



# MINUTES

**Ordinary Council Meeting**

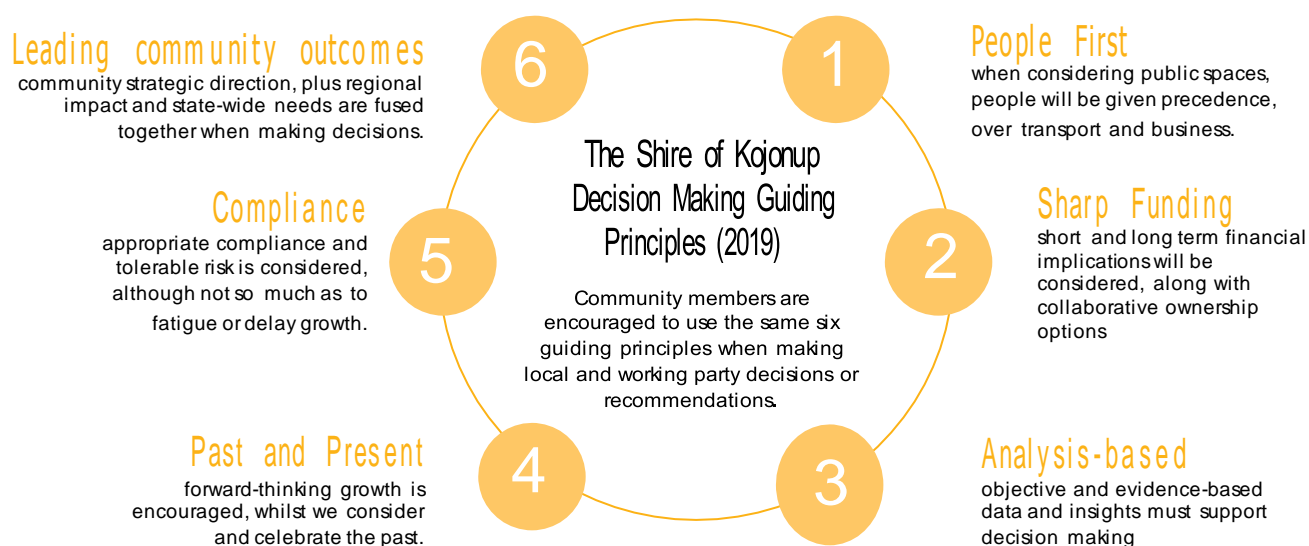
**21 April 2020**

## MINUTES FOR THE COUNCIL MEETING TO BE HELD ON 21 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.



## MINUTES

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

The Shire President declared the meeting open at 3.00pm 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 – 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

Cr Radford

Cr Fleay

Cr Gale

Cr Pedler

Cr Singh

Cr Webb

Cr Wieringa

Shire President

Deputy Shire President

### **STAFF**

Rick Mitchell-Collins

Anthony Middleton

Robert Cowie

Emily Hills

Elaine Venn

Heather Marland

Judy Stewart

Lorraine Wyatt

Chief Executive Officer

Manager Corporate and Community Services

Payroll/Emergency Services Officer

Sport and Recreation Officer

Community Development Officer

Senior Finance Officer

Senior Administration Officer

Executive Assistant

### **LEAVE OF ABSENCE**

Nil

### **APOLOGIES**

Nil

## **3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

## **4 PUBLIC QUESTION TIME**

As this meeting is being held primarily by electronic means due to the COVID-19 Pandemic, members of the public were not encouraged to attend in person. Questions were submitted using the special email address for Council Meeting Public Question Time being [cmpqt@kojonup.wa.gov.au](mailto:cmpqt@kojonup.wa.gov.au) .

## 4.1 Kojonup Child Care Centre Submission

Monday April 20 2020



### **Kojonup Child Care Centre Inc. Formal Submission to Council**

Did you know that Kojonup has a **committee run** Child Care Centre? Last year, we had a total of 132 children enrolled from 72 local families. That means those families have a parent who works within the Kojonup area and is able to contribute to our local economy, because of Kojonup Child Care Centre. A child care centre makes Kojonup an attractive place to live and work. Our current Centre was purpose built in 2016, and is a beautiful building for children to play and learn.

At present, the Centre is managed by a group of dedicated working Mums, with our wonderful Centre employees.

The Kojonup Child Care Centre Committee Handbook states that:

**The Management Committee is responsible for the Centre and makes the majority of the decisions in relation to how the Centre will operate.**

**The key functions of the Management Committee are:**

- **To monitor the overall management of the Centre and ensure the management body operates effectively.**
- **To develop policies for the Centre in conjunction with parents using the Centre and Centre staff** (the Centre has a 300 page policy document, with 49 policies, and counting. Our policies are guided by the National Quality Framework and National Regulations. Childcare is a highly regulated industry, and to ensure we are operating within those Regulations we need a policy document that reflects these.)
- **To ensure that the Centre operates in line with its policies** (300 PAGES)
- **To communicate information and decisions clearly both within the Management Committee and to parents and staff.**
- **To ensure that the Centre abides by all relevant rules and regulations.** (The regulations in childcare are constantly changing and it is getting so much harder to be compliant. Apparently, what we were doing three years ago may have been compliant, but that doesn't mean that it is now.)
- **To plan, monitor and manage the finances of the Centre.** (The Centre turns over roughly \$30000 every month)
- **To keep up-to-date records in line with legal and financial requirements.**

- **To employ, manage and support Centre staff in line with current industrial obligations** (We try our best, but we don't even get close to this! A majority of our staff are casual employees.)
- **To negotiate with outside bodies.** WHEN! Who has the time!
- **To encourage the involvement of parents not on the Management Committee.** (Who would actually volunteer to do this?!)

And all of this, so we can continue to work part-time in our actual paid jobs and ensure that Kojonup has a thriving and viable childcare centre where we can confidently leave our children.

This current system is not sustainable.

Now, we refer to the Shire of Kojonup Strategic Plan. Specifically Key Pillar 2: Connected

**Kojonup advances through connections, partnerships and alliances**

**During the stakeholder engagement phase of 2017 our community members raised issues regarding partnering for growth in childcare... and forming alliances to grow employment opportunities.**

We recognise that what we, as volunteers, are being asked to do is huge and the Shire has the skills and resources to support us with our common goal of ensuring Kojonup has a thriving childcare centre into the future. We need to be working out how to better partner together, for this common goal. A recent study by Break Thru WA identified that the overall profitability of the ECEC sector was between 2-3% (IBISWorld 2013). However, currently Kojonup Child Care Centre Committee, realise that we do not operate the Centre at its optimal efficiency, because we just DON'T HAVE TIME!

Therefore, we are requesting:

That a clear memorandum of understanding be developed between the Shire of Kojonup and Kojonup Child Care Centre Inc. stating the roles and responsibilities of both parties. This will state that the Shire of Kojonup takes on responsibility for the grounds and maintenance at Kojonup Child Care Centre. This will be reviewed at every Kojonup Child Care Centre AGM to ensure that incoming Committee members are aware of the roles and responsibilities, and it is reflective of the skills base of the current Committee. This may include (but not be limited to): support to develop and review policies in line with the NQF and National Regulations and Law, support to plan, monitor and manage finances of the Centre, support to employ manage, and support Centre staff in line with current industrial obligations, support to negotiate with outside bodies)

At present though, we are experiencing an unprecedented state of emergency. As you are no doubt aware, childcare is considered an essential service, and we are facing extremely difficult times. The threat of Coronavirus now means that the survival of the entire sector is at stake, and we at KCCC are feeling it. As an essential service, we are still obligated to remain open and staffed to meet compliance. You may be aware that PM Scott Morrison announced a new "Early Childhood Education and Care Relief Package" citing "free childcare". This means that we are no longer able to charge parents fees. Our fee income is utilised to cover all our overhead payments.

Immediately, we have the following requests of Shire of Kojonup:

1. That Shire of Kojonup holds/waives all payments to them by Kojonup Child Care Centre Inc. during the COVID-19 pandemic (this includes, but is not limited to, rent of the Centre and water rates/usage) recognising that during this time we are operating on a very limited fixed income from Government, with a nil fee income.

2. That the Shire of Kojonup follows up immediately with the Water Corporation regarding water rates at Kojonup Child Care Centre in recognition that the current water bill doesn't reflect the industry average, and that the Shire of Kojonup complete maintenance of the current reticulation, as a matter of urgency, and then routinely.
3. The Shire of Kojonup considers retrospectively waiving/reimbursing the payments that were made to Shire of Kojonup in 2019/20 towards the installation of a shed on land which is Shire owned.

4/2/2019-Shed Application Fee- \$147  
5/17/2019- Shed Application Fee- \$192.55

We see this as an act of good faith by the Shire of Kojonup, and their support of a viable childcare centre in Kojonup, which is an integral service and a core reflection of the Shire of Kojonup Key Pillars.

We require a clear answer from the Shire of Kojonup and your defined and active support of a community run childcare centre in Kojonup, so we, as a Committee, can make decisions about our future sustainability.

Regards, Kojonup Child Care Centre Inc. Committee

**Response from the Shire President**

That the submission is emailed to Councillors and referred to officers to address.

**5 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

**7 CONFIRMATION OF MINUTES**

**7.1 COUNCIL MEETING 17 MARCH 2020**

Minutes of the Council Meeting which was held on 17 March 2020 were previously circulated under separate cover and are at [Attachment 7.1.1](#)

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**34/20 Moved Cr Wieringa, seconded Cr Pedler**

**“That the Minutes of the Council Meeting held on 17 March 2020 be confirmed as a true record.”**

**CARRIED 8/0**



**7.2 SPECIAL COUNCIL MEETING 7 APRIL 2020**

Minutes of the Special Council Meeting which was held on 7 April 2020 were previously circulated under separate cover and are at [Attachment 7.2.1](#)

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**35/20 Moved Cr Radford, seconded Cr Singh**

**“That the Minutes of the Special Council Meeting held on 7 April 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 NATURAL RESOURCE MANAGEMENT COMMITTEE RECOMMENDATIONS AND MINUTES

<b>AUTHOR</b>	Jane Kowald, NRM/Landcare Officer
<b>DATE</b>	Tuesday, 24 March 2020
<b>FILE NO</b>	GS.PRG.7
<b>ATTACHMENT</b>	10.1.1 – Unconfirmed Minutes for the Natural Resource Management Committee meeting 5 March 2020

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
Community Strategic Plan 2017 – 2027 “Smart Possibilities – Kojonup 2027+”		Corporate Business Plan 2017 – 2021 “Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP1 – Place	1.2 Be happy, healthy, connected and inclusive community driven by the provision of high standard sport, recreation and open space facilities and programs.	1.2.6 Develop environmental management plans for significant Shire Reserves (N1.2.2)

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The purpose of this report is to receive the unconfirmed minutes of the Natural Resource Management Advisory Committee held on 5 March 2020 and to review the motions that need to be considered by Council.

**BACKGROUND**

The following motions were made for Council consideration.

02/20 Moved Jane Kowald, seconded Cr Singh, that the below dates for the Natural Resource Management Committee meetings be considered by Council for adoption, subject to change if found unsuitable for the majority of Natural Resource Management Committee members:

1. Thursday, 4 June 2020
2. Thursday, 13 August 2020
3. Thursday, 5 November 2020

06/20 Moved Kath Mathwin, seconded Cr Singh that the Natural Resource Management Advisory Committee recommends to Council to make provision within the 2020/21 budget for \$2303.00 to produce a Weedy Wattles pamphlet to distribute to all Shire of Kojonup residents.

**COMMENT**

02/20 Dates chosen do not clash with Council meeting dates and were accepted by the NRMAC members.

06/20 The Council has put considerable funds towards the removal of Eastern States Wattles (Golden Wattle, Black Wattle and Flinders Range Wattle) growing within the Shire. With the injection of funds to remove populations within the townsite (Council Decision 166/19), a pamphlet to educate the community about what the weeds are, how to remove them and what the Shire is doing about them, may encourage private landowners to remove the plants themselves and take a more active interest in the project.

**CONSULTATION**

Members of the Natural Resource Management Committee

**STATUTORY REQUIREMENTS**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The following item would need to be considered by Council for the 2020/21 budget for the production of a Weedy Wattles information brochure as per the below budget:

Item	Description	Cost
Graphic design	A3-DL	\$1395.00
Printing	1000 recycled paper	\$909.00
Posting	All Kojonup addresses	\$200.00
	<b>TOTAL</b>	<b>\$2504.00</b>
Budget	5684 - NRM publications	\$2504.00

The Natural Resource Management is fully funded via reserve funds so there is a nil effect on the budget.

**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**

**36/20 Moved Cr Fleay, seconded Cr Radford**

**“That Council:**

- 1. Receive the Natural Resource Management Committee unconfirmed minutes for the meeting held 5 March 2020;**
- 2. Endorse the following dates for NRMAC meetings:**
  - Thursday, 4 June 2020**
  - Thursday, 13 August 2020**
  - Thursday, 5 November 2020; and**
- 3. Endorse the Natural Resource Management Committee decision 06/20 that a Weedy Wattles information pamphlet be sent to all residents in the Shire of Kojonup, with a budget provision of \$2504.00 being made from account 5684 within the 2020/2021 budget.”**

**CARRIED 8/0**

10.2 KEVIN O’HALLORAN MEMORIAL SWIMMING POOL – 10 YEAR PLAN

<b>AUTHOR</b>	Emily Hills – Sport and Recreation Officer
<b>DATE</b>	Wednesday, 8 April 2020
<b>FILE NO</b>	CP.MTC.29
<b>ATTACHMENT(S)</b>	<a href="#">10.2.1 - Draft 10 Year Precinct Plan</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2018-2022”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP1 – 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.	1.2.10 – Sporting Infrastructure Upgrades

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The purpose of the report is to consider a ten (10) year precinct plan for the operation and upgrade of the Kevin O’Halloran Memorial Swimming Pool.

**BACKGROUND**

To guide future decisions regarding the planned upgrade, maintenance and operation of the Kevin O’Halloran Memorial Swimming Pool, the attached ten (10) year precinct plan has been formulated.

**COMMENT**

The attached plan provides for:

- Yearly services;
- Biennial services;
- Equipment requiring 3 to 5 year replacement;
- Equipment requiring 5 to 10 year replacement;
- Future projects 0 to 10 years; and
- Site plan showing location of future projects.

**CONSULTATION**

The plan has been prepared by Gavin Bunbury, Swimming Pool Manager with assistance from the Community Services Team. Discussion occurred on the first draft of the plan at the 17 March 2020 Council briefing session.

### STATUTORY REQUIREMENTS

The operation of public swimming pools is governed by the *Health (Aquatic Facilities) Regulations 2007*.

### POLICY IMPLICATIONS

Nil.

### FINANCIAL IMPLICATIONS

This agenda item only seeks to adopt a planning tool and therefore has no financial implications.

The ten (10) year precinct plan has significant financial implications and seeks to plan for these to ensure required expenditure occurs in a planned and coordinated manner. The absence of such a tool may lead to reactive, sub-optimal decisions that cannot necessarily be financially planned.

Some of the major components within the plan may be conditional upon significant grant funding, for example, the installation of wet decks. The success of such applications may also affect the timing of other components within the plan, for example, painting the pool should coincide with the installation of wet decks.

### RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Asset Sustainability</i>	<i>Inadequate design – not fit for purpose</i>	<i>Routine maintenance schedule: Other infrastructure (Parks, reserves &amp; play equipment)</i>	<i>Nil – however routine maintenance occurs but does not address this specific issue</i>
<i>Business Disruption</i>	<i>Loss of key infrastructure</i>	<i>Business continuity framework</i>	<i>Nil</i>
<i>Facilities-Venues</i>	<i>Inadequate oversight or provision of peripheral services</i>	<i>Facility operation manuals and service plans</i>	<i>Nil</i>
<i>Risk rating - Adequate</i>			
IMPLICATIONS			
<i>Appropriate planning for future expenditure lessens the risks associated with operating a facility such as a public swimming pool by ensuring that operations, maintenance and upgrades are completed in a coordinated and planned fashion. Failure to do such planning may result in items such as pumps being non-operational and force the facility to close temporarily.</i>			

#### **ASSET MANAGEMENT IMPLICATIONS**

The attached draft Ten (10) Year Precinct Plan for the Kevin O’Halloran Memorial Swimming Pool will become an informing document to the Shire’s Asset Management Plan 2017, and subsequent plans.

Section 8.3.9 of the Asset Management Plan 2017 shows the Kevin O’Halloran Memorial Swimming Pool has an asset renewal value of \$3,884,325. In Section 14 (Individual Asset Summaries) of the Asset Management Plan 2017 there has been no allocation in either the *Proposed Annual Renewal Expenditure* or the *Predicted Annual Renewal Expenditure* for the items listed in the attached draft Ten (10) Year Precinct Plan.

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

Shire of Plantagenet is the only other VROC partner with a public swimming pool and they are currently undergoing a feasibility study to determine whether to upgrade their existing pool or build a new one.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**37/20 Moved Cr Pedler, seconded Cr Singh**

**“That the Ten (10) Year Precinct Plan for the Kevin O’Halloran Memorial Swimming Pool, as attached, be adopted.”**

**CARRIED 8/0**

10.3 GREAT SOUTHERN REGIONAL TRAILS MASTER PLAN

<b>AUTHOR</b>	Elaine Venn
<b>DATE</b>	Friday, 6 March 2020
<b>FILE NO</b>	PR.DAC.12
<b>ATTACHMENT(S)</b>	<a href="#">10.3.1 - Great Southern Regional Trails Master Plan</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
<b>“Smart Possibilities – Kojonup 2027+”</b>		<b>“Smart Implementation – Kojonup 2018-2022”</b>
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP1 – Place	1.2 - Be a happy, healthy, connected and inclusive community driven by the high standard sport, recreation and open space facilities and programs.	1.2.1 Develop and adopt a Trails Master Plan to develop and activate a trail network and reserve walks in conjunction with State-wide recreation partners.

**DECLARATION OF INTEREST**

Nil.

**SUMMARY**

The purpose of this report is to consider endorsing the Great Southern Regional Trails Master Plan (GSRTMP) as prepared by the Great Southern Centre for Outdoor Recreation Excellence (GSCORE) in conjunction with local governments.

**BACKGROUND**

The GSCORE works collaboratively with local governments across the region with the aim of establishing the Great Southern as a world-class trails destination.

The objectives of the GSRTMP are to:

- Adopt a strategic coordinated approach to trail planning, management and maintenance through key stakeholder collaboration and prioritise and target investment;
- Develop, upgrade and maintain a network of high quality trails and facilities that deliver outstanding experiences to a wide range of trail users and activity types;
- Encourage strong local community and visitor participation in recreational trail activities through effective promotion and marketing of the regions trails; and
- Capitalise on the opportunities presented by a well-designed trails network for health, environment, culture, economic and livability benefits.

**COMMENT**

The development of the GSRTMP has revealed a strong sense of collaboration and a commitment to align local governments across the region to maximise the opportunity to attain future trails development and resources for other forms of outdoor recreation infrastructure.



Throughout the extensive collaboration in the development of the GSRTMP, the region has demonstrated its recognition that outdoor recreation is an integral part of creating a livable region with thriving communities.

GSCORE is responsible for the development of the GSRTMP. A coordinated approach in planning of trails will assist with future grant applications prepared and submitted on a regional basis.

The trails developed in the GSRTMP include paddle, snorkel, walk, ride, horse and drive trails, all ranging in degree of difficulty and fitness level required. Some trails suited to backpacker style travel where the user is constantly on the move, others suited to a 'home base' motel style approach.

The following key activities have been completed:

- 1) Established the project management and governance model;
- 2) Undertaken Phase 1 Stakeholder Consultation:
  - a. Community consultation across eleven local government authorities via face-to-face workshops, Council briefing sessions, and meetings with trail user groups; and
  - b. Conducted an online survey of trail users;
- 3) Completed a Trails Background Report which contains:
  - a. Audit of existing and planned trails;
  - b. Gap analysis of trail opportunities; and a
  - c. List of trail ideas (gathered through the community consultation process).
- 4) Developed a Multi-Criteria Assessment tool to assess and prioritise trail ideas; and
- 5) Produced a short-list of priority trail projects that meet the project objectives. The short-list includes projects which are entirely new ideas through to those for which the feasibility has already been explored and those which are shovel ready and seeking investment. The next stage is to develop the short-list of priority trail projects into fully scoped trails plans that can be incorporated in the final GSRTMP.

Successful implementation of the GSRTMP can result in an increased length of stay by visitors, promote repeat visitation and drive tourism dollars to local businesses. It will also entice locals and visitors to explore different values and experiences.

The specific content of the GSRTMP for Kojonup includes the following:

- Priority Trail (Short Term) - Great Southern Treasures Recreation Circuit (Hiking/Cycling/Mountain Biking);
- Priority Trail (Long Term) - Grain Train Rail Trails (Hiking/Cycling/Mountain Biking);
- Local trail - Myrtle Benn Walk Trail
- Local trail - Town (Heritage) Walk Trail; and
- Local trail - Farrar Reserve Walk Trail.

The development of trails in the Great Southern also presents a unique opportunity for Kojonup being ideally placed as the 'first-stop' in the region for metropolitan, inter-state or international visitors coming from Perth. This advantage can be utilized to present Kojonup as the base for many drives/rides and trails. For example, a possible adventure motorbike ride itinerary could look as follows:

- Day 1 – Ride Perth to Kojonup, check into accommodation;
- Day 2 – Stirling Range/Porongurup Range Loop
- Day 3 – Manjimup/Bridgetown Loop
- Day 4 – Check out of accommodation, ride Kojonup to Perth.

In the example above, the possible benefit for local business is substantial.

### CONSULTATION

Significant community consultation has occurred across all local authorities in the Great Southern, specifically for Kojonup this included a face-to-face workshop (3 April 2019), two Council briefing sessions (3 April 2019 and 5 February 2020) and meetings and an online survey of trail users and trail user groups. Advertising seeking feedback for the plan has been undertaken in the e-news, Kojonup News, Shire website and Shire Facebook.

### STATUTORY REQUIREMENTS

Nil.

### POLICY IMPLICATIONS

Nil.

### FINANCIAL IMPLICATIONS

The endorsement of the GSRTMP has no direct financial implications as it merely adopts a strategic focus with regional priorities for Trail development. The implementation of the plan with trail construction will be the subject of future grant applications and funding in future financial years, should the Council proceed with trail construction.

### RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>5. Engagement Practices</i>	<i>Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and/or Elected Members. This includes activities where communication, feedback or</i>	<i>Community engagement/networking</i>	<i>Review and assess Community Engagement Strategy and Plan</i>

7. Environment	<p><i>consultation is required and where it is in the best interests to do so.</i></p> <p><i>Inadequate prevention, identification, enforcement and management of environmental issues.</i></p>	Community education/engagement	Nil
<i>Risk rating: Adequate</i>			
<b>IMPLICATIONS</b>			
<p><i>Engaging community and key stakeholders in projects mitigates risk by ensuring those who stand to be directly affected, and potentially may be more cognisant of the benefits or drawbacks of a project, have the opportunity to be involved and contribute, lessening the chance of unidentified issues.</i></p> <p><i>Environmental, reputational, health and financial risks exist in relation to maintenance of trails and management of rubbish (containment, collection, signage etc). The costs and other resources associated with these risks can be expected to be far outweighed by the additional recreational pursuits (encompassing health and wellbeing benefits, possible lessening of criminal activity) available within the community and the greater region, as well as increased tourism potential.</i></p>			

**ASSET MANAGEMENT IMPLICATIONS**

This is a strategic plan for the provision of trail infrastructure in the region and, as such, aims to utilize assets in the most efficient manner.

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

All VROC members are part of the Great Southern Recreation Advisory Committee. The Plan will provide a regional strategy for the development and maintenance of outdoor trail infrastructure for the Great Southern.

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**38/20 Moved Cr Fleay, seconded Cr Pedler**

**“That the Great Southern Regional Trails Master Plan prepared by the Great Southern Centre for Outdoor Recreation Excellence, as attached, be endorsed. “**

**CARRIED 8/0**

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

11.1 COMMUNITY HALL GROUNDS – CAMPING SITES

<b>AUTHOR</b>	Judy Stewart – Senior Administration Officer
<b>DATE</b>	Thursday, 7 April 2020
<b>FILE NO</b>	PR.RES.24632, PR.RES.15186, PR.RES.11487, LP.ENQ.1
<b>ATTACHMENT(S)</b>	<p>11.1.1 - Reserve Management Orders – Orchid Valley (R 10346), Muradup (R 11487), Boscabel (R 15187) and Qualeup (R 24632)</p> <p>11.1.2 - Caravan Parks and Camping Grounds Regulations 1997 - Regulations 11 to 15: Caravan and camping generally</p> <p>11.1.3 - Caravan Parks and Camping Grounds Regulations 1997 – Schedule 7 – Caravan parks and camping grounds Divisions 1 to 14</p> <p>11.1.4 - Shire of Kojonup Property Local Law – clause 2.7 (1)</p>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 2 - Connected	2.1 – Be growing our state-wide and local tourism and shopping capabilities through regional alliances.	2.1.2 – Promote and facilitate Kojonup as a short term tourism destination to and from Albany.

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

The purpose of this report is to discuss the logistics involved and legislation pertaining to the use of local government property and community hall grounds as camping grounds for travellers through our region.

**BACKGROUND**

The Acting Chief Executive Officer has received councillor enquiries regarding the possibility of community hall grounds becoming camping areas for travellers in our region.

## COMMENT

Section 10 of the *Caravan Parks and Camping Grounds Regulations 1997 (Regulations)* states as follows:

### 10. Where person may camp

A person may camp only —

- (a) at a site in a caravan park or camping ground, as appropriate, licensed under the Act; or
- (b) in accordance with regulation 11.

Penalty: a fine of \$1 000.

*[Regulation 10 amended: Gazette 12 Dec 2014 p. 4733.]*

While r.11 of the *Regulations* (see Statutory Requirements) allows for exemptions, these are not considered applicable on Shire reserves because of the Schedule 7 requirements contained in the *Regulations* (see **attachment 11.1.3**).

The Shire of Kojonup provides an overnight caravan and camping area where the RV (Recreational Vehicle) dump station is located and a privately owned caravan park is located on Newstead Road, Kojonup.

While the current *Shire of Kojonup Local Government Property Local Law* (see statutory requirements) addresses use of local government property (but doesn't include caravan parks and camping grounds under '*Activities which can be pursued on specified local government property*'), our community halls are located on Reserves for which the Shire has management orders. Each Reserve has a specific purpose which limits the use of the Reserve to that purpose. None of Council's four community hall reserves have a purpose of camping (please see **attachment 11.1.1** for Reserve purposes). Any change to the purpose of a Reserve requires a lengthy process of consultation and approval by the Minister for Lands.

Prior to the *Caravan Parks and Camping Grounds Act 1995 (Act)* coming into force, reserve areas existed for camping purposes; however, these are now redundant due to not meeting the *Act* and *Caravan Parks and Camping Grounds Regulations 1997 (Regulations)* as directing travellers (especially backpackers and caravan owners) to places that do not contain basic ablution facilities and potable water is generally not considered to be a practical, sustainable or hygienic practice at this point in time.

Any establishment of new camping grounds would need to comply with Schedule 7 (Caravan parks and camping grounds) of the *Regulations* (see attachment 11.1.3). Any requirements of Schedule 7 would then need to be enforced (where Schedule 7 references 'facility' the definition is as per the *Act* and means '*a caravan park or camping ground*'). There are existing facilities within the Kojonup town site, given that emergency overnight camping in roadside rest areas is already available, it is not recommended that new camping grounds be considered.

## CONSULTATION

Development Services Coordinator  
Senior Ranger/Building Services Coordinator

## STATUTORY REQUIREMENTS

- *Caravan Parks and Camping Grounds Regulations 1997* - Regulations 11: Camping other than at caravan park or camping ground:

### 11. Camping other than at caravan park or camping ground

- (1) A person may camp —
    - (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval; or
    - (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area; or
    - (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve; or
    - (d) on any land which is —
      - (i) held by a State instrumentality in freehold or leasehold; or
      - (ii) dedicated, reserved, or set apart under the *Land Administration Act 1997* or any other written law, and placed under the care, control or management of a State instrumentality, in accordance with the permission of that instrumentality; or
    - (e) on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the *Land Administration Act 1997*, or a person authorised by the Minister to give permission under this paragraph.
  - (2) Written approval may be given for a person to camp on land referred to in subregulation (1)(a) for a period specified in the approval which is longer than 3 nights —
    - (a) by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months; or
    - (b) by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or
    - (c) despite paragraph (b), by the local government of the district where the land is situated —
      - (i) if such approval will not result in the land being camped on for longer than 12 consecutive months; and
      - (ii) if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a permit has effect in relation to the land.
- *Caravan Parks and Camping Grounds Regulations 1997 – Schedule 7 – Caravan parks and camping grounds Divisions 1 to 14 (refer to **attachment 11.1.3**)*

The Shire of Kojonup Local Government Property Local Law 2020 will come into effect 14 days following gazettal. The local laws adopted at Council's February 2020 Ordinary Meeting, including the Property Local Law, are with the State Law Publisher for quotation and subsequent publication, therefore, the Shire of Kojonup Local Government Property Local Law of 1999 is current as of this Council meeting. For the subject matter of this report, the relevant clause ([2.7 (1)]) is the same in both local law versions.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil if not pursuing use of community hall grounds for camping.

Schedule 7 of the Regulations identifies a range of tasks Council would need to undertake, that would incur expenditure, if Council was to establish further caravan or camping grounds.

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>7 – Environment Management</i>	<i>Differing land tenure (land occupancy or ownership conditions)</i>	<i>Environmental management compliance</i>	<i>Nil</i>
<i>Risk Rating: Adequate</i>			
IMPLICATIONS			
<i>To use land for other than its purpose, in this instance, would constitute a breach of the Shire's management order with the Department of Planning, Lands, and Heritage and the Minister for Lands. This risk is controlled by not breaching the Shire's management orders.</i>			

**ASSET MANAGEMENT IMPLICATIONS**

Nil if not pursuing use of community hall grounds for camping.

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

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

Moved Cr Pedler seconded Cr Fleay

1. That advice be received acknowledging that management orders for Reserves 10346, 11487, 15186 and 24632, where community halls are located, do not allow for camping; and
2. That the establishment of caravan parks or camping grounds within Shire managed reserves is not pursued.

### **MOTION**

Moved Cr Radford, seconded

That the matter lay on the table.

**MOTION LAPSED FOR WANT OF A SECONDER**

### **AMENDMENT/COUNCIL DECISION**

**39/20 Moved Cr Pedler seconded Cr Fleay**

1. That advice be received acknowledging that management orders for Reserves 10346, 11487, 15186 and 24632, where community halls are located, do not allow for camping; and
2. That further investigation be undertaken by the CEO, looking at State Tourism opportunities for off highway caravan and camping sites given the present and post Covid-19 interstate and international travel restrictions and report back to Council.

**THE AMENDMENT BECAME THE MOTION WAS PUT AND CARRIED 8/0**

*Reason: Council sought leave to explore further options which may promote tourism and event opportunities within the Shire of Kojonup.*



11.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MINUTES 30 MARCH 2020 AND 6 APRIL 2020

<b>AUTHOR</b>	Rob Cowie – Payroll & Emergency Services Officer
<b>DATE</b>	Wednesday 8 April 2020
<b>FILE NO</b>	ES.MET.1
<b>ATTACHMENT(S)</b>	11.2.1 - LEMC Minutes 30 March 2020 11.2.2 - LEMC Meeting Minutes 6 April 2020

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP 2 - Connected	2.3 – Be providing for a safe and secure environment by working with State and Federal authorities.	2.3.1 - Maximise community safety through safe urban design and advocate for enhanced emergency service provisions.

**DECLARATION OF INTEREST**

NIL

**SUMMARY**

The purpose of this report is to consider the minutes from the Local Emergency Management Committee meetings held 30 March 2020 and 6 April 2020.

**BACKGROUND**

The Local Emergency Management Committee (LEMC) is established under Section 38 of the *Emergency Management Act 2005* and plays an important role in the Council’s decision making process. Minutes of these meetings are presented to Council to consider any recommendations made.

**COMMENT**

The Shire of Kojonup LEMC has been convened more frequently due to the recent Covid-19 Pandemic.

**CONSULTATION**

Various members of the Local Emergency Management Committee

**STATUTORY REQUIREMENTS**

Section 38 of the *Emergency Management Act 2005*

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
2) Business Disruption	Lack of (or inadequate) emergency response/business continuity plans. Lack of training for specific individuals or availability of appropriate emergency response.	Regular LEMC, DEMC Meetings	Nil
Risk Rating - Adequate			
IMPLICATIONS			
The Shire is legislated to establish and maintain a LEMC. The risk of not having a LEMC is that all staff, Councilors and relevant Community members need to be able to work together under pressure in times of extreme stress should an emergency situation arise.			

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**40/20 Moved Cr Gale seconded Cr Pedler**

**“That the Local Emergency Management Committee Minutes dated 30 March 2020 and 6 April 2020 be received.”**

**CARRIED 8/0**

## 12 **KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS**

### 12.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (MARCH 2020)

<b>AUTHOR</b>	Anthony Middleton – Manager Corporate & Community Services
<b>DATE</b>	Thursday, 9 April 2020
<b>FILE NO</b>	FM.FNR.2
<b>ATTACHMENT(S)</b>	<b>12.1.1 – March 2020 Monthly Financial Statements</b>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
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 note the Monthly Financial Statements for the period ending 31 March 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 31 March 2020 represents nine (9) months, or 75% of the year.

The following items are worthy of noting:

- Closing surplus position of \$1.43m;
- Operating results:
  - 62% of budgeted operating revenue has been received; and
  - 59% of budgeted operating expenditure spent (note: depreciation has not been raised for 2019/2020 yet while we await finalisation of the 2018/2019 Annual Audit);

- Capital expenditure achieved 48% of budgeted projects;
- The value of outstanding rates equates to 7.6% of 2019/2020 rates raised;
- Cash holdings of \$5.5m of which \$2.91m is held in cash backed reserve accounts and \$1.6m is a grant held for other parties; and
- Pages 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**

**41/20 Moved Cr Pedler, seconded Cr Radford**

**“That the monthly financial statements for the period 1 July 2019 to 31 March 2020, as attached, be noted.”**

**CARRIED 8/0**

12.2 MONTHLY PAYMENTS LISTING MARCH 2020

<b>AUTHOR</b>	Vivicka Kahn - Finance Officer
<b>DATE</b>	Tuesday 14 April 2020
<b>FILE NO</b>	FM.AUT.1
<b>ATTACHMENT</b>	<a href="#">12.2.1 – Monthly Payment Listing 1/02/2020 to 29/02/2020</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
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 March 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**

**42/20 Moved Cr Pedler, seconded Cr Radford**

**“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:**

FROM – 1 March 2020		TO – 31 March 2020
Municipal Cheques	14221 - 14227	\$96,552.20
EFTs	25664 - 25827	\$1,420,564.34
Direct Debits		\$422,141.98
<b>Total</b>		<b>\$1,939,258.52</b>

be received.”

**CARRIED 8/0**

12.3 BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN – ANNUAL REVIEW

<b>AUTHOR</b>	Judy Stewart – Senior Administration Officer
<b>DATE</b>	9 April 2020
<b>FILE NO</b>	CM.PLN.1; RM.POL.1
<b>ATTACHMENT(S)</b>	<p>12.3.1 - Business Continuity and Disaster Recovery Plan showing changes including Pandemic Response Plan and Springhaven Outbreak Management Plan showing changes</p> <p>12.3.2 - Draft reviewed Business Continuity and Disaster Recovery Plan April 2020 including Pandemic Response Plan and Springhaven Outbreak Management Plan – Clean copy</p> <p>12.3.3 - COVID-19 Pandemic Response Plan</p>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP3 - Performance	<p>3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group</p> <p>3.4 – Be organised and transparent in our financial management</p>	Delivered Activity – Provision of Risk Management processes and systems

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

To seek Council endorsement of an updated Business Continuity and Disaster Recovery Plan including a COVID-19 Pandemic Response Plan and Springhaven Lodge Outbreak Management Plan.

**BACKGROUND**

The Council last reviewed its Business Continuity and Disaster Recovery Plan (Plan) in May 2019.

**COMMENT**

A Business Continuity and Disaster Recovery Plan including a COVID-19 Pandemic Response Plan and Springhaven Lodge Outbreak Management Plan provides guidance at a time when an organisation may be under considerable duress following a disaster that has affected, or in the event of a pandemic continues for some time to affect, the ability to provide essential or required services. Such a Plan identifies priorities and the resources required to return services in as quick and efficient manner as possible or to guide the organisation through a sustained event, aiming to minimise negative impact. Due to the upheaval that may be

caused by such events, including dealing with the confusion that may accompany them, a well thought out Plan containing current, up to date information is a vital resource.

Changes to the existing Plan are tracked and shown in red font and include a COVID-19 specific Pandemic Response Plan and Springhaven Lodge Outbreak Management Plan.

### **CONSULTATION**

Acting Chief Executive Officer  
Manager Works and Services  
Springhaven Registered Nurse  
Springhaven Facility Coordinator  
Development Services Coordinator  
Executive Assistant  
Payroll/Emergency Management Officer  
Kodja Place Acting Visitor Services Officer

### **STATUTORY REQUIREMENTS**

*Local Government Act (1995):*

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

### **POLICY IMPLICATIONS**

The Plan is completed in accordance with Council's Risk Management Policy 2.3.5 and Business Continuity Policy 2.3.6.

### **FINANCIAL IMPLICATIONS**

Nil

### **RISK MANAGEMENT IMPLICATIONS**

The Plan represents part of the Shire's Risk Management documentation. It is vital, from a business continuity and disaster recovery perspective, that details within such a Plan are as current as possible and regular reviews are undertaken.

### **ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil



**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**43/20 Moved Cr Fleay, seconded Cr Gale**

**“That the updated Business Continuity and Disaster Recovery Plan 2020 including the COVID-19 Pandemic Response Plan 2020 and Springhaven Lodge Outbreak Management Plan as attached, be adopted.”**

**CARRIED 8/0**

Cr Fleay thanked Officers for the body of work undertaken to develop the above plans which was also supported by Council.

12.4 FEES, CHARGES AND RENT - REDUCTION, POSTPONEMENT OR REMOVAL – COVID-19

<b>AUTHOR</b>	Emily Hills, Sport and Recreation Officer
<b>DATE</b>	Thursday, 9 April 2020
<b>FILE NO</b>	CP.USA.1, CP.LEA.1
<b>ATTACHMENT(S)</b>	<p>12.4.1 - Table of Fees and Charges</p> <p>12.4.2 - Request from St Luke’s Family Practice</p> <p>12.4.3 - Request from Kojonup Child Care Centre</p> <p>12.4.4 - Request for Support for 3/103 Albany Highway</p>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP4 – Prosperity	4.1 – Be providing business assistance for growth in small local industry	Nil – Unplanned event

**DECLARATION OF INTEREST**

Nil

**SUMMARY**

The purpose of the report is for Council to consider the reduction, postponement or removal of the listed fees and charges to local businesses and community groups due to the COVID-19 Pandemic effect on those businesses and community groups.

**BACKGROUND**

Formal requests have been received from St Luke’s Family Practice and Kojonup Child Care Centre regarding a reduction in their rental fees.

Shire staff have collated a list of other local community groups or businesses which may have their finances impacted by the alteration in normal business due to the COVID-19 Pandemic.

**COMMENT**

With the COVID-19 Pandemic and the changes to normal business by way of social distancing, consideration needs to be made for those businesses and community groups who either rent Shire owned buildings or pay an annual fee for use of Shire facilities.

A list of these businesses and community groups, collated by Shire staff is as follows:

- St Luke’s Family Practice (request for rent relief as per attachment 12.4.2)
- Kojonup Childcare Centre (request for rent relief and retrospective reimbursement as per attachment 12.4.3)
- Curly Wig Hair Salon
- Kojonup Playgroup
- Kojonup Toy Library
- Kojonup Men’s Shed

- Kojonup Football Club (Sports facilities only)
- Kojonup Hockey Club
- Kojonup Netball Club
- Kojonup Squash Club
- Kojonup Croquet Club

In addition, the owners of 3/103 Albany Highway have requested the waiver of rates, rubbish collection fees and assistance with sewage and water fees for six (6) months as per attachment 12.4.4.

Fees for these businesses and community groups for 19/20 financial year are in the table below

<u>Club</u>	<u>Fee</u>	<u>Frequency per year</u>	<u>Total Per Annum</u>	<u>Charge Date</u>
Kojonup Football Club	4800	1	\$4,800.00	March
Kojonup Squash Club	1700	1	\$1,700.00	March
Kojonup Netball Club	420	1	\$420.00	March
Kojonup Hockey Club	1150	1	\$1,150.00	March
Kojonup Toy Library	200	1	\$200.00	March
Kojonup Playgroup	200	1	\$200.00	March
Kojonup Croquet Club	100	1	\$100.00	March
TOTAL CLUB INCOME P/A			\$8,570.00	

**Commercial / Contract**

Kojonup Men's Shed	2600	1	\$2,600.00	October
Kojonup Child Care Centre	2628.60	1	\$2,628.60	March
St Luke's Family Practice	558.80	26	\$14,528.80	per fortnight
TOTAL CONTRACT INCOME P/A			\$19,757.40	

With regards to 103 Albany Hwy (owner F Ebner), six (6) months waiver of rates, rubbish collection fees only equates to \$1,446.

Community Sporting groups (Football, Hockey, Squash, Croquet) will have at most a half-season of competition, depending on the extent of the COVID-19 social distancing requirements. It is entirely possible that there will be no competition for some or all of these sports for the 2019/2020 season.

Kojonup Men's Shed, Kojonup Toy Library and Kojonup Playgroup will be required to continue social distancing until advised otherwise by the appropriate governing body, due to the high risk to individuals who would utilize their services.

Kojonup Child Care Centre has submitted a formal request for a hold or complete waiver of any fees or charges from the Shire if the facility has to close due to the COVID-19 Pandemic. They have also requested a retrospective reimbursement of monies paid to the Shire for the

erection of a Shed. The Commonwealth has pledged 50% additional funding towards Child Care Services during Covid-19.

It is important for the community to continue to have access to these businesses and community groups, as they contribute greatly to the wellbeing of our community members.

A reduction, waiver or postponement of the fees and charges listed in Attachment 12.4.1 would assist in ensuring these businesses and community groups continue to provide a service in our shire, by providing financial relief in an uncertain and testing time.

The requests from St Luke's Family Practice and F Ebner in relation to commercial business assistance poses the question whether all businesses in Kojonup who are impacted by the COVID-19 Pandemic should also be given the same allowances. If so, the funds to support this would be extensive and prohibitive for the Shire. It is also noted that the Shire president has indicated by way of email to F Ebner that Council is prepared to provide the Lesser Hall at no charge for the delivery of free flu vaccines.

Considering the above, it is recommended that:

1. The application by Kojonup Child Care Centre Inc. for the retrospective reimbursement of Shed Application fees totalling \$339.55 be approved;
2. The following organisations fees are paused from 1 March 2020 at the rates below as they have enjoyed use of the facilities prior to the COVID-19 restrictions:
  - Kojonup Child Care Centre Inc. lease payment - \$50.55 per week
  - Kojonup Men's Shed - \$50 per week
  - Kojonup Toy Library - \$3.85 per week
  - Kojonup Play Group - \$3.85 per week
  - Kojonup Croquet Club - \$1.92 per week
  - Kojonup Squash Club - \$32.70 per week
  - TOTAL – 17 weeks until 30 June 2020 = \$1,569.44
3. The following organisations 2019/2020 fees and charges are waived
  - Kojonup Football Club - \$4,800 per year
  - Kojonup Hockey Club – \$1,150 per year
  - Kojonup Netball Club - \$420 per year
  - TOTAL for 2020 season - \$6,370
4. St Luke's Family Practice request for rental relief be declined.
5. F Ebner's request for waiving of 6 months of rates and garbage collection be declined.

It is also recommended that the CEO be given delegated authority to consider any further requests to the Shire in relation to the reduction, postponement or waiving of fees, charges or rent for Shire owned facilities due to situations caused by the COVID-19 Pandemic.

#### **CONSULTATION**

Senior Finance Officer  
Emergency Services & Payroll Officer  
Kojonup Child Care Centre Inc.

#### **STATUTORY REQUIREMENTS**

Nil

## **POLICY IMPLICATIONS**

### **1.3 Community Organisation Waiving of Development Fees**

*Fees and charges for community or sporting groups may be waived where the community will benefit from or have use of the facility, programme etc., at the discretion of the CEO.*

*Donations to be journaled from the Donation Account to the relevant income account so that the value of donations can be recorded.*

**Implication** – *Kojonup Child Care Centre Inc. did not have their application fees waived for the erection of a Shed on the premises.*

### **2.1.3 Debtor Control**

#### **Objective**

*To ensure Council receives payment for goods and services provided within its credit terms, bad debts are minimised and debtor control is cost effective.*

#### **Policy**

##### **Sundry Debtors**

1. *The following accounts are to be paid for prior to the service being provided:*
  - a. *Photocopying;*
  - b. *Sale of Goods, Materials or Publications;*
  - c. *Hall Hire and ancillary charges;*
  - d. *Building Applications;*
  - e. *Septic Tank Application Fees; and*
  - f. *Freedom of Information Act 1992 Application Fees.*

*The terms of credit given by the Shire of Kojonup via the Local Government Act 1995 is 30 days. The Manager of Corporate and Community Services is to ensure that procedures are in place to limit the risk of debts turning bad.*

*Where Private Works are to be undertaken an estimated value is to be provided to the person/group/firm requesting the private works. The Shire of Kojonup requires an agreement to be signed for any private works prior to the work being undertaken.*

**Implication** – *The terms of credit as listed in the Sundry Debtors policy would not be met if a postponement of the payment of fees and charges was passed by Council.*

### **2.1.8 Financial Governance**

#### **Objective**

*The objective is to establish financial management and governance principles to be applied to general financial decision making.*

#### **Policy**

##### **Cash Reserves**

*Day Care Building Maintenance – 100% of annual rent paid by the tenant is deposited into this account;*

**Implication** – *If annual rent is not paid by Kojonup Child Care Centre Inc. then the Maintenance Cash Reserve account will not meet budget.*

### **2.3.4 Asset Management**

#### **Responsibility and Reporting**

**Council** - *Council is responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of any adopted Asset Management Plans. In adopting Asset Management Plans, Council is also determining the Level of Service for each asset class.*

**Chief Executive Officer (CEO)** - *is responsible for ensuring that systems are in place to ensure that Council's Asset Management (AM) Policy, AM Improvement Strategy, and AM Plans are prepared and kept up to date, reviewed at least annually and that recommendations are put to Council in relation to appropriate resource allocation to fulfil the objectives of the above documents. The CEO reports to Council on all matters relating to Asset Management.*

**Asset Management Working Group (AMWG)** – *is responsible for ensuring that Council's Asset Management Improvement Strategy is achieved and that Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management.*

**All Managers** – *are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and, in particular, the cross functional Asset Management Working Group. All Managers report to the CEO on all matters relating to Asset Management under their area of control.*

*All Managers will ensure that relevant staff are appropriately trained in asset management and that funds are put aside each year to ensure that this training occurs.*

**Implication** – *Rental and fees and charges income contributes to the financial resources available to ensure appropriate allocation of funds to achieve the objectives of Asset Management Plans.*

#### **FINANCIAL IMPLICATIONS**

Reduction in Rent and Fees and Charges income, differing from the Annual Budget, is shown in the Officer's Comment section above.

The Officer's Recommendation suggests \$8,278.99 of fees, charges and rent be waived for the 2019/2020 financial year. Account C370 (Digital Signage) has a Council cash contribution of \$16,000 in the 2019/2020 budget. As a location for this sign has yet to be chosen and the concept is being considered as part of the Townscape Plan, some of these funds can be re-allocated to fund this item.

**RISK MANAGEMENT IMPLICATIONS**

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
<i>Asset Sustainability</i>	<i>Insufficient budget to maintain or replace assets</i>	<i>Routine Maintenance Schedule - Buildings</i>	<i>NIL</i>
<i>Engagement</i>	<i>Relationship breakdown with community groups. Budget/Funding issues</i>	<i>Support local community volunteer groups. Community engagement/networking</i>	<i>Review and assess community engagement strategy / plan</i>
<i>Risk rating Moderate</i>			
IMPLICATIONS			
<i>The reduction in income from Fees and Charges and Rent will affect the budget position regarding Building Maintenance. This will in turn affect the Shire’s ability to continue with any planned maintenance or upgrades to the facilities the income would have supported. A negative response regarding community requests for financial assistance may impact on the Community Satisfaction Score and impact on the reputation of the Council within the community.</i>			

**ASSET MANAGEMENT IMPLICATIONS**

Decreased income from fees, charges and rent will impact the Shire financially in its ability to progress with asset maintenance.

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

Nil

**VOTING REQUIREMENTS**

Absolute Majority (budget amendment & delegation)

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**44/20 Moved Cr Singh, seconded Cr Gale**

**“That:**

- 1. The application by Kojonup Child Care Centre Inc. for the retrospective reimbursement of Shed Application fees totalling \$339.55 be approved and funds dispersed to their nominated bank account**
- 2. The following organisations fees are paused from 1 March 2020**
  - Kojonup Child Care Centre Inc. lease payment**
  - Kojonup Men’s Shed**
  - Kojonup Toy library**
  - Kojonup Play Group**
  - Kojonup Croquet Club**
  - Kojonup Squash Club**
- 3. The following organisations 2019/2020 fees and charges are waived**
  - Kojonup Football Club**
  - Kojonup Hockey Club**
  - Kojonup Netball Club**
- 4. The loss of income as a result of points 1-3 above be funded by a budget amendment that reduces account C370 (Digital Signage) by \$8,500 and the corresponding income accounts by a total of \$8,500;**
- 5. St Luke’s Family Practice request for rental relief be declined.**
- 6. F Ebner’s request for waiving of six (6) months of rates and garbage collection be declined.**
- 7. The CEO be delegated authority to consider any further requests to the Shire in relation to the reduction, postponement or waiving of fees and charges or rent for Shire owned facilities due to situations caused by the COVID-19 Pandemic.”**

**CARRIED 8/0**



12.5 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 17 March 2020

<b>AUTHOR</b>	Heather Marland – Senior Finance Officer
<b>DATE</b>	Tuesday 14 April 2020
<b>FILE NO</b>	GO.CNM.96
<b>ATTACHMENT(S)</b>	<a href="#">12.5.1 – Unconfirmed Minutes from the Audit and Risk Committee Meeting held 17 March 2020.</a>

<b>STRATEGIC/CORPORATE IMPLICATIONS</b>		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
<b>Key Pillar</b>	<b>Community Outcomes</b>	<b>Corporate Actions</b>
KP3 - Performance	3.4 – Be organised and transparent with our financial management	- 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 minutes of the Audit and Risk Committee meeting held 17 March 2020 are presented for Council consideration.

**BACKGROUND**

The Audit and Risk Committee is established under Section 71A of *the Local Government Act 1995* ensuring transparency in Councils financial management and decision making process. In accordance with Section 71.A of the Local Government Act 1995, the Audit and Risk Committee was established with defined terms of reference and a membership consisting of six (6) committee members being, four (4) Councillors; and two (2) Community Members. A decision of the Audit and Risk Committee is to be made by a simple majority.

**COMMENT**

The Audit and Risk Committee typically meets at least quarterly, or as required, and has held one meeting since the commencement of the calendar year being 17 March 2020.

**CONSULTATION**

Members of the Audit and Risk Committee.

**STATUTORY REQUIREMENTS**

Sections 7.1A to 7.1C of the *Local Government Act 1995*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Risk Profile 3 – Compliance

As per s.7.1A of *the Local Government Act 1995*, a local government is to establish an audit and risk committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

**ASSET MANAGEMENT IMPLICATIONS**

Nil

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

Nil

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**45/20 Moved Cr Pedler seconded Cr Wieringa**

**“That Council receive the minutes from the Audit and Risk Committee meeting held 17 March 2020.”**

**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**

Nil

**18 NEXT MEETING**

Ordinary Council Meeting Tuesday, 19 May 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 3.45pm.

**20 ATTACHMENTS (SEPARATE)**

Item 7	7.1.1	Minutes of the Ordinary Council Meeting held 17 March 2020
	7.2.1	Minutes of the Special Council Meeting held April 2020
Item 10.1	10.1.1	Unconfirmed minutes for the Natural Resource Management Committee meeting 5 March 2020
Item 10.2	10.2.1	Draft 10 Year Precinct Plan
Item 10.3	10.3.1	Great Southern Regional Trails Master Plan
Item 11.1	11.1.1	Reserve Management Orders – Orchid Valley (R 10346), Muradup (R 11487), Boscabel (R 15187) and Qualeup (R 24632)
	11.1.2	<i>Caravan Parks and Camping Grounds Regulations 1997 - Regulations 11 to 15: Caravan and camping generally</i>
	11.1.3	<i>Caravan Parks and Camping Grounds Regulations 1997 – Schedule 7 – Caravan parks and camping grounds Divisions 1 to 14</i>
	11.1.4	<i>Shire of Kojonup Property Local Law – clause 2.7 (1)</i>
Item 11.2	11.2.1	LEMC Minutes 30 March 2020
	11.2.2	LEMC Meeting Minutes 6 April 2020
Item 12.1	12.1.1	March 2020 Monthly Financial Statements
Item 12.2	12.2.1	Monthly Payment Listing 1/03/2020 to 31/03/2020
Item 12.3	12.3.1	Business Continuity and Disaster Recovery Plan showing changes including Pandemic Response Plan and Springhaven Outbreak Management Plan showing changes
	12.3.2	Draft reviewed Business Continuity and Disaster Recovery Plan April 2020 including Pandemic Response Plan and Springhaven Outbreak Management Plan – Clean copy
	12.3.3	COVID-19 Pandemic Response Plan
Item 12.4	12.4.1	Table of Fees and Charges
	12.4.2	Request from St Luke’s Family Practice
	12.4.3	Request from Kojonup Child Care Centre
	12.4.4	Request for Support for 3/103 Albany Highway
Item 12.5.1	12.5.1	Unconfirmed Minutes from the Audit and Risk Committee Meeting held 17 March 2020.

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Presiding Member

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Date