

SHIRE OF KOJONUP
Kojonup



AGENDA

Ordinary Council Meeting

16 November 2021

TO: THE SHIRE PRESIDENT AND COUNCILLORS

NOTICE is hereby given that a meeting of the Council will be held in the Council Chambers, Administration Building, 93 Albany Highway, Kojonup on Tuesday, 16 November 2021 commencing at 3:00pm.

Qualified Persons Advice, etc.

I certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii. Where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

GRANT THOMPSON
CHIEF EXECUTIVE OFFICER

12 November 2021

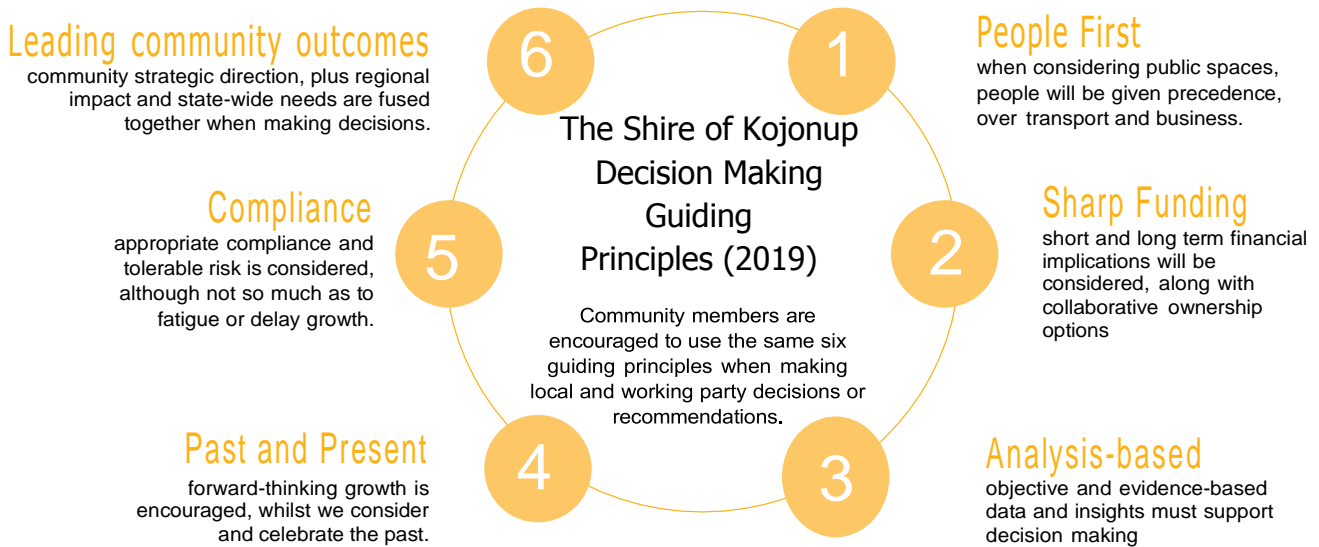
AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 16 NOVEMBER 2021

TABLE OF CONTENTS

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS.....	5
2	ATTENDANCE AND APOLOGIES.....	6
3	SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	6
4	PUBLIC QUESTION TIME	6
5	PETITIONS, DEPUTATIONS AND PRESENTATIONS	6
6	APPLICATIONS FOR LEAVE OF ABSENCE	6
7	CONFIRMATION OF MINUTES.....	7
7.1	COUNCIL MEETING 28 SEPTEMBER 2021	7
7.2	COUNCIL MEETING 19 OCTOBER 2021	7
7.3	SPECIAL COUNCIL MEETING 2 NOVEMBER 2021	7
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION.....	7
9	DECLARATIONS OF INTEREST.....	7
10	KEY PILLAR 1 – ‘PLACE’ REPORTS	8
10.1	REVIEW OF VOLUNTEER HANDBOOK	8
10.2	PAVEMENT RE-SURFACE REQUEST – 122 AND 124 ALBANY HIGHWAY.....	11
11	KEY PILLAR 2 – ‘CONNECTED’ REPORTS	17
11.1	MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 24 AUGUST 2021	17
11.2	MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 14 OCTOBER 2021	19
12	KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS.....	21
12.1	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (SEPTEMBER 2021).....	21
12.2	FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (OCTOBER 2021).....	23
12.3	MONTHLY PAYMENTS LISTINGS SEPTEMBER AND OCTOBER 2021	25
12.4	MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 2 NOVEMBER 2021.....	27
12.5	RISK AND LEGISLATIVE COMPLIANCE REVIEW.....	29
12.6	ADMINISTRATION OFFICE, LIBRARY AND DEPOT CLOSURE DURING THE 2021/2022 CHRISTMAS AND NEW YEAR PERIOD	34
12.7	POLICY MANUAL REVIEW	37
13	KEY PILLAR 4 – ‘PROSPERITY’ REPORTS	40
13.1	KOJONUP AERODROME LOCAL PLANNING POLICY	40
13.2	RETROSPECTIVE DEVELOPMENT APPROVAL FOR LANDFILL AND UNAUTHORISED ACCESS ONTO BLACKWOOD ROAD AT LOT 27 THORNBURY CLOSE, KOJONUP	44

14	KEY PILLAR 5 – ‘DIGITAL’ REPORTS.....	51
14.1	RECORDKEEPING PLAN 2021 - 2025	51
15	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	54
16	NEW BUSINESS.....	54
17	CONFIDENTIAL REPORTS	54
17.1	E-QUOTATION FOR THE SUPPLY AND SPRAY OF BITUMEN.....	54
17.2	E-QUOTATION FOR THE SUPPLY AND DELIVERY OF 1 (ONE) MOTOR GRADER	54
18	NEXT MEETING.....	55
19	CLOSURE	55
20	ATTACHMENTS (SEPARATE).....	56

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 shall declare the meeting open at _____ 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 (Shire) 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 licence 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 Gale

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

COUNCILLORS

Cr Radford	Shire President
Cr P Webb	Deputy Shire President
Cr Wieringa	
Cr F Webb	
Cr Gale	
Cr Singh	
Cr R Bilney	
Cr A Egerton-Warburton	

STAFF

Grant Thompson	Chief Executive Officer
Anthony Middleton	Manager Corporate and Community Services
Craig McVee	Manager Works and Services
Robert Jehu	Manager Regulatory Services
Judy Stewart	Senior Administration Officer
Emily Sleight	Sport and Recreation Officer
Jenny Clark	Records Administration Officer

LEAVE OF ABSENCE

Nil

APOLOGIES

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Questions may be submitted using the special email address for Council Meeting Public Question Time being cmpqt@kojonup.wa.gov.au

The Manager Corporate and Community Services will table all correspondence received.

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING 28 SEPTEMBER 2021

Minutes of the Council Meeting held on 28 September 2021 are at Attachment 7.1.1.

OFFICER RECOMMENDATION

That the Minutes of the Council Meeting held on 28 September 2021 be confirmed as a true record.

7.2 COUNCIL MEETING 19 OCTOBER 2021

Minutes of the Council Meeting held on 19 October 2021 are at Attachment 7.2.1.

OFFICER RECOMMENDATION

That the Minutes of the Council Meeting held on 19 October 2021 be confirmed as a true record.

7.3 SPECIAL COUNCIL MEETING 2 NOVEMBER 2021

Minutes of the Special Council Meeting held on 2 November 2021 are at Attachment 7.3.1.

OFFICER RECOMMENDATION

That the Minutes of the Special Council Meeting held on 2 November 2021 be confirmed as a true record.

8 ANNOUNCEMENTS by the Presiding Member without discussion

9 DECLARATIONS OF INTEREST

10 KEY PILLAR 1 – ‘PLACE’ REPORTS

10.1 REVIEW OF VOLUNTEER HANDBOOK

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Monday, 8 November 2021
FILE NO	CM.POL.1
ATTACHMENT(S)	10.1.1 - Volunteer Handbook – existing (2020) copy showing changes 10.1.2 - Volunteer Handbook - clean copy (2021)

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
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.	1.1.3 – Grow the Kodja Place to become an iconic WA attraction.
KP 3 – Performance	3.1 – Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.3 – Encourage interaction and input to the Shire of Kojonup, particularly through contemporary working party teams.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to review the Shire of Kojonup’s (Shire) Volunteer Handbook.

BACKGROUND

The Shire’s Volunteer Management Handbook (Handbook) was originally produced in 2016 in line with Council’s adoption of its Volunteer Management Policy (Policy 2.3.8). Significant changes were made in November 2018 to form a less cumbersome and more user friendly Handbook. With the exception of volunteer firefighters who are recognised and supported via the Bush Fire Advisory Committee and relevant legislation, the Handbook represents a detailed point of reference for other Shire volunteers, provides guidance to managers overseeing volunteer programmes and recognises volunteers as an integral part of our organisation. The provision of a Handbook for volunteers is also in keeping with Work Health and Safety best practice principles, working to protect the employer and the volunteer.

The Shire has many different activities that volunteers engage in (mainly at the Kodja Place precinct, Springhaven Frail Aged Lodge, the Kojonup Library and Friends of Myrtle Benn) working alongside staff to deliver and enhance services and initiatives offered by the Shire. Without the support and contribution provided by volunteers, some of these services and initiatives would be difficult to sustain into the future.

COMMENT

Suggested updates are minor and inconsequential in nature (please see Attachment 10.1.1 showing changes).

CONSULTATION

Managers

Staff with community/volunteer associated roles

STATUTORY REQUIREMENTS

Section 5.40 (e) of the *Local Government Act 1995* – Principles affecting employment by local government

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees –

(e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984;

POLICY IMPLICATIONS

Policy 2.3.8 – Volunteer Management

FINANCIAL IMPLICATIONS

In addition to the social and community benefits associated with volunteering, the value adding that occurs without incurring wage expenses contributes to the ongoing provision of services and initiatives that otherwise may not happen.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
5 - Employment Practices	Failure to effectively manage and lead human resources (full-time, part-time, casuals, temporary and volunteers). Inadequate induction practices.	Induction process	Nil

14 - Safety and Security	Inadequate policy, frameworks, systems and structure to prevent the injury of visitors, staff, volunteers, contractors and/or tenants.	Contractor/Staff/Volunteer site inductions	Nil
Risk rating – Adequate/Adequate			
IMPLICATIONS			
A Volunteer Handbook ensures that the Shire’s volunteers, and their managers, are provided with the necessary information to ensure duties are undertaken in a safe manner and volunteers are informed of their rights and obligations.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the revised Volunteer Handbook 2021, as attached, be adopted.

10.2 PAVEMENT RE-SURFACE REQUEST – 122 AND 124 ALBANY HIGHWAY

AUTHOR	Grant Thompson – Chief Executive Officer
DATE	Friday, 12 November 2021
FILE NO	FM.TND.2
ATTACHMENTS	10.2.1 – Correspondence - Parminder Singh and Kellie Jane Bowey

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 1 - Place	1.4 - Be enjoying a Main Street which is an inviting meeting place where we celebrate our history and heritage in a modern way	1.4.6 - Redevelop the main street to create a people friendly and vibrant retail centre - Provide Community infrastructure that attracts outsourced or privately run facilities and programs. - Work with local retail outlets to build a people-friendly, active, vibrant and smart Main Street
KP 4 - Prosperity	4.4 – Have collaborated to enhance and attract diverse retail to ensure a successful and renewed Main Street.	4.4.1 - Support Main Street urban renewal through in-kind support and policy development.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of the report is for the Council to consider a written request to resurface the paving in front of Shop 124 Deli and the Shear Class hairdresser at 124 and 122 Albany Highway, Kojonup respectively, at no cost to the Shire of Kojonup (Shire).

BACKGROUND

A streetscape concept plan to revitalise Kojonup’s main street section of Albany Highway is being progressed; however, no funding has been sourced or allocated for this project.

COMMENT

The owner of 124 Deli, Parminder Singh, and the owner of Shear Class hairdressers, Kellie Jane Bowey, have applied to the Council for permission to coat the current pavers covering the pavement between the shop fronts and the kerb at the front of the premises.

The pavers outside these retail properties are old and inconsistent with the rest of the main street; no impact on aesthetics.

The proposal is to coat the current pavers with a Charcoal Base Grey Slate colour as per the photographs attached; the current pavers in this location are not consistent with the majority of the pavers along the main street and the footpath from the Chemist to 122 Albany Highway is concrete before changing to the red/brown pavers currently in place at 122 & 124 Albany Highway. Having the product applied would allow Council to assess the finished product over time.

The products to be used are Nubond and Dulux products for similar painting of pavers or concrete as per the photos embedded.

The Contractor to be employed by Parminder Singh and Kellie Jane Bowey has operated and used the product in other City councils.

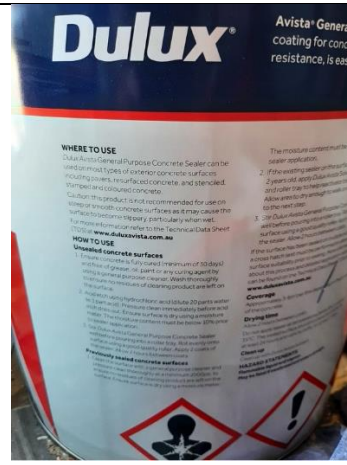
Product line used in Spray on Pavers:

- High Pressure acid cleaning
- Primer coating (Nu Bond Polymer)
- Colour (Charcoal Base Grey) Oxide
- Base Compounder (Dulux Avista)
- Dulux Extended Wear Sealer for sealing.

The main concern is if several businesses along the street applied to paint their adjoining pavements, this may create a variety of different textures along the street.

The Shire currently has no form guide as to what colours or products should be applied in the street. We have not compared this request to the streetscape plan. Further work is required to understand the product range and if it fits with the streetscape plan form.

Inconsistent approval applications in the main street could cause reputational damage to the Shire; this request is not aligned to a consistent Town Planning streetscape approach. If approved, any future applications would need to be judged on their individual merits.





Photos of product to be utilized provided by the proponent.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be no initial financial cost to Council.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
1 - Asset Sustainability	Inadequate design (not fit for purpose)	Routine maintenance schedule: Hard Infrastructure (Roads, bridges, drainage, footpaths)	Nil
Risk Rating: Moderate			
IMPLICATIONS			

Risks include:

Inadequate design (not fit for purpose);

Product used and public impact for sensitive residents during coating process.

Resurface material is a slip hazard for the public.

Product is less than warranted, the Shire is liable for maintenance and other cleanup costs.

Post Coating it does not fit aesthetically into the current town scheme and Shire needs to change out the pavers creating rework and cost.

Contractors not contracted by Shire working on shire owned assets, the risk of workers public liability claim.

Outputs not meeting expectations;

No control of standard of work as not contracted through Shire.

Reputation damage for Council due to poor workmanship.

Criticism from residents due to inconsistent streetscape plan and colours.

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council does/does not approve a request from Parminder Singh and Kellie Jane Bowey to re-surface the pavers between the shop fronts and kerbing at 122 and 124 Albany Highway, Kojonup using the products the proponents have proposed, as a one off trial, dependent on the following conditions if approved:

- a) the contractor engaged to undertake the pavement re-surfacing is suitably qualified, experienced and insured, and completes the Shire of Kojonup's (Shire) Work Health and Safety documentation requirements for contractors;
- b) the contractor must obtain any permission required from Main Roads WA if encroaching on the Albany Highway road surface (signage etc) and provide the Shire with written proof of this permission;
- c) the contractor must obtain permission from the neighbouring landowners if there is to be any encroachment on a neighbour's property, as a result of any part of the re-surfacing process, and provide the Shire with written proof of this permission;
- d) that the proponent is advised that this action is at the proponents' total cost but the Shire may change the streetscape at any stage with no compensation to the proponents for their expense; and
- e) that the proponent is advised that if the product does not meet standards or specifications (at the Shire's discretion), the Shire may require the proponents to pay any cost of rectification.

11 KEY PILLAR 2 – ‘CONNECTED’ REPORTS

11.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 24 AUGUST 2021

AUTHOR	Robert Jehu – Manager Of Regulatory Services
DATE	Monday, 8 November 2021
FILE NO	ES.MET.1
ATTACHMENT(S)	11.1.1 – Minutes of the Local Emergency Management Committee meeting held 24 August 2021

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 – 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 receive the minutes from the Local Emergency Management Committee meeting held 24 August 2021.

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 be received.

COMMENT

Nil

CONSULTATION

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 of Kojonup is legislated to establish and maintain a LEMC. Having a LEMC assists staff, Councillors and relevant Community members to be able to work together under pressure in times of extreme stress if an emergency situation should arise, thus mitigating risk.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the minutes of the Local Emergency Management Committee meeting held 24 August 2021 be received.

11.2 MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 14 OCTOBER 2021

AUTHOR	Robert Jehu – Manager of Regulatory Services
DATE	Monday, 8 November 2021
FILE NO	ES.CIR.2
ATTACHMENT(S)	11.2.1 – Minutes of the Kojonup Bush Fire Advisory Committee meeting held 14 October 2021

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 2 - Connected	2.3 Be providing for a safe and secure environment by working with State and Federal Authorities	2.31.1 – 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 receive the minutes from the Bush Fire Advisory Committee meeting held on 14 of October 2021.

BACKGROUND

The Bush Fire Advisory Committee (BFAC) is established under Section 67 of the *Bush Fires Act 1954* and plays an important role in the Council’s decision making process. Minutes of these meetings are presented to Council to be received.

COMMENT

It is anticipated that an item will come to Council’s December 2021 Ordinary Meeting regarding a DFES funded fire shed to be located at the Shire of Kojonup Depot.

CONSULTATION

Members of the Bush Fire Advisory Committee

STATUTORY REQUIREMENTS

Section 67 of the *Bush Fires Act 1954*

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			
Under legislation, the Shire may establish and maintain a BFAC. The risk of not having a BFAC is that staff and Councillors do not necessarily possess the relevant knowledge or experience regarding bushfires. The Shire is reliant on the Bush Fire Advisory Committee to be able to provide this knowledge.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the unconfirmed minutes of the Bush Fire Advisory Committee meeting held 14 October 2021 be received.

12 KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS

12.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (SEPTEMBER 2021)

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Friday, 5 November 2021
FILE NO	FM.FNR.2
ATTACHMENT(S)	12.1.1 – September 2021 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 30 September 2021.

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 2021 to 30 September 2021 represents three (3) months, or 25% of the year.

The following items are worthy of noting:

- Closing surplus position of \$3.77m;
- Operating results:
 - 42% of budgeted operating revenue has been received; and
 - 20% of budgeted operating expenditure spent (excludes depreciation until after the audit has been completed);
- Capital expenditure achieved 6% of budgeted projects;

- Cash holdings of \$5.42m of which \$3.54m is held in cash backed reserve accounts and \$237,239 is a grant held for other parties;
- Rates debtors outstanding equate to 26% of total rates raised for 2021/2022; 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

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 30 September 2021, as attached, be noted.

12.2 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY (OCTOBER 2021)

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Friday, 5 November 2021
FILE NO	FM.FNR.2
ATTACHMENT(S)	12.2.1 – October 2021 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 31 October 2021.

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 2021 to 31 October 2021 represents four (4) months, or 33% of the year.

The following items are worthy of noting:

- Closing surplus position of \$2.54m;
- Operating results:
 - 46% of budgeted operating revenue has been received; and
 - 26% of budgeted operating expenditure spent (excludes depreciation until after the audit has been completed);
- Capital expenditure achieved 14% of budgeted projects;
- Cash holdings of \$5.45m of which \$3.54m is held in cash backed reserve accounts and \$237,239 is a grant held for other parties;
- Rates debtors outstanding equate to 22% of total rates raised for 2021/2022; 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

Nil

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 31 October 2021, as attached, be noted.

12.3 MONTHLY PAYMENTS LISTINGS SEPTEMBER AND OCTOBER 2021

AUTHOR	Vivicka Kahn - Finance Officer
DATE	Sunday, 7 November 2021
FILE NO	FM.AUT.1
ATTACHMENT	12.3.1 – Monthly Payment Listing September 2021 12.3.2 – Monthly Payment Listing October 2021

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2019-2023”
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

To receive the list of payments covering the months of September to October 2021.

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 purchase 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

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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 September 2021		TO – 31 October 2021
Municipal Cheques	14305 - 14313	\$19,577.41
EFTs	28765 - 29096	\$2,151,621.42
Direct Debits		\$828,275.02
Total		\$2,999,473.85

be received.

12.4 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD 2 NOVEMBER 2021

AUTHOR	Heather Marland – Senior Finance Officer
DATE	Friday, 5 November 2021
FILE NO	GO.CNM.96
ATTACHMENT(S)	12.4.1 – Audit and Risk Committee Meeting Minutes – 2 November 2021

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP 3 - 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 2 November 2021 are presented for Council’s consideration.

BACKGROUND

The Audit and Risk Committee is established under Section 71A of the *Local Government Act 1995* ensuring transparency in the Shire’s financial management and decision making process. 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.

COMMENT

The attached minutes of the Audit and Risk Committee meeting include several recommendations which will be addressed via separate agenda items, where required. This item is solely the Council receiving the minutes of its Audit and Risk Committee meeting.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 - Failure to Fulfil Compliance Requirement's	3 rd party adverse findings against Shire	Audit and Risk Committee	4 Meetings held per annum
Risk rating: Low			
IMPLICATIONS			
As per s.7.1A of the <i>Local Government Act 1995</i> , 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

That Council receive the minutes from the Audit and Risk Committee meeting held 2 November 2021.

12.5 RISK AND LEGISLATIVE COMPLIANCE REVIEW

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Friday, 29 October 2021
FILE NO	GO.CNM.9
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 organized 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. 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 to undertake the required review of systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the *Local Government (Audit) Regulations 1996*.

BACKGROUND

Local government Chief Executive Officers are required to carry out at least a triennial review of legislative compliance, internal control and risk management and present the results of the review to the Council’s Audit Committee. This report has been recommended by the Audit and Risk Committee, at its 2 November 2021 meeting, for adoption by Council:

OFFICER RECOMMENDATION/COMMITTEE DECISION

Moved Mr R House, seconded Mr J Hope, that it be recommended to the Council that the 2021 Risk and Legislative Compliance Review, as required under Regulation 17 of the Local Government (Audit) Regulations 1996 on the appropriateness and effectiveness of the Shire of Kojonup’s systems and procedures in relation to risk management, internal control and legislative compliance as outlined in this report, be adopted.

CARRIED 5/0

COMMENT

To review the appropriateness and effectiveness of systems and procedures, a set of measurable items is required to enable comparison and/or analysis. The following tables

attempt to identify, quantify and track progress of risk management, legislative compliance and internal controls:

RISK MANAGEMENT				
	2014	2016	2018	2021
Risk Management Plan:				
Is there an Adopted Plan in Place?	✓	✓	✓	✓
Was it reviewed in the two year period?	n/a	✓	✓	✓
Was the Business Continuity & Disaster Recovery Plan reviewed?	n/a	✓	✓	✓
Was the Asbestos Management Plan reviewed?	✗	✓	✓	✗
Risk Register (2014-2018):				
Number of Extreme & High risk items on the register?				
- Springhaven	11	3	2	Change to Risk Management Framework 2019 - see below
- Office	17	7	4	
- Council	15	15	10	
- Depot	23	7	0	
- The Kodja Place	n/a	25	21	
Risk Register (2019 to 2021):				
Number of Low, Moderate & High Risks (15 Risk Profiles)				
Low				4
Moderate				8
High				3
Is Risk regularly discussed and minuted at staff meetings and various councillor meetings:				
<i>BCDRP - Business Continuity & Disaster Recovery Plan</i>				
<i>OSH - Occupational Safety and Health</i>				
Springhaven (operational) (audits, BCDRP 2019>)	✗	✓	✓	✓
Office (OSH inc Audit [2020], BCDRP review & Management review of Risk Actions & Profiles)	✗	✓	✓	✓
Councillors (Audit & Risk Committee/Council agenda items)	✗	✗	✓	✓
Depot (OSH inc Audit [2020], BCDRP review & Management review of Risk Actions & Profiles)	✗	✗	✗	✓
The Kodja Place (OSH inc Audit [2020], BCDRP review & Management review of Risk Actions & Profiles)	✗	✗	✗	✓

Shire of Kojonup – Ordinary Council Meeting – Agenda – 16 November 2021

INTERNAL CONTROLS								
	2014	2015	2016	2017	2018	2019	2020	2021
Policies & Delegations:								
Was the Delegation Register reviewed (financial year)?	✓	✓	✓	✓	✓	✓	✓	✓
Were all Council Policies reviewed?	✗	✓	✓	✓	✓	✓	✓	✓
Fraud, Corruption & Misconduct Policy adopted						✓		
Budget & Finance:								
Was Budget adopted prior to 31 August?	✓	✓	✓	✓	✓	✓	✓	✓
Was the Budget reviewed on time (between 01/01 & 31/03)?	✓	✓	✓	✓	✓	✓	✓	✓
When was the Annual Electors Meeting held?	April	April	March	December	May	March	December	October
Audit Management Letter - Number of Items Raised	5	4	4	4	6	1	3	TBA
Integrated Planning:								
Was the Long Term Financial Plan reviewed?	n/a	✓	n/a	✗	✗	in progress		
Was the Strategic Community Plan reviewed?	n/a	✓	n/a	✓	n/a	✓	n/a	✗
Was the Corporate Business Plan reviewed?	✓	✓	✗	✓	✓	✓	✓	✗
Was the Asset Management Plan reviewed?	n/a	✓	n/a	✓	n/a	n/a	n/a	n/a
Was the Workforce Plan reviewed?	✓	✓	✗	✓	✓	✓	✗	✗
Springhaven Lodge:								
Were Springhaven Policies reviewed by the Council?	✓	✗	✓	✓	✓	✓	in progress	
Springhaven Quality Agency Audit Visits								
- Issues noted (scheduled audit/unannounced partial audit) - all three yearly (full) audits post 2018 will be unannounced visits	3 out of 127 2.36%	0 out of 44 0%	0 out of 33 0%	0 0%	0 out of 44 0%	Delayed due to pandemic - - -		

LEGISLATIVE COMPLIANCE								
	2014	2015	2016	2017	2018	2019	2020	2021
Compliance Audit Return (CAR):								
Was the CAR completed by 31 March each year?	✓	✓	✓	✓	✓	✓	✓	✓
Number of negative responses	3	8	1	0	1	0	2	0
Information Statement:								
Was the review undertaken?	✓	✓	✓	✓	✓	✓	✓	✓
Audit Report								
					2017/18	2018/19	2018/19	2019/20
Number of Items Raised	2	1	0	0	1	1	3	TBA

CONSULTATION

Manager Corporate and Community Services

STATUTORY REQUIREMENTS

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

- 1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to*
 - a. *risk management; and*
 - b. *internal control; and*
 - c. *legislative compliance*
- 2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- 3) *The CEO is to report to the audit committee the results of that review.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 - Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This includes new or proposed regulatory and legislative changes, in addition to the failure to maintain updated internal & public	Three year legislative review of compliance (Reg. 17)	Triennial reporting

	domain legal documentation.		
Risk Rating: Adequate			
IMPLICATIONS			
Compliance with Regulation 17 of the <i>Local Government (Audit) Regulations 1996</i> is a primary tool of the risk management process and one that is required by legislation. It is a triennial review of our systems and processes reported to the Council via the Audit and Risk Committee and, as such, is available publicly.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the 2021 Risk and Legislative Compliance Review, as required under Regulation 17 of the *Local Government (Audit) Regulations 1996* on the appropriateness and effectiveness of the Shire of Kojonup's systems and procedures in relation to risk management, internal control and legislative compliance, as outlined in this report, be adopted.

12.6 ADMINISTRATION OFFICE, LIBRARY AND DEPOT CLOSURE DURING THE 2021/2022 CHRISTMAS AND NEW YEAR PERIOD

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Monday, 8 November 2021
FILE NO	CM.PRO.1
ATTACHMENT(S)	Nil

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
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.	3.2.2 - Engage with our residents and industry members through increased use of social media.

DECLARATION OF INTEREST

The author is a Shire of Kojonup employee and, as such, is affected by the outcome of this report.

SUMMARY

To approve the Administration Office, Library and Depot closure during the 2021/2022 Christmas and New Year period.

BACKGROUND

The temporary closure of the Administration Office, Library and Depot during the Christmas and New Year holiday period has occurred for several years; it is suggested that the same arrangements take place during the 2021/2022 Christmas and New Year period.

COMMENT

In 2021 Christmas Day and Boxing Day fall on Saturday, 25 December and Sunday, 26 December with the public holidays to be observed on Monday, 27 December and Tuesday, 28 December. New Year’s Day falls on Saturday, 1 January 2022 with the public holiday to be observed on Monday, 3 January 2022.

It is proposed that the Administration Office, Library and Depot be closed from 12.30pm on Friday, 24 December 2021 through until Tuesday, 4 January 2022 as follows:

- Friday, 24 December 2021 – Administration Office, Library and Depot close at 12.30pm
- Saturday, 25 December 2021 – Christmas Day
- Sunday, 26 December 2021 – Boxing Day
- Monday, 27 December 2021 – Christmas Day observed public holiday
- Tuesday, 28 December 2021 – Boxing Day observed public holiday
- Wednesday, 29 December 2021 – Offices closed - Personal leave required
- Thursday, 30 December 2021 - Offices closed - Personal leave required
- Friday, 31 December 2021 – Offices closed – Personal leave required

Saturday, 1 January 2022 - New Year's Day

Monday, 3 January 2022 – New Year's Day observed public holiday

Tuesday, 4 January 2022 - Administration Office, Library, and Depot reopen with officers commencing at usual work times.

Staff will be required to utilise leave accruals which can include:

- annual leave
- rostered days off
- Local Government days
- time in lieu; or
- leave without pay (only by prior arrangement with the Chief Executive Officer [CEO]).

Staff planning to work throughout this period can only do so with the approval of the CEO.

CONSULTATION

Senior Management

STATUTORY REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no financial implications as staff will be required to utilise leave accruals which are accounted for in the 2021/2022 Annual Budget.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
5 – Employment Practices	Insufficient staff numbers to achieve objectives	Health and Wellbeing initiatives	Nil
Risk Rating: High			
IMPLICATIONS			
Continuing the practice of closing operations over the Christmas/New Year period, as occurs in many local governments and has occurred for many years at the Shire of Kojonup, aligns with health and wellbeing initiatives. Skeleton staff remain present/accessible for essential services.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That approval is granted for:

1. The closure of the Administration Office, Library and Depot during the 2021/2022 Christmas and New Year period from 12.30pm Friday, 24 December 2021 to reopen at usual opening times on Tuesday, 4 January 2022; and
2. That the above mentioned closure be advertised on the Shire of Kojonup website and via local public notice.

12.7 POLICY MANUAL REVIEW

AUTHOR	Judy Stewart – Senior Administration Officer
DATE	Tuesday, 9 November 2021
FILE NO	CM.POL.2
ATTACHMENT(S)	12.7.1 - Existing Policy Manual showing proposed changes 12.7.2 - Policy Manual with proposed changes incorporated

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions
KP3 - 3 Performance	3.1 - Be a continually engaged and strategic community which leads and organises throughout the entire stakeholder group.	3.1.5 – Implement strategies to improve Councillors’ role as community leaders and asset custodians.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to conduct an annual review of Council’s Policy Manual.

BACKGROUND

Council’s Policy Manual is reviewed, in its entirety, on an annual basis and was last reviewed by Council in November 2020. Amendments to, and formation of, individual policies have been presented to Council for its consideration on an as needs basis in the interim, being incorporated into the Policy Manual at the time of amendment or formation.

COMMENT

The annual review of the Policy Manual has been undertaken by staff and proposed amendments are shown (tracked) in the first of the attachments to this item with a clean copy, inclusive of changes, being the second attachment. A summary of policies with recommended, consequential changes is as follows (other inconsequential changes include amendments relating to improved formatting, consistency throughout the document, and reference to local laws):

- 2.3.4 Asset Management – removal of references to the Asset Management Working Group
- 2.3.5 Risk Management – addition to ‘Procedure’ information
- 2.3.6 Business Continuity – deletion of policy (the Business Continuity and Disaster Recovery Plan is referenced under Policy 2.3.5 – Risk Management)
- 3.6 Certificates of Appreciation – additions to eligibility guidelines
- 3.9 Flying of Flags – addition of information regarding flags flown at the Shire of Kojonup Administration Office

- 3.16 Community Consultation Charter – change of Charter title, changes to committee examples and delegate information
- 3.21 Appointment of Officers to Acting CEO – change to period of leave to activate Acting Chief Executive Officer (CEO) salary increase when the CEO is on leave
- 3.24 Fraud, Corruption and Misconduct Prevention – change to Code of Conduct information under ‘Prevention’.

CONSULTATION

Chief Executive Officer and Senior Management Team

Administration Staff via Administration Staff Meetings – review of a different policy on a regular basis to ensure relevance of content

STATUTORY REQUIREMENTS

While policies have no legal status, it is considered best practice for local governments to have a set of policies that provide guidance to staff, effectively negating the need for staff to constantly refer to Council. Council may adopt, amend or waive policies under Section 2.7 (2) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

This item recommends amendments to several existing Council policies, as outlined under *Comment*.

FINANCIAL IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
8 - Errors, Omissions and Delays	Changes to legislation	Policies and Procedures	Nil
Risk rating - Adequate			
IMPLICATIONS			
Robust systems and controls, including guidance documents such as Council’s Policy Manual, reduce inconsistencies and risks associated with Shire operations. A lack of effective policies and processes can contribute to impulsive decision making (causes of compliance risk).			
Timely updating of policies in accordance with legislation amendments assists in reducing the likelihood of non-compliance with legal requirements.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the attached Shire of Kojonup Policy Manual, dated November 2021 and including amendments, **be adopted.**

13 KEY PILLAR 4 – ‘PROSPERITY’ REPORTS

13.1 KOJONUP AERODROME LOCAL PLANNING POLICY

AUTHOR	Phil Shephard – Town Planner
DATE	Tuesday, 9 November 2021
FILE NO	LP.PLN.11
ATTACHMENT(S)	13.1.1 - Draft Kojonup Aerodrome Local Planning Policy

STRATEGIC/CORPORATE IMPLICATIONS		
	“Smart Possibilities – Kojonup 2027+”	“Smart Implementation – Kojonup 2024+”
Key Pillar	Community Outcomes	Corporate Actions
KP4 - Prosperity	4.3 Be attracting support industries and diverse and new business sectors to the region.	4.3.4 Drive population growth through the support of local industry, development of new industry and promotion of Kojonup’s point of difference.

DECLARATION OF INTEREST

Nil

SUMMARY

Council, at its May 2021 ordinary meeting, supported the use of an area of land near the existing buildings at the Kojonup Aerodrome for airport service businesses and requested staff prepare a draft Local Planning Policy for consideration.

The recommendation is to adopt the draft policy and undertake the required 21-day advertising as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND

Following an approach to the Shire enquiring if there was any land available at the Kojonup Aerodrome, Council, at its May 2021 meeting (Resolution: 56/21), supported the use of an area of land near the existing buildings at the aerodrome for airport service businesses and amongst other tasks, requested staff prepare a draft Local Planning Policy for consideration.

COMMENT

The attached draft policy has been based on a similar enterprise at the Shire of Gnowangerup. The nominated Kojonup Aerodrome Business Area shown in the draft policy is the same area supported by the Council at its May 2021 meeting.

The objectives for the draft policy are stated as:

- Protect the primary purpose for aviation related activities;
- Encourage further development of aviation facilities and activities and allow complementary activities and uses which facilitate ongoing and increased use of the facility; and

- Prevent any uses and/or development which would conflict with or jeopardise the continued function of the Aerodrome.

The draft policy would enable Council to consider the following activities within the Kojonup Aerodrome and nominated Kojonup Aerodrome Business Area:

- (a) Aerodrome (including use by helicopters, gliders etc.);
- (b) Aircraft Hangars;
- (c) Aircraft Sales/Service/Hire;
- (d) Air Shows;
- (e) Aerial Spraying Operations;
- (f) Flight School;
- (g) Use by Emergency Service Organisations (including ambulance depot, fire suppression activities etc.);
- (h) Service Industry (must be aircraft related); and
- (i) Other incidental or aviation allied activities considered appropriate by the Shire.

The draft Policy reflects Council's May 2021 decision and seeks to increase the use of the Kojonup Aerodrome and enable the development of a range of aircraft related activities.

Alternate options and their implications

The Council has a number of options available to it, which are discussed below:

1 Not adopt the draft policy

The Council can choose to not adopt the draft policy and request staff make changes if desired. If this option were chosen, the draft policy would not proceed to advertising at this stage.

2 Adopt the draft policy

The Council can choose to adopt the draft policy, in part or whole. This option is consistent with the May 2021 decision to request a draft policy be prepared.

3 Defer the proposal

The Council can choose to defer the matter and seek additional information before proceeding to make a decision.

CONSULTATION

The draft Policy is required to be advertised for comment for a minimum period of 21-days under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

STATUTORY REQUIREMENTS

Planning and Development (Local Planning Schemes) Regulations 2015 – sets out the procedure for preparation, adoption and review of local planning policies.

POLICY IMPLICATIONS

This is a draft policy requested by Council to guide the increased use and development of the Kojonup Aerodrome.

FINANCIAL IMPLICATIONS

The staff cost of preparing and advertising the draft Local Planning Policy is provided for in the Shire’s 2021/2022 Budget. The future leasing/sale of land at the aerodrome would assist in the generation of income and enable the Shire to recoup some monies into the future.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 – Compliance	Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. It includes (amongst others) the <i>Planning & Development Act 2005</i> .	External Audits (compliance)	Nil
10 – Management of Facilities, Venues and Events	Failure to effectively manage the day to day operations of facilities, venues and/or events.	Lack of Lease/Contract/Agreement/MOU/Licence documentation. Events on Shire facilities application and approval procedures. Lease agreements for Shire facilities.	Draft improved Events planning process guidelines (including Planning Approvals, risk assessments, event management plans, food safety at stalls etc). Develop Lease agreements register for all Shire facilities.
Risk rating: Low/Moderate			
IMPLICATIONS			
Ensuring that activities on, and use of, Shire land are approved under the Town Planning Scheme No. 3 mitigates compliance risk. Any future lease documentation will mitigate risk by clarifying responsibilities of both the lessor (Shire) and any lessee.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council adopt the draft Kojonup Aerodrome Local Planning Policy and undertake advertising for submissions as required under c.4 'Procedure for making local planning policy' of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

13.2 RETROSPECTIVE DEVELOPMENT APPROVAL FOR LANDFILL AND UNAUTHORISED ACCESS ONTO BLACKWOOD ROAD AT LOT 27 THORNBURY CLOSE, KOJONUP

AUTHOR	Phil Shephard – Town Planner
DATE	Tuesday, 9 November 2021
FILE NO	A14233
ATTACHMENT(S)	13.2.1 - Site Survey at Lot 27 Thornbury Close Kojonup Sheets 1 and 2

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2021 +”
Key Pillar	Community Outcomes	Corporate Actions/Delivered Activity
4 - Prosperity		<p>Planning for the use of land in such a way that promotes and enhances social and economic wellbeing while balancing environmental preservation.</p> <p>Assessments and approval of subdivision and development applications under the authority of the <i>Planning and Development act 2005</i>.</p>

DECLARATION OF INTEREST

Nil

SUMMARY

To consider a request from the landowner for retrospective development approval for an existing landfill area on part of the lot. The landfill was undertaken to reduce water runoff on the site.

In addition, the property has utilised a crossover and driveway onto Blackwood Road that Main Roads WA has advised is not approved by them as required, and they have requested the Shire advise the landowner that it be closed accordingly.

There is no delegation available to staff to determine the retrospective development application and it must be presented to Council for consideration. The recommendation is to grant retrospective development approval subject to conditions.

BACKGROUND

Nil

COMMENT

Existing landfill

The landowner has imported landfill (0.55m – 1.15m in depth) and compacted or levelled the fill into the area on the property shown in the attached plans. Filling of land over 0.5m requires development approval from the Shire under the *Planning and Development (Local Planning Schemes) Regulations 2015*. The property and landfill area are shown in the images below.



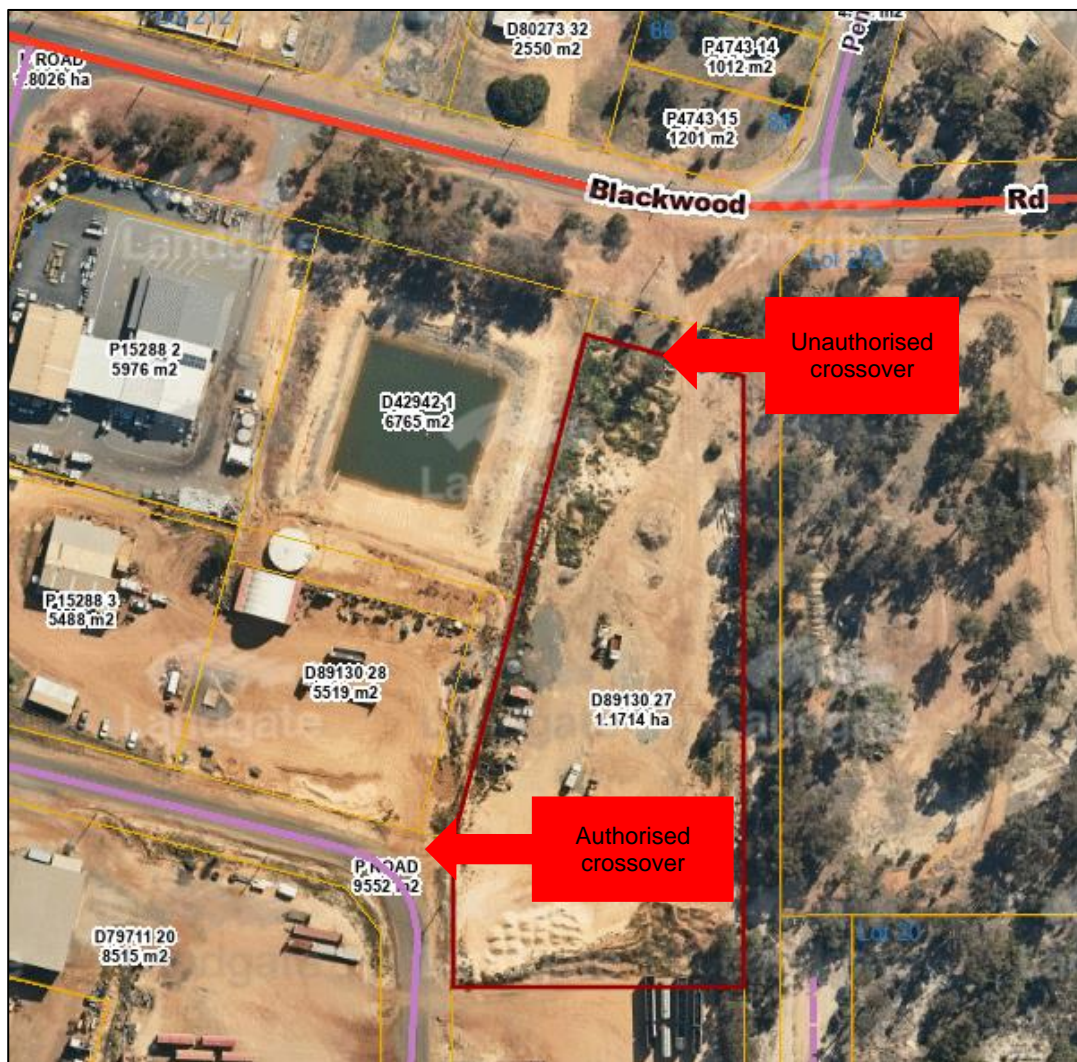
Lot 27 Thornbury Close, Kojonup showing position of landfill (Image Landgate Map Viewer Plus)

As the landfill has been located on the property for some time now without complaint from neighbours regarding its position or function, it is considered that the development/works are acceptable to the neighbours.

Unauthorised access onto Blackwood Road

The property has utilised a crossover and driveway onto Blackwood Road that Main Roads WA has advised is not approved by them as required, and they have requested the Shire advise the landowner accordingly. The driveway also crosses Reserve 39784 'Recreation' that separates the lot from Blackwood Road and restricts lot access to Thornbury Close.

Blackwood Road is a state road under the care and control of Main Roads WA. Any access onto the road requires Main Roads WA approval and must be constructed to its standards/requirements if granted.



Lot 27 Thornbury Close, Kojonup showing position of crossovers (Image Landgate Map view Plus)



Unauthorised crossover onto Lot 27 from Blackwood Road (Image Google Maps)

Retrospective development approvals

The Council can grant retrospective development approval to developments under the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

The applicant has acknowledged their oversight in not seeking Council approval and has cooperated with staff and prepared this application for Council consideration. Given the applicant has paid the retrospective development application fee (which is 3x the normal fee) and sought development approval upon being advised by staff that this was required, no further action regarding the breach of Town Planning Scheme No. 3 (TPS3) is considered necessary or recommended.

TPS3 Considerations

The *Planning and Development (Local Planning Schemes) Regulations 2015* (c.67) require the Council, in considering an application for development approval, to have regard to those matters relevant to the application from the list. Those relevant matters are discussed in the table below:

Matter to be Considered	Response
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The proposal to maintain the existing landfill area on the property is considered consistent with the aims and the provisions of TPS3.
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;	The proposal is considered consistent with the orderly and proper planning of the locality.

Matter to be Considered	Response
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;	The proposal is considered compatible with its setting and the adjoining developments. The landfill has been located on the property for some time without complaint from any affected neighbours.
(n) the amenity of the locality including the following: (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	The landfill area is located at the side/rear of the property and does not adversely affect the environment or amenity of the area and industrial locality.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	The proposal is not affected by any known risk.
(s) the adequacy of - (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	The access and driveway onto Blackwood Road has not been approved by Main Roads WA as required and must be closed. The existing access onto Thornbury Close is approved and vehicles should use this access point only.
(w) the history of the site where the development is to be located;	The site has been used as a truck yard and storage area for many years.

Alternate Options

The Council has several options available to it, which are discussed below:

1 Refuse the application

The Council can choose to refuse the proposal. This option would not be consistent with the applicant's request for retrospective approval. If refused, Council would need to provide reasons for not supporting the request.

2 Approve the request

The Council can choose to approve the proposal, in part or whole, and with or without conditions.

3 Defer the proposal

The Council can choose to defer the matter for a period of time and seek additional information from the proponent, if deemed necessary to complete the assessment, before proceeding to make a decision.

The decision of the Council is a reviewable determination under the *Planning and Development (Local Planning Schemes) Regulations 2015* (c.76) 'Review of decisions' and the landowner may apply to the State Administrative Tribunal for a review of the decision made by the Council. An appeal must be lodged within 28-days of being notified of the decision.

CONSULTATION

Nil

STATUTORY REQUIREMENTS

The processing of the application is required to comply with the requirements of Town Planning Scheme No. 3 which is an operative local planning scheme under the provisions of the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The applicant has paid the application fee for retrospective development approval of \$441 in accordance with the Shire's adopted 2021/22 List of Fees and Charges.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
7 – Environmental Management	Illegal clearing/land use	Environmental management compliance	Nil
Risk rating: Low			
IMPLICATIONS			
Although the application is retrospective, development approval for the landfill will rectify the non-compliance risk. Closure of the existing access and driveway onto Blackwood Road will also address Main Roads WA requirements and lessen the risk of any issues created by access that is not authorised.			

ASSET MANAGEMENT IMPLICATIONS

Nil

SOUTHERN LINK VROC (VOLUNTARY REGIONAL ORGANISATION OF COUNCILS) STRATEGIC PLAN IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council grant retrospective development approval for the landfill area on Lot 27 Thornbury Close, Kojonup subject to the following conditions:

- 1) The approved landfill area is shown on the attached stamped approved plans.
- 2) The existing access and driveway onto Blackwood Road to be closed immediately with all vehicle access to the site to use the approved driveway onto Thornbury Close.

Advice notes:

- i) *Blackwood Road is a State Road under the management and control of Main Roads WA. The existing access and driveway onto Blackwood Road has not been approved by Main Roads WA and must be closed immediately. Any access onto the Blackwood Road should be directed to Main Roads WA (Great Southern Region Office).*

The driveway also crosses Reserve 39784 'Recreation' that separates the lot from Blackwood Road and restricts lot access to Thornbury Close.

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

14.1 RECORDKEEPING PLAN 2021 - 2025

AUTHOR	Jenny Clark – Records Administration Officer
DATE	Monday, 8 November 2021
FILE NO	IM.RCM.2
ATTACHMENT(S)	14.1.1 - Shire of Kojonup Recordkeeping Plan 2021 – 2025 14.1.2 – Policy 2.3.2 - Information Management 14.1.3 – Information Management Procedures 1-5

STRATEGIC/CORPORATE IMPLICATIONS		
“Smart Possibilities – Kojonup 2027+”		“Smart Implementation – Kojonup 2018-2022”
Key Pillar	Community Outcomes	Corporate Actions
KP2 – Connected	2.2 – Have enhanced our aged-care and health provisions by progressing our connections with regional and state-wide groups.	2.2.15 - Convert medication management and record keeping including resident files to an electronic system to increase the safe storage of information.
KP5 – Digital	5.1 – Be fuelling our analytical knowledge to support business growth, operational excellence and farming productivity.	5.1.3 - Move to a fully Electronic Recordkeeping System by 2019. 5.1.4 – Development of Key Performance Indicators for Records Management.

DECLARATION OF INTEREST

Nil

SUMMARY

The purpose of this report is to consider the Shire of Kojonup (Shire) Recordkeeping Plan 2021 – 2025 and updates to associated Council Policy 2.3.2.

BACKGROUND

Section 28 (5) of the *State Records Act 2000 (Act)* requires that no more than 5 years must elapse between approval of a government organisation’s Recordkeeping Plan and review of it.

Council’s current Recordkeeping Plan 2015 (Plan) was endorsed by the State Records Commission in 2015 making it due for review in 2020; however, due to changes at the State Records Office, approval was given to delay until November 2021.

COMMENT

This document will be presented to the State Records Commission (SRC) in accordance with Section 28 of the *State Records Act 2000 (Act)* and supersedes the Shire of Kojonup Recordkeeping Plan 2015. In accordance with Section 29 (2) of the *Act* the Shire has received

approval from the Records Commissioner in extending the 5-year period to allow the Shire enough time to rewrite its Recordkeeping Plan to include policy and procedures which accommodate a fully digitised recordkeeping system.

The attached Shire of Kojonup Recordkeeping Plan 2021 – 2025, once endorsed by the SRC, will supersede the Shire’s former Recordkeeping Plan 2015.

Significant improvements in storage, disposal and electronic records were made during the period of the last Plan, 2015-2021. The focus of this Plan is finalising the move to a fully electronic recordkeeping system in all sections of the Shire’s operation.

CONSULTATION

Chief Executive Officer
Manager of Corporate and Community Services
Manager Regulatory Services
Manager Works and Services
Manager Springhaven

STATUTORY REQUIREMENTS

Section 28 of the *State Records Act 2000*.

POLICY IMPLICATIONS

Council Policy 2.3.2 Records Management has been rewritten and forms part of this agenda item.

FINANCIAL IMPLICATIONS

There are no financial implications for this report as it only deals with the adoption of a new plan and policy changes. The implementation of the plan and its focus on embedding fully electronic record practices will predominately be completed using staff time with little additional costs involved.

RISK MANAGEMENT IMPLICATIONS

RISK MANAGEMENT FRAMEWORK			
Risk Profile	Risk Description/Cause	Key Control	Current Action
3 - Compliance	Inadequate record keeping/failure of corporate electronic systems	Councillor/Staff training	Nil
4 - Document Management Processes	Outdated record keeping practices Lack of awareness of the <i>State Records Act 2000</i>	Recordkeeping Plan	Nil
Risk rating: Low/Low			
IMPLICATIONS			
Government organisations have a responsibility to ensure that records are protected and preserved. Without a Recordkeeping Plan, the organisation would be subject to an extreme risk as the protection and preservation may be jeopardised without staff having a plan to follow when keeping records and not complying with legislation.			

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. the Shire of Kojonup Recordkeeping Plan 2021 – 2025, as attached, be adopted;
2. Council Policy 2.3.2 - Records Management be amended as attached; and
3. Information Management Procedures 1-5 be noted.

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS

Nil

17 CONFIDENTIAL REPORTS

17.1 e-QUOTATION FOR THE SUPPLY AND SPRAY OF BITUMEN

AUTHOR	Craig McVee – Manager of Works and Services
DATE	Thursday, 4 November 2021
FILE NO	PS.ACQ.2/FM.FNR.2

17.2 e-QUOTATION FOR THE SUPPLY AND DELIVERY OF 1 (ONE) MOTOR GRADER

AUTHOR	Craig McVee – Manager of Works and Services
DATE	Monday, 26 October 2021
FILE NO	PS.ACQ.2/FM.FNR.2

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

That the meeting proceed behind closed doors in accordance with Section 5.23(2) (e) of the *Local Government Act 1995* at _____ pm.

PROCEDURAL MOTION

That the meeting be reopened to the public at _____ pm.

18 NEXT MEETING

Ordinary Council Meeting Tuesday, 14 December 2021 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 _____pm.

20 ATTACHMENTS (SEPARATE)

Item 7.1	7.1.1	Minutes of the Council Meeting held on 28 September 2021
Item 7.2	7.2.1	Minutes of the Council Meeting held on 19 October 2021
Item 7.3	7.3.1	Minutes of the Special Council Meeting held on 2 November 2021
Item 10.1	10.1.1	Volunteer Handbook – existing (2020) copy showing changes
	10.1.2	Volunteer Handbook - clean copy (2021)
Item 10.2	10.2.1	Correspondence - Parminder Singh and Kellie Jane Bowey
Item 11.1	11.1.1	Minutes of the Local Emergency Management Committee Meeting held on 24 August 2021
Item 11.2	11.2.1	Minutes of the Bush Fire Advisory Committee Meeting held on 14 October 2021
Item 12.1	12.1.1	Financial Management – Monthly Statement of Financial Activity (September 2021)
Item 12.2	12.2.1	Financial Management – Monthly Statement of Financial Activity (October 2021)
Item 12.3	12.3.1	Monthly Payments Listing September 2021
	12.3.2	Monthly Payments Listing October 2021
Item 12.4	12.4.1	Minutes of the Audit and Risk Committee Meeting held 2 November 2021
Item 12.7	12.7.1	Existing Policy Manual showing proposed changes
	12.7.2	Policy Manual with proposed changes incorporated
Item 13.1	13.1.1	Draft Kojonup Aerodrome Local Planning Policy
Item 13.2	13.2.1	Site Survey at Lot 27 Thornbury Close Kojonup Sheets 1 and 2
Item 14.1	14.1.1	Shire of Kojonup Recordkeeping Plan 2021 – 2025
	14.1.2	Policy 2.3.2 - Information Management Policy
	14.1.3	Information Management Procedures 1-5