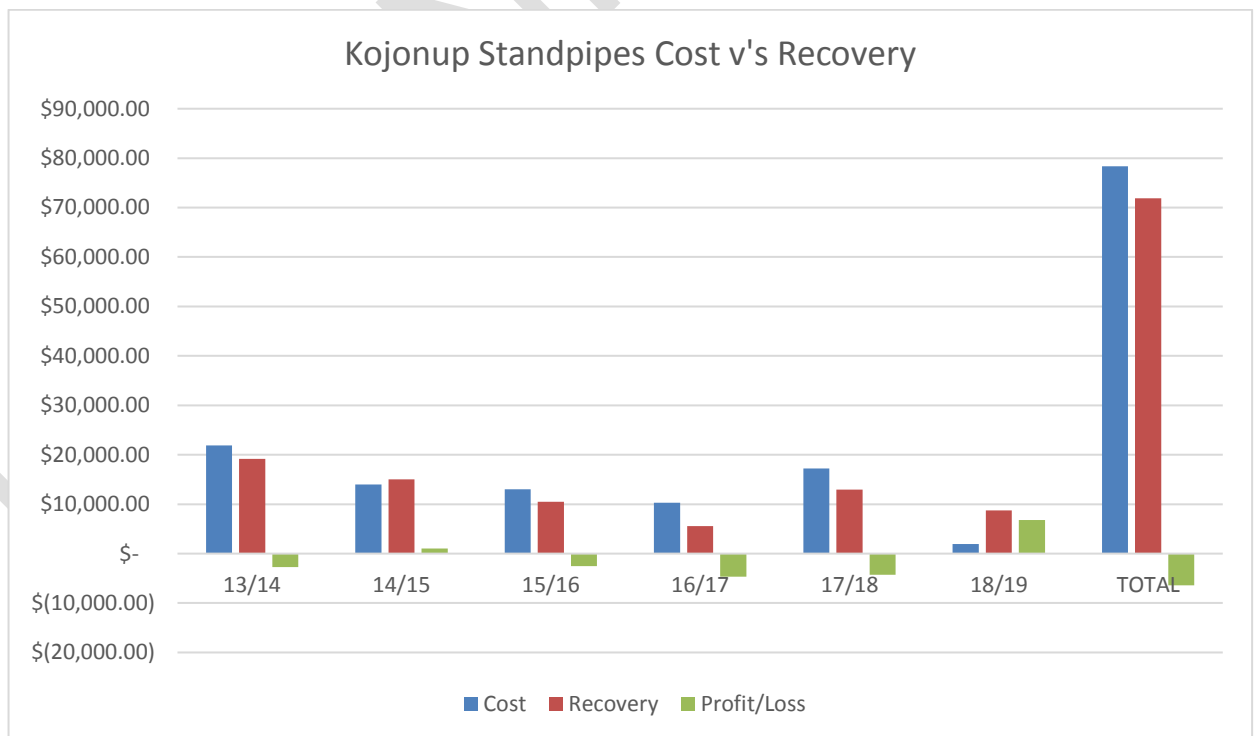
“Waterwise” programs and initiatives, of which the Council are a signed up participant with the Water Corporation, have no context and are merely ‘feel good’ concepts unless they are adopted by the whole community. Australia is a dry continent and water is such a vital resource that it should never be taken for granted that it will always be provided by someone else. The Shire needs to increase our own water security for ongoing sustainability.

FINANCIAL IMPLICATIONS

The installation/conversion of a standpipe to an automated customer charging system (fob) is approximately \$18,000 - \$20,000 each.

Unfortunately, there are some standpipe users that abuse an honour system by deliberately not recording water taken from standpipes. The following figures show the history of water standpipe charges in the Shire of Kojonup:

Kojonup Standpipes Cost v's Recovery			
	Cost	Recovery	Profit/Loss
2013/2014	\$ 21,878.45	\$ 19,140.95	-\$ 2,737.50
2014/2015	\$ 14,004.12	\$ 15,018.61	\$ 1,014.49
2015/2016	\$ 13,000.39	\$ 10,454.36	-\$ 2,546.03
2016/2017	\$ 10,286.20	\$ 5,590.85	-\$ 4,695.35
2017/2018	\$ 17,213.20	\$ 12,946.85	-\$ 4,266.35
2018/2019	\$ 1,949.35	\$ 8,748.50	\$ 6,799.15
TOTAL	\$ 78,331.71	\$ 71,900.12	-\$ 6,431.59
16/17 and 17/18 Financial year Notes			
Due to technical issues with Waterman's Data collection, no invoice for Stock Rd Standpipe. All usage for this period invoiced in 18/19 FY			
Non Billed Water 2016-2018			
Shire of Kojonup			\$ 2,990.40
Fire Trucks			\$ 378.00
TOTAL			\$ 3,368.40



RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Environment</i>	<ul style="list-style-type: none"> • <i>Weather events/natural disasters</i> • <i>Climate change</i> • <i>Community apathy</i> 	<i>Community education/engagement</i>	<i>Nil.</i>
Risk rating - Low			
IMPLICATIONS			
<p><i>An extreme risk exists for the Water Corporation and the properties it serves if the reticulated pipeline supply from Collie is disrupted or compromised as essential everyday services rely on a continuous water supply. Our farming community is influenced by weather as it is difficult to graze livestock or grow crops in dust. The prolonged drought conditions presently being experienced in NSW and Queensland demonstrates the devastating plight of farmers, families, communities and economy. Farmers can increase dam capacity or install tanks to catch rain water but such strategies are only as good as the amount of rain received. The agricultural community should be encouraged to undertake such improvements aided by State or Federal incentives in an attempt to drought proof as much as possible.</i></p> <p><i>The Council has deliberately focused on the Stock Road standpipes as this location provides options for potable and non-potable supplies with the remaining standpipes being a fall back strategy as and when required. The Shire will continue to rely on the Water Corporation maintaining a reticulated water supply from Collie, but has strategically increased storage capacity to reuse, recycle and capture storm water runoff. It is also imperative that pressure from the Water Corporation potable supply is not jeopardized for general use such as paddock spraying or sports oval watering.</i></p> <p><i>The Water Corporation is adopting a 'User Pays' philosophy for extracting water from its infrastructure and the table above demonstrates that ratepayers are unfortunately subsidising users who do not pay.</i></p>			

ASSET MANAGEMENT IMPLICATIONS

There is a historical basis for Council providing farmers with access to water standpipes for agricultural purposes, such as spraying and watering of stock during the warmer months as well as domestic purposes during drought or below average rainfall events.

The Shire, in conjunction with Water Corp, Great Southern Development Commission (GSDC) and the State Government (Royalties for Regions) have undertaken a number of crucial projects upgrading the 'Turkey Nest' Storage facility, installing new chlorination tanks, cleaning/extending drains/catchment at the Showground dam, laying pipe from the South Dam to Stock Road, Apex Park and Kodja Place and upgrading the Truck Wash facility at the Saleyards as part of our Water Reuse and Recycling Program.

The Muradup and Katanning Road infrastructure is tired but can be sustained if the standpipes are locked and used for emergency situations only given that Stock Road is the Shire's main focus for both potable and non-potable supplies.

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Goal One:

Stimulate economic growth and business opportunity

Strategy 3:

Improve the provision and maintenance of infrastructure

Action 2:

Generate support to extend water infrastructure to all VROC Shires

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council decision 116/18 be endorsed, noting that the community can access water from:

- Stock Road, Kojonup (non-potable) via an automated customer charging system (fob);
- Crapella Road, Boscabel (non-potable) for free; and
- Stock Road, Kojonup (potable) via an automated customer charging system (fob)

COUNCIL DECISION

31/20 Moved Cr Radford, seconded Cr Fleay that the:

- Muradup town site standpipe be opened for the sale of water;
- Katanning Road (Kojonup town site) standpipe remain locked to general use in accordance with decision 116/18; and
- Carlecatup Road (Cherry Tree Pool) standpipe remain locked to general use in accordance with decision 116/18.

AMENDMENT

Moved Cr Singh that the Carlecatup Road (Cherry Tree Pool) standpipe be opened for the sale of water.

THE AMENDMENT LAPSED FOR WANT OF A SECONDER.

THE SUBSTANTIVE MOTION WAS NOW PUT AND CARRIED 7/1

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 CEO APPOINTMENT AND COVID-19

AUTHOR	Cr John Benn, Shire President
DATE	Friday, 3 April 2020
FILE NO	p/file
ATTACHMENT(S)	Nil.

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

32/20 Moved Cr Radford, seconded Cr Gale

“That the meeting proceed behind closed doors in accordance with Section 5.23(2)(a) of the Local Government Act 1995 at 3.35pm”.

CARRIED 8/0

All Staff left the meeting at 3.35pm and did not return.

The Shire President led discussion with the Council.

MOTION

34/20 Moved Cr Singh seconded Cr Weiringa

“That Council negotiate a settlement with the CEO in an amicable way.”

LOST 1/7

COUNCIL DECISION

35/20 Moved Cr Gale seconded Cr Radford

“That:

- 1. Council requests that the President and Deputy President start discussions with the CEO to trial working remotely for the next 4 months.***
- 2. Should this not prove effective Council requests that the President and Deputy President begin negotiations with the CEO towards a settlement.”***

CARRIED 7/1

Cr Fleay request her name recorded as believes the 4 month timeframe unrealistic given the circumstances.

PROCEDURAL MOTION

33/20 Moved Cr Gale, seconded Cr Singh

“That the meeting be reopened to the public at 4.44pm.”

CARRIED 8/0

18 NEXT MEETING

Ordinary Council Meeting Tuesday, 21 April 2020 commencing at 3.00pm

19 CLOSURE

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 4.45pm.

UNCONFIRMED

20 ATTACHMENTS (SEPARATE)

- 12.1.1 - Kojonup Action Plan
- 12.1.2 – Frequently Asked Questions
- 12.1.3 – Kojonup Map – Standpipes
- 12.1.4 – Photos
- 12.1.5 – Crapella Road

UNCONFIRMED